

Minutes Book

Tuesday 23 February 2016

Council Chamber - County Hall, Trowbridge BA14 8JN



Minutes of Cabinet and Committees

September 2015 - February 2016

Meeting	Date	Page Nos.	Chairman (Cllr)
Cabinet and Cabinet Committees			
Cabinet	13 October 2016	<u>7 - 14</u>	Baroness Scott of Bybrook OBE
Cabinet	10 November 2015	<u>15 - 24</u>	Baroness Scott of Bybrook OBE
Cabinet	15 December 2015	<u>25 - 38</u>	Baroness Scott of Bybrook OBE
Cabinet	19 January 2016	<u>39 - 52</u>	Baroness Scott of Bybrook OBE
Cabinet	9 February 2016	<i>To Follow</i>	Baroness Scott of Bybrook OBE
Cabinet Capital Assets Committee	10 November 2015	<u>53 - 56</u>	Baroness Scott of Bybrook OBE
Cabinet Capital Assets Committee	19 January 2016	<u>57 - 64</u>	Baroness Scott of Bybrook OBE
Overview and Scrutiny Select Committees			
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Children's Select Committee	13 October 2015	<u>101 - 112</u>	Jon Hubbard
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Licensing Committee	21 September 2015	<u>391 - 398</u>	Pip Ridout
Governance Committees			
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Joint Committees			
Health and Wellbeing Board	24 September 2015	<u>405 - 412</u>	Baroness Scott of Bybrook OBE
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			Pearce
Local Pension Board	22 October 2015	<u>449 - 458</u>	Mr Howard Pearce
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Other Committees			
Staffing Policy Committee	9 September 2015	<u>507 - 514</u>	Allison Bucknell
Staffing Policy Committee	4 November 2015	<u>515 - 522</u>	Allison Bucknell
Staffing Policy Committee	6 January 2016	<u>523 - 528</u>	Allison Bucknell
Wiltshire and Swindon Fire Authority			
Councillors wishing to ask a question on the Fire Authority minutes are required to give written notice no later than five clear days before the council meeting - 5pm on 15 February 2016 - please contact Yamina Rhouati, 01225 718024, yamina.rhouati@wiltshire.gov.uk			
Wiltshire and Swindon Fire Authority	24 September 2015	<u>529 - 532</u>	Chris Devine
Wiltshire and Swindon Fire Authority	12 October 2015	<u>533 - 540</u>	Chris Devine
Wiltshire and Swindon Fire Authority	9 December 2016	<u>541 - 544</u>	Chris Devine

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CABINET

DRAFT MINUTES of a MEETING held in KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 13 October 2015.

Cllr Baroness Scott of Bybook O.B.E	Leader of the Council
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Keith Humphries	Cabinet Member for Health (including Public Health) and Adult Social Care
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning (strategic and development management), Property, Waste and Strategic Housing
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Systems Thinking, Procurement and Welfare Reform
Cllr Stuart Wheeler	Cabinet Member for Hubs, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services), Heritage & Arts and Customer Care
Cllr Philip Whitehead	Cabinet Member for Highways and Transport
Also in Attendance:	Cllr Jon Hubbard, Cllr Alan MacRae, Cllr Richard Gamble, Cllr Fred Westmoreland, Cllr Simon Killane, Cllr Glenis Ansell, Cllr Magnus Macdonald and Cllr Bill Moss

Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

106 **Apologies**

There were no apologies for absence received.

107 **Minutes of the previous meeting**

The minutes of the meeting held on 15 September 2015 were presented.

Resolved

To approve as a correct record and sign the minutes of the meeting held on 15 September 2015.

108 **Minutes - Capital Assets Committee**

The minutes of the meeting held on 15 September 2015 were presented.

Resolved

To note the minutes of the meeting of the Cabinet Capital Assets Committee held on the 15 September 2015.

109 **Declarations of Interest**

There were no declarations of interest.

110 **Leader's announcements**

There were no Leader's announcements.

111 **Public participation and Questions from Councillors**

The Leader reported receipt of questions from Mr Brian Warwick and Mrs Iris Thompson.

With regards Mr Warwick's first question, Councillor Keith Humphries explained that he was arranging to meet with Mr Warwick to discuss further questions submitted by him.

Cllr Jonathon Seed replied to Mr Warwick's second question in respect of the issue of the number of bedrooms at properties offered to elderly tenants. Councillor Seed explained that he considered the matter had been addressed through consultation and that there had been a good response from providers. Furthermore, he had hoped that pensioners would be exempt from the 'bedroom tax', this had not been case, but he now hoped that this matter could be dealt with through a local measures. With regard to the mixing of ages, given the priorities for housing people in preferred locations, it was unavoidable that younger and older people would be housed in some developments together; he would, however, discuss the matter further with Mr Warwick once he had consulted with officers.

The Leader stated, in response to a supplementary issue raised by Mr Warwick, that Wiltshire Council would be seeking to improve this engagement with providers.

The Leader then invited Mrs Iris Thompson to present her question. Cllr Toby Sturgis replied reassuring Mrs Thompson that her objections had been considered as part of the determination of the scheme.

In response to Mrs Thompson view that she remained unconvinced that her concerns had been properly considered, the Leader explained that whilst she understood Mrs Thompson's concerns, she considered that the process had been dealt with properly and having regard to professional and technical expertise from officers. The Leader added that, given Mrs Thompson's continuing concerns, she might wish to refer the matter to the Local Government Ombudsman for independent adjudication. Furthermore, the Leader considered that the Council had done as much as it was able to do to address her concerns; the Leader requested the Monitoring Officer advise Mrs Thompson on referring her issue to the Ombudsman.

In an effort to further allay Mrs Thompson's concerns, at the request of the Leader, it was agreed that a Highways Safety Engineer, together with Councillor Phillip Whitehead would meet with Mrs Thompson at her property.

112 **Deferred Payments**

 Councillor Keith Humphries presented the report which set out a proposed change to the deferred payment policy, required following the implementation of the Care Act 2014.

Issues raised in the course of the presentation and discussion included: the impact of the new proposals on reducing the financial risk to the Council; that the policy would allow people to defer payment of care with the Council paying the balance of costs; the maximum rate of interest set by the Government; how a charge could be registered on the property, and how some administrative charges could be levied; what the cash flow implications of the phasing of the scheme were; that the Council has 85 people currently using the scheme, a number that had been fairly stable; that a grant would be made available to the Council to cover part of the cost of **implementation**; that the Council would direct people to independent financial advice, and so that people are aware that the Council is only able to provide care up to a certain level; that younger people rarely fall under the scope of the scheme; and that further briefings would be made available to Members so that they would, in turn, be better able to respond to queries from their respective communities.

In response to a question raised by Cllr Fleur de Rhe-Philippe, officers were asked to clarify how interest would be calculated.

In moving his recommendation, Cllr Humphries amended the wording of recommendations 4. and 6. as recorded in the resolutions below, duly passed by the meeting.

Resolved

To amend the deferred payment policy so that:

- 1. Eligibility will be extended to people in supported living;**

2. **Only a first legal charge, registered against the persons property will be accepted as security unless an exception is agreed by a Head of Service;**
3. **Interest and fees will be charged from the outset of the agreement;**
4. **The Deferred payment loan can be up to 80% of the equity a person has;**
5. **No payments will be made until a first legal charge is registered unless there is a delay in the process through no fault of the customer; and**
6. **Where a person rents out their home, 100% of rental income will be considered in financial assessments.**

Reason for Decision:

New legislation requires the current policy to be updated. The policy has been updated to take advantage of the new powers the Council has around offering deferred payments.

The proposals reflect a tightening of arrangements to reduce the financial risks the Council is exposed to. The proposals also try to incentivise the take up of supported living accommodation, such as extra care, to encourage people to think about moving to appropriate accommodation earlier in their lives and help manage long term costs of care.

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113 **Integrated Emergency Management Plan**

Key Councillor Keith Humphries presented the draft Integrated Emergency Management Plan for Cabinet's consideration and onward recommendation to Council.

The accompanying report outlined recent improvements and proposed future work to enhance the resilience of Wiltshire Council and the wider community.

Issues raised in the course of the presentation and discussion included: that the Council is a category one responder and is required to work with partners to put plans in place to respond to emergencies; the evolution of the emergency planning function and how it had been strengthened; how the emergency planning function has been linked to Public Health; how the new plan brings together three plans including business continuity, recovery and emergency plans; how the plan links to the Local Resilience Forum co-chaired by Maggie Rae in her capacity as Director for Public Health; how national civil risks are taken into account including flu, flooding and power outages; how voluntary groups can be worked with to improve community resilience; how potential problems can be anticipated including support to festivals; and how the Council has been recognised as an exemplar.

Cllr Humphries thanked, in particular, the work of the Overview and Scrutiny Committee for its input. Furthermore, he expressed his wish to continue this relationship, and drew attention to their report and recommendations in the pack.

Cllr Simon Killane, Chair of the Overview and Scrutiny Committee, welcomed the opportunity to have had a robust and detailed discussion on the Plan; he also made reference to the recommendation and the focus on engagement of staff and volunteers with the plan. He looked forward to having the opportunity to continue to look at this as it is an evolving, living document.

Cllr Humphries, in response to issues raised by Cllr Sturgis and Cllr Fleur de Rhe-Philippe, stated that officers are going out to Area Boards and Parishes, and that they would continue to work to promote engagement with the plan in the communities, recognising the benefit of gaining assistance and knowledge from local communities.

Resolved

- 1. To recommend the Integrated Emergency Management Plan for approval by Full Council**
- 2. To note the progress made by the Emergency Planning Team in increasing the resilience of Wiltshire Council and local communities.**

Reason for Decision

This proposal seeks to formalise and reinforce Wiltshire Council's commitment to continual improvement in response during emergencies, and to support communities becoming stronger and more resilient. The Integrated Emergency Management Plan is a best-practice approach to preparing for emergencies, which will assure partners and communities that Wiltshire Council has planned and prepared for major incidents.

The new Plan replaces three previous documents, and will align the organisation to the highest national and international standards for Major Incident Response, Business Continuity and Recovery.

114 **Public Health Annual Report**

Councillor Keith Humphries and the Director of Public Health – Maggie Rae, presented the Annual Public Health Report which informed Cabinet of Public Health activity in Wiltshire during 2014/2015. During the presentation, a video of the 'Beat the Streets' initiative designed to promote walking to school was shown.

Issue highlighted in the course of the presentation and discussion included: The statutory duties of the Council in relation to Public Health; how the movement of Public Health Service to Local Government had improved engagement with other Council Services and the public in general; and the Council's good, national reputation for engaging and integrating Public Health.

Cllr Humphries, in his presentation, commended officers for embracing this change and working so positively to engage with Public Health in their work.

Maggie Rae stated, in response to issues raised by Cllr Glenis Ansell and Cllr Laura Mayes, that the Council would be investigating options for furthering the Beat-the-Street scheme, particularly with regard to possible links to Leisure services and targeted obesity programme.

Resolved

To note the Public Health Annual Report 2014/2015.

Reason for Decision:

To formally present the Annual Report to Cabinet and provide an opportunity to express any views.

115 **Children's Community Services Retender: Preferred Provider**

Councillor Laura Mayes presented a report which provided background to the Children's Community Health Services retender project.

Issues highlighted in the course of the presentation and discussion included: that five organisations were currently providing different services in this area; that officers from the Council and staff from other commissioning organisation had undertaken consultation with users to establish what needs there were, and with providers with a view to bringing these services under one contract.

Cllr Jon Hubbard, Chairman of the Children's Select Committee, stated that he was looking forward to further work with officers once the approved contractor

has been identified. Furthermore, he would be looking for involvement of the Task Group in contributing to looking at how to measure performance. He explained that such a framework would be vital in managing the £7m of public funding and ensuring it is appropriately spent to the right quality standard.

In response to a question from Cllr Philp Whitehead, Julia Cramp – Associate Director, explained that whilst the project was a jointly-commissioned exercise between NHS England, Wiltshire CCG and Wiltshire Council, that Senior Wiltshire Council officers, led by Julia Cramp, would play a significant role in managing the contract, due to level of funding invested by the Council

The Leader drew the meeting's attention to the fact that further discussion of the matter would be held in Part ii of the meeting.

Resolved

To note the progress of the Community Child Health Recommissioning Steering Group.

Reason for Decision:

To keep Cabinet abreast of developments.

116 Urgent Items

There were no urgent items.

117 Exclusion of the Press and Public

Resolved

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following items of business because it is likely that if members of the public were present there would disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Reason for taking the item in private:

Paragraph 3 – information relating to the financial information or business affairs of any particular person (including the authority holding that information)

No representations had been received as to why this item should not be held in private.

118 Children's Community Services Retender: Preferred Provider (Part II Item)

🔑 Councillor Laura Mayes presented the report which provided further information regarding the project, an update on the outcome of the tender evaluation process, and the background to the Steering Group's recommendation to proceed to formal award of contract stage.

The Leader requested that the provider should be asked to report back to Cabinet at the appropriate time, once they had been operating the contract for at least 6 months.

Resolved

- 1. To approve the recommendation of the Community Child Health Re-commissioning Steering Group to progress to award of contract; and**
- 2. To note that the decision to proceed to award of contract is not legally enforceable until and unless a contract is signed by all parties, and should any irresolvable issues arise during mobilisation the commissioners and/ or bidder may withdraw.**

Reason for Decision

The procurement process, following strict criteria set out in NHS procurement regulations, has been applied. A range of evaluators including representatives of the three commissioning bodies, local experts from individual areas of expertise, including the Wiltshire Parent Carer Network and young people representatives, together with external clinical experts have met to moderate agreed scores for each of the questions. An overall score has been agreed by the evaluation team. The Steering Group are satisfied that the assumptions identified have been raised and clarified during the due diligence phase and that Virgin Care Services are able to deliver the service as per their bid and have recommended progress to formal contract award.

(Duration of meeting: 12:05)

These decisions were published on the 16 October 2015 and will come into force on 26 October 2015

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

DRAFT MINUTES of a MEETING held in KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 10 November 2015.

Cllr Keith Humphries	Cabinet Member for Health (including Public Health) and Adult Social Care
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Baroness Scott of Bybrook O.B.E	Leader of the Council
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning (strategic and development management), Property, Waste and Strategic Housing
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Stuart Wheeler	Cabinet Member for Hubs, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services), Heritage & Arts and Customer Care
Cllr Philip Whitehead	Cabinet Member for Highways and Transport
Also in Attendance:	Cllr Glenis Ansell, Cllr Peter Evans, Cllr Sue Evans, Cllr Richard Gamble, Cllr Alan Hill, Cllr Jon Hubbard, Cllr David Jenkins, Cllr Simon Killane, Cllr Jerry Kunkler, Cllr Magnus Macdonald, Cllr Bill Moss, Cllr Stephen Oldrieve, Cllr Jeff Osborn, Cllr Horace Prickett, Cllr Anthony Trotman, Cllr Bridget Wayman and Cllr Jerry Wickham.

Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

119 **Apologies**

Apologies were received from Cllr Dick Tonge.

120 **Minutes of the previous meeting**

The minutes of the meeting held on 13 October 2015 were presented.

Resolved

To approve as a correct record and sign the minutes of the meeting held

on 13 October 2015.

121 Declarations of Interest

There were no declarations of interest.

122 Leader's announcements

The Leader welcomed all to the meeting, and congratulated Cllr Glenis Ansell on her election as Leader of the Liberal Democrats in Wiltshire.

123 Public participation and Questions from Councillors

Cllr Steve Oldrieve referred to a question he had asked at a previous Cabinet meeting on the setting up of an Energy Resilience Board for which he had not yet received a response. Cllr Toby Sturgis assured Cllr Oldrieve of a response as soon as possible.

124 Adoption Agency Six Month Update

Councillor Laura Mayes presented a report which provided a six month update to Cabinet regarding the performance of the Adoption Service within Wiltshire Council.

Issues highlighted in the course of the presentation and discussion included: That Ofsted, following their recent inspection, had rated the Adoption Service as requiring improvement but had recognised that the service was moving towards a rating of Good and that they had concluded that the Service made well informed and well matched placements; that the areas for improvement included the timeliness of assessment especially for those with complex needs; how solutions within extended families are explored; and how local authorities and local charities can work together to form a regional consortium and the impact it would have on pooling resources.

Cllr Jon Hubbard, Chair of the Children's Select Committee, expressed concern with regard to the benefits of taking an Adoption Service out of the Council's control through the development of a regional consortium, and asked that the Select Committee be involved in the overview of the development of proposals.

Cllr Laura Mayes stated, in response to a question from Cllr Jon Hubbard, that the Council chose, unlike some authorities, to attempt to find adoptive families for more complex cases, and that this would have an impact on the average waiting times. Furthermore, Carolyn Godfrey – Corporate Director, stated that the national target was challenging and that Wiltshire Council was just below the average performance for all authorities. In addition, Carolyn Godfrey stated that new legislation meant that the Council no longer had the power run its own agency and was now obliged to enter into partnership arrangements. Terence Herbert, Associate Director, stated that the development plan referred to in

report had been modified in the light of OFSTEDs comments and recommendations, but that it was now available as part of the overall Children's Safeguarding Improvement Plan.

The Leader of the Council stated that she was proud that Wiltshire Council sought to address the more complex cases that can get ignored by some other authorities and accepted that this could have a negative impact on the statistics. Furthermore, she expressed some sympathy for the concerns expressed about the creation of a regional consortium but that she would be interested to hear what improvements could be made through the new approach. Carolyn Godfrey explained that a report would be made to a future meeting of Cabinet and the Select Committee.

Resolved

That the contents of the report presented be noted and accepted.

Reason for Decision:

Wiltshire Council is an Adoption Agency registered with Ofsted. The 2014 Adoption Minimum Standards (25.6) and 2013 Statutory Guidance (3.93 and 5.39) describe the information that is required to be reported to the executive side of the local authority every six months in order to provide assurance that the adoption agency is complying with the conditions of registration whilst being effective and achieving good outcomes for children and service users.

125 School Places Strategy 2015-2020

 Councillor Laura Mayes and Councillor Richard Gamble presented a report which asked the Cabinet to consider and approve the Wiltshire School Places Strategy 2015-2020 and Implementation Plan. In her presentation, Cllr Mayes commended the work of the officers, Clare Medland in particular, in bringing the Strategy together.

Issues highlighted in the course of the presentation and discussion included: how the Council compared with other authorities; that the Strategy does not apply to post 16 education; how new housing and migration to the county impacted on the plan; that the plan would need to be updated as the housing situation develops; how cross-authority issues are taken into account; the various options for increasing capacity; the impact of the Army re-basing; how funding from central government are made available and how s106 and CIL contributions from developments are drawn down.

Cllr Jon Hubbard, Chair of the Children's Select Committee, thanked the officer for their detailed presentations to the previous meetings of the Select Committee. He was however, disappointed that there was no mention of the involvement and views of the Select Committee. He remained concerned that the Core Strategy had not been fully taken into account and that the specific

recommendation on identifying the discrepancies between school and community areas had not been addressed.

Cllr Gamble, Portfolio Holder, responded that information on these discrepancies could be included in the strategy.

Julia Cramp, Associate Director, stated in response to a question from Cllr Glenis Ansell, that the Council did support Schools in the development of travel plans but recognised that some schools took their responsibilities better than others. Cllr Mayes also encouraged local members to liaise with their local schools where they thought they needed further support in developing and implementing their plans.

Clare Medland, Head of School Place Planning, stated in response to a question from Cllr Steve Oldrieve that the Council was still in early discussions with developers with regard to identifying sites for schools arising from housing developments in Trowbridge; that it was anticipated that any new secondary school could be quite small and therefore was more likely to be a satellite of an existing school but that no decision had yet been made. It was anticipated that any new secondary school would not be built till 2022 and it was worth noting there was current extra capacity within the existing secondary schools.

It was noted that a report would be considered by Cabinet Capital Assets Committee that afternoon which sought approval of the Schools Capital Investment Programme for 2016-2019. It was noted that the funding for condition improvements had fallen as more schools became academies; however the Council would be able to meet small scale and urgent condition works, but would be unlikely to meet whole scale improvement or condition changes.

Resolved

To approve the Wiltshire School Places Strategy 2015-2020 and its Implementation Plan

Reason for Decision:

The Wiltshire School Places Strategy 2015-2020 will become a key framework document for the Council in considering any statutory proposals for changes to school organisation including the commissioning of new schools and will inform future capital investment priorities.

126 Transfer of Health Visitor Services (0-5s)

Councillor Laura Mayes , Cllr Keith Humpries and Maggie Rae presented a report which provided an update on the transfer of responsibility for commissioning of children's public health for the 0-5 years population from NHS England to local authorities.

Issues highlighted in the course of the presentation and discussion included: that this was the last service to be transferred as part of Public Health Service moving from NHS to Local Government; that examples of their work were given by way of case studies in the report; the number of community nurses that have moved across to the Council; how the service can be used to promote early intervention and support; how the Council has to ensure sufficient funding had transferred; the impact of the cut to the public health grant from central government; the importance of the quality of the working relationships between public health and social care officers to improve the health of young people; and how the service can improve links to GPs.

Maggie Rae, Corporate Director, stated in response to a question from Cllr Glenis Ansell that she had, along with Carolyn Godfrey, amended the wording of the recommended letter to parents of obese children so that it was more constructive.

Resolved

To approve the approach to taking forward the public health commissioning and contract monitoring of this important service for families in Wiltshire, particularly delivery of the mandated visits and health checks.

Reason for Decision:

The Department of Health, Public Health England and NHS England have set out strict criteria for managing this transfer to ensure it does not affect delivery of these services to children and families. This includes the process of novation of existing NHS contracts, setting out the financial allocation and the requirements for national data reporting to ensure oversight of delivery of the mandated checks to maximise the health of children in England. The Public Health and Protection team has worked closely and positively with NHS England to ensure a smooth hand over and are satisfied that all national and local requirements have been met.

127 **Highways and Streetscene Contract**

 Councillor Philip Whitehead presented a report on the early termination of the Highways and Streetscene Contract with Balfour Beatty Living Places (BBLP), and the alternative arrangements for service delivery being put in place. In his presentation, Cllr Whitehead commended the hard work of the officers in addressing the issues arising from the termination of the contract, and thanked the Select Committee's Task Group for their engagement.

Issues highlighted in the course of the presentation and discussion included:

that the report has been considered by the Task group and the Environment Select Committee; that the contract had been terminated on the 1st September 2015; and that the Council was managing the contract in house.

Cllr Jeff Osborn, Chair of the BBLP Task Group, made reference to the recommendations of the Task Group and reiterated the importance of the need to manage people's expectations with regard to how far the Council can improve the service now that the contract was being managed in house.

Cllr John Thomson stated that it was important to note that the increase in capital expenditure, investing in road condition improvements, should result in a revenue saving on maintenance.

The Leader stated, in response to a question from Cllr Steve Oldrieve, that she considered that the Council had undertaken necessary due diligence to satisfy itself that BBLP would have been able to deliver the contract.

Accepting that not all members of the public had access to the My Wiltshire App, Cllr Whitehead encouraged members to assist residents in reporting issues via the App to speed up issues being addressed. Cllr Sturgis stated that he had received positive feedback from some parish councils as to the efficacy of reporting through the App.

In response to a question from Cllr Glenis Ansell, Cllr Whitehead confirmed that there had been nothing to question BBLP's ability to deliver the contract. Furthermore he recognised the impact the termination of the contract would have on staff in the short term. Furthermore, he was sure that the Council would be able to build on its experience, from using volunteers, to address the concerns regarding insurance liability. The Leader stated that Cllr Dick Tonge had been working on this matter and that further guidance would shortly be forthcoming.

Resolved

- i. That the termination of the existing Highways and Streetscene Contract with BBLP is noted.**
- ii. That the arrangement for delivery of grass cutting, litter picking, major road resurfacing using former BBLP sub-contractors is noted.**
- iii. That the procurement exercise currently being undertaken for a new Wiltshire Highways Contract should be the subject of a future report when tenders are received.**
- iv. That the financial, reputational, legal and operational risks associated with these contract changes are noted.**

- v. **That it is noted that no compensatory payments have been made to BBLP in connection with the termination of the contract.**

Reason for Decision:

The early termination of the Highways and Streetscene Contract with BBLP has provided the opportunity to remove significant financial risks and resolve operational issues, which would become more challenging with expected future budget reductions. The transfer of BBLP's existing sub-contracts to the Council has benefits in terms of potentially greater flexibility and providing a more responsive service compared to what has been possible under the existing contract. It also ensures continuity of delivery in these key areas. There are operational benefits to the Council in being able to plan and co-ordinate work directly with the sub-contractors. There are risks associated with changes to the service, and the procurement of a new contract which need to be carefully managed. However, it provides the opportunity to help to manage anticipated future budget restrictions more effectively.

128 **Urgent Items**

There were no urgent items.

129 **Exclusion of the Press and Public**

Resolved

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following items of business because it is likely that if members of the public were present there would disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Reason for taking the items in private:

Paragraph 3 – information relating to the financial information or business affairs of any particular person (including the authority holding that information)

No representations had been received as to why this item should not be held in private.

130 **Highways and Streetscene Contract (Part II)**

The additional information was noted.

131 **Future Waste Management and Collection Services (Part II)**

🔑 Councillor Toby Sturgis presented a report which updated Cabinet on the outcome of the tender evaluation process for the revised tenders invited for Lot 2 management of household recycling centres and the variant tenders invited for Lot 5 waste and recycling collection services; and sought decisions in accordance with the proposals.

Resolved

- i. To confirm the decision made at its meeting held on 20 May 2014 to delegate authority to the Associate Director Waste and Environment in consultation with the Cabinet Member and the Associate Director Legal and Governance to extend the contract with FCC Environment for waste and recycling collection in west Wiltshire until 31 July 2017.**
- ii. To note the results of the application of the necessity and TEEP tests carried out to date on the tendered collection services, notes that it is not environmentally or economically practicable to collect the four materials separately, and agrees that further work should be done on the environmental practicability test to take account of air quality and the impact of the reprocessing of the recyclable materials.**
- iii. To agree that the Cabinet Member for Strategic Planning (Strategic and Development Management), Property, Waste and Strategic Housing will sign off the final report in accordance with the protocol for Cabinet Member delegated decision making, subject to the work carried out in accordance with proposal (ii) above confirming that the system for collection of dry recyclables should be co-mingled using the blue lidded bin for all materials excluding glass which should be collected from the black box, and subject to there being no material objections raised.**
- iv. To agree that the system for collection of dry recyclables should be co-mingled using the blue lidded bin for all materials excluding glass which should be collected from the black box.**
- v. That officers are asked to carry out a due diligence exercise to establish the costs of managing the Lot 2 household recycling centres in-house with management of materials being done under one or more of the contracts awarded for Lot 1 (management of recyclable materials), Lot 3 (composting of garden waste) and Lot 4 (landfill capacity for waste which could not be diverted).**
- vi. That officers are asked to carry out due diligence on the cost of delivering the Lot 5 collection service inhouse based on a co-mingled collection of dry recyclable materials from the blue lidded bin excluding glass which would be collected from the black box.**

- vii. **That officers are asked to explore the options for establishing alternative service delivery models to deliver the services specified for Lot 2 management of household recycling centres and Lot 5 collection services.**
- viii. **That officers are asked to notify staff, current contractors and tenderers of the above decisions.**

Reason for Decision:

To enable the council to maintain service delivery for residents, to comply with its statutory duties to collect and dispose of waste and to continue to progress towards achieving statutory targets once current contracts expire.

132 **Management and Operation of Wiltshire Council's Leisure Centres (Part II)**

Key Councillor Jonathon Seed presented a report which invited Cabinet to review the future requirements to manage leisure services in Wiltshire to commence from 1 April 2018. Cabinet was invited to consider three options as detailed in the report to Cabinet.

Cllr Seed, in his presentation, recommended that Cabinet agree to option one, namely, to bring management of the facilities in house.

Cllr Seed explained that this recommendation took into consideration the wider campus programme and Wiltshire's approach to improving the health and wellbeing of the population. This would also be in keeping with the Council's move towards a different county-wide emphasis on health and wellbeing with leisure services transitioning to a wider health and wellbeing service. Having all of the Council's leisure facilities directly managed would give the Council the flexibility needed to deliver those benefits to the population in the most cost-effective and efficient manner.

Resolved

- 1. That Cabinet agree option one for the future management of the Council's leisure centres from 1 April 2018 based on the information contained within the report presented;**
- 2. That Cabinet does not seek to undertake a procurement exercise, which will result in bringing the eleven outsourced leisure centres managed and operated by PfP under the Council's operations;**
- 3. To delegate authority to the Corporate Director for Public Health to progress and conclude the option agreed by Cabinet in accordance with the Council's procurement regulations; and**

4. To recognise that the appropriate budgetary provisions together with the relevant associated one-off costs are reflected in the revenue budgets from 2017/18

Reason for Decision:

1. 11 of the 22 Wiltshire Council Leisure Centre Facilities are managed via a contract with Places for People Leisure Ltd, (formerly DC Leisure), which expires on 31st March 2018.
2. No further extensions to these contracts can be sanctioned and they MUST cease on 31st March 2018. A replacement contract, or robust arrangements to bring the 11 outsourced centres back in house, must be in place.
3. An early decision is required in order to effect the changes required.

(Duration of meeting: 9.30 - 11.59 am)

<p>These decisions were published on the Monday 16 November 2015 and will come into force on Tuesday 24 November 2015</p>

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CABINET

DRAFT MINUTES of a MEETING held in COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 15 December 2015.

Cllr Baroness Scott of Bybook O.B.E	Leader of the Council
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Fleur de Rhé-Philipe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Keith Humphries	Cabinet Member for Health (including Public Health) and Adult Social Care
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning (strategic and development management), Property, Waste and Strategic Housing
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Systems Thinking, Procurement and Welfare Reform
Cllr Stuart Wheeler	Cabinet Member for Hubs, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services), Heritage & Arts and Customer Care
Cllr Philip Whitehead	Cabinet Member for Highways and Transport
Also in Attendance:	Cllr Glenis Ansell, Cllr Chris Caswill, Cllr Terry Chivers, Cllr Jon Hubbard, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Simon Killane, Cllr Gordon King, Cllr Magnus Macdonald, Cllr Alan MacRae, Cllr Helen Osborn, Cllr Jeff Osborn, Cllr Linda Packard, Cllr Mark Packard and Cllr Roy While

Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

133 **Apologies**

There were no apologies for absence received.

134 **Minutes of the previous meeting**

The minutes of the meeting held on 10 November 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 10 November 2015.

135 Declarations of Interest

There were no declarations of interest.

136 Leader's announcements

The Leader wished Tim Peake well on his trip to the International Space Station.

The Leader was pleased to announce that a number of Syrian Refugees had been housed in Wiltshire.

137 Public participation and Questions from Councillors

The Leader explained that those registered to speak on the Children's Centre item would be considered at that time.

The Leader drew the meeting's attention to the questions, submitted in advance of the meeting, responded to in writing and circulated in a supplementary paper. The Leader invited those in attendance to ask their questions.

a) Mr Richard Hames – Chippenham DPD

In response to a supplement to question 5, Cllr Toby Sturgis stated that a list of sites would be published once the evidence had been produced and agreement reached with the Inspector.

In response to a supplement to question 6, Cllr Toby Sturgis confirmed that of the course, the Council would proceed with an open mind.

In response to a supplement to question 7, Cllr Toby Sturgis stated that the Council would look at evidence would be looked at for all sites.

b) Mr Steve Perry – Chippenham DPD

In response to a supplement to questions 2 and 3, Cllr Toby Sturgis stated that he understood that Chippenham 2020 intended to submit a planning application.

c) Mr Ian James – Chippenham DPD

In response to a supplementary question, Cllr Jonathon Seed stated the Council continued to work with the Environment Agency and would listen to their advice. In addition, Cllr Toby Sturgis stated that Council would wish to consider the

advice of the Environment Agency with regard to the whole catchment area of the river Avon and made reference to the fact that one of the criteria for modern developments is that they should reduce water run-off from the site.

- d) Mrs Anne Henshaw – Chippenham DPD
- e) Mrs Anne Henshaw – Chippenham DPD

In response to a supplementary question regarding consideration as to whether the Cabinet Member's responsibility for both Property and Strategic Planning represented a conflict of interest, the Council's Monitoring Officer stated that he continued to take the view there is no conflict, as both roles are separate. In addition, the Leader asked that the Monitoring Officer write to Mrs Henshaw to further explain his advice on this matter. Cllr Sturgis added that the decision to adopt a plan was not his to take alone, and that the final decision rested with Full Council.

In response to a supplementary question regarding consideration as to whether the views of the public could be fully considered without a masterplan for the Chippenham Area, Cllr Toby Sturgis stated that Council was responding to the Inspector's request for additional information and that the Council should only answer those questions put by the Inspector rather than providing additional information that had not been requested.

In response to a supplementary question regarding the changes to CIL and s106 arrangements, Cllr Toby Sturgis stated that the central government had changed the rules how monies were collected and agreements had to be negotiated, leading to some delays in the Chippenham area.

- f) Mrs Isabell McCord – Chippenham DPD

In response to a supplementary question regarding the reputational damage to the Council caused by the delay, The Leader stated that she was not embarrassed by the delay, and commended the hard work of the officers who were responding to the requests of the inspector who wanted additional information and information presented in a different way.

- g) Mrs Marilyn Mackay – Chippenham DPD

Mrs Mackay noted the response, and additionally stated that the Inspector had, in her opinion, levelled serious criticism and concern at the Council.

- h) Ms Helen Stuckey – Chippenham DPD

In response to a supplementary question regarding the funding for a potential link road, Cllr Toby Sturgis stated that the Council did not have information to enable to answer further.

- i) Mr Malcolm Toogood – Chippenham DPD

Mr Toogood expressed frustration with the process, and stated that the community remained concerned that delays in adopting plans left Chippenham vulnerable to speculative development.

j) Cllr Chris Caswill – Chippenham DPD

In response to a supplement to question 1, Cllr Toby Sturgis stated development on brownfield sites was prioritised, in accordance with the National Planning Policy Framework, but that other sites would have to be considered to meeting the needs. Furthermore, the Leader stated that officers had liaised with Cllr Caswill regarding the list of brownfield sites already taken into account.

In response to a supplement to question 3, Cllr Toby Sturgis and the Leader would provide a written response as to why they were unable to attend the Examination in Public Inquiry in person. Furthermore, the Leader stated that she had been kept up to date, regularly, by officers.

In response to a supplement to question 6, Cllr Toby Sturgis stated that the inspector had previously stated that he was happy to proceed with the hearing and had only suspended proceedings to request further evidence. Furthermore, officers had followed the process agreed with the Inspector who had considered the Core Strategy, but they had not been told that this new Inspector disagreed with this process. In Cllr Sturgis's opinion, every Inspector is an individual and need to be treated as such.

In response to a supplementary question regarding consideration as to whether the Cabinet Member's responsibility for both Property and Strategic Planning represented a conflict of interest, Cllr Sturgis reiterated that he had no individual decision making powers in this regard, and that any final decision would rest with Full Council.

In response to a supplement to questions 9 and 10, Cllr Toby Sturgis stated that current work was being undertaken on the A350 to reduce existing congestion, and that further funding would be needed to undertake other work.

Cllr Chris Caswill thanked the Leader for dealing with his questions at this meeting.

k) Cllr Jon Hubbard - Webcasting

Cllr Jon Hubbard, in noting the written reply, expressed his support for the webcasting of meetings and asked that the system be used to broadcast more meetings.

Cllr Stuart Wheeler stated that he would provide a further update on webcasting arrangements. Furthermore, the Leader stated that, upon reviewing the trial

footage in the Kennet Room, the Cabinet had been reluctant to webcast proceedings as the quality of the footage had not been deemed acceptable.

l) Cllr Bob Jones, MBE – Wiltshire Good Neighbour Scheme

Cllr Bob Jones, in noting the written reply, stated that he remained concerned as to the impacts of the loss of the scheme, and reiterated that it did not just impact on the elderly.

Cllr Keith Humphries stated, in response, that the change in service was a part of a wider piece of work that looked at advice services to older people across Wiltshire, and that proposals would be presented for consultation in the new year.

138 **Children's centre services - proposals for future service delivery following public consultation**

 Councillor Laura Mayes presented a report which provided information on the proposals for future delivery of children's centre services, a summary of feedback gained during the public consultation on these proposals and recommendations for future service delivery.

Issues highlighted in the course of the presentation and discussion included: That government advice is that councils should look beyond the buildings when delivering services; that the proposals aimed to achieve savings by reducing management and building cost; the proposals to move from a universal service to more targeted provision; the feedback that had been given during the review, and how the initial proposals had been changed in response; the process by which views had been sought; how data, particularly on deprivation, had been used to inform the review; the current make-up of the service and the range of providers currently delivering services; how the new services would be tendered for and operated in four geographical areas; that negotiations would take place with providers covering Wilton and Chippenham as to whether centres there could remain open; and how volunteering and fundraising could be encourage.

Jeremy Kent spoke in objection to the proposals, specifically the closure of the centre in Bradford-on-Avon, and queried the financial assumptions of the review.

Natasha spoke in objection to the proposals, specifically the lack of suitable alternative locations in the Bradford-on-Avon area.

Cllr Alison Craddock, from Bradford-on-Avon, spoke in objection to the proposal, specifically highlighting the benefits of early years help that she was concerned would be lost; and expressed dismay as to the perceived lack of consultation with the Town Council.

Cllr Simon Killane made reference to the approach taken in Malmesbury where discussions were already taking place to look for alternative venues.

Cllr Jeff Osborn, whilst he welcomed the change to the proposal regarding Trowbridge, said that he considered that the effect of the proposed cuts in other communities would have a detrimental effect given the scale of cuts in other areas.

Cllr Jon Hubbard, in his capacity as Chair for the Children's Select Committee, expressed annoyance that views of the Select Committee had not been adequately referenced in the report. He went on to state that whilst he believed that there should be some consolidation of provision, no town should be left without a centre. Furthermore, the benefits of the universal service had not been given due weight in the proposals, and many good aspects would be lost.

In response, Cllr Laura Mayes stated that she could not defend continuing to spend money on some centres that had low contact levels with families, and that a targeted approach, working in partnership with universal services such as Health Visitors should be an improvement.

The Leader, in response to the issue raised on Select Committee documentation, asked officers to investigate and report back to her. Furthermore, Cllr Laura Mayes thanked the Select Committee for their input which had informed the proposals.

Cllr Magnus MacDonald and Cllr Gordon King expressed concern that the cuts to the service would mean that a lot of time and money invested in setting up and maintaining the children's centres would be lost, and that targeted work may not be as effective as a universal service.

Cllr Alan Macrae thanked for the officers for visiting the Corsham Area as part of the consultation process, and stated that it was clear that some of the views expressed there had been considered and responded to within the report. Furthermore, he highlighted the importance of transport in ensuring good access, and stated that whilst staff and parents appeared not wedded to buildings, they were looking for minimum of 2 days and additional drop in sessions to continue out-reach work.

In response, Cllr Laura Mayes asked local members to work closely with officers to ensure that the right hours are included in tender documents to address, as much as possible, the community's needs.

Cllr Fleur de Rhé-Philippe and Cllr Philip Whitehead expressed support for the proposals, especially as the changes should result in increased access for rural communities and for those who do not currently attend the centres.

Cllr Caswill expressed concern that a higher burden was being placed on Health Visitors who were already under pressure, and asked whether more

work should have been done to explore how underused centres could have been used better.

In response, Cllr Laura Mayes stated that the review had afforded the Council the opportunity to draw up new contracts with providers which would specify increased networking with other services, including Health Visitors.

Resolved

- 1. To note the feedback from the public consultation;**
- 2. To approve the recommendations for the future delivery of children's centre services set out in Option 3 within the Cabinet paper;**
- 3. To delegate authority to Councillor Laura Mayes, Cabinet Member for Children's Services and senior officers to develop and implement the proposals including completion of the tender process;**
- 4. To confirm that the equality issues and impact of the proposals in the decision making process have been considered and that the Council's Public Sector Equality Duties are being met (Appendix 1); and**
- 5. That officers continue to discuss options for alternative venues with stakeholders in the Bradford-on-Avon Community Area.**

Reason for Decision:

The proposals are made in the context of needing to find ways to continue to meet the needs of young children and their families through re-shaping service delivery whilst looking at opportunities to save money. The Council wants to ensure that it maximises support in the most deprived areas whilst retaining some access to children's centre services across the county

139 Changes to Family Support Services

 Councillor Laura Mayes presented a report which sought Cabinet approval for the proposal to bring the Wiltshire Families First service in-house.

Issues highlighted in the course of the presentation and discussion included: That the proposals aimed to improve access to and efficiency of services; the key areas of the Early Help Strategy; and how different department and partners will engage with the changes.

Resolved

- 1. To approve the creation of a single family support service to be provided by the Council.**

2. **That staff from the Wiltshire Families First Service will transfer into the Council to create a single intensive family and parenting support service.**
3. **That the family support service will be accessible to all families who require a more intensive form of support beyond that which is offered from the Council's Early Help Service and children's centres and will include support for families who meet the threshold for statutory social care intervention.**

Reason for Decision:

The contract for the Wiltshire Families First Service started in April 2012 and will end in March 2016. Since 2012, a number of changes to the way in which families receive support have taken place. These include establishing a multiagency Gateway Panel for allocation of family and parenting services. Improved recording of information received on Early Help Common Assessment Framework (CAF) referrals has been established and the intelligence provided by the Gateway Panel tracker is providing new information about the needs of the families in Wiltshire and also an insight into how well existing services are responding to this. This information suggests that the Council could improve its support for families by having a single family support service with the potential to re-design and re-shape the service to meet identified need.

In addition to this the expansion of the national Troubled Families programme and the change in criteria for Phase 2 of the programme in April 2015 means that more families are now eligible for intensive family and parenting support via the Gateway Panel. Now that Central Government has announced that funding for the Troubled Families programme will continue for a further five years, a single family support service will help to ensure that the Council and partners can continue to meet the requirements of the programme. The revised criteria for Phase 2 of the Troubled Families programme cover both families requiring early help and those in receipt of statutory interventions from Children's Social Care.

140 **Report on Treasury Management Strategy 2015-16 - Second Quarter ended 30 September 2015**

Councillor Dick Tonge presented a report which provided a quarterly review of the Treasury Management Strategy.

Issues highlighted in the course of the presentation and discussion included: That any movements were within the limits set by the agreed Strategy; the profile of the debts, and changes in the temporary deposits; and the implications of RBS and Lloyds credit rating.

Resolved

To note that the contents of the report presented were in line with the Treasury Management Strategy.

Reason for Decision:

To give members an opportunity to consider the performance of the Council in the period to the end of the quarter against the parameters set out in the approved Treasury Management Strategy for 2015-16.

141 Performance Management and Risk Outturn Report: Q2 2015/16

Councillor Dick Tonge presented a report which provided a quarter two update on outturns against the measures and activities compiled and reported through the council's website through the Citizens' Dashboard and other key measures, as well as latest outturns on the council's strategic risk register.

Issues highlighted in the course of the presentation and discussion included: That the level of risk recorded for data security had been increased; the risk of flooding; how the risks to safeguarding had been addressed in the Children's Centres decision; and that a discussion could take place as to whether obesity could be considered as a pandemic and dealt with accordingly in the Risk Register.

Resolved

- 1. To note updates and outturns against the measures and activities ascribed against the council's key outcomes.**
- 2. To note updates and outturns to the strategic risk register.**

Reason for Decision:

The performance framework compiles and monitors outturns in relation to the outcomes laid out in the Business Plan. The framework is distilled from individual services' delivery plans. In doing so, it captures the main focus of activities of the council against each outcome.

The strategic risk register captures and monitors significant risks facing the council: in relation to significant in-service risks facing individual areas, in managing its business across the authority generally and in assuring our preparedness should a national risk event occur.

142 Revenue Budget - Budget Monitoring Reports Period 7 2015/2016

Councillor Dick Tonge presented a report which advised members of the revenue budget monitoring position as at the end of period 7 (end of October 2015) for the financial year 2015/2016 with suggested actions as appropriate.

Issues highlighted in the course of the presentation and discussion included: That action had been taken to reduce budget gap down to £2.9m, and that further action should see a balance position reached by the end of the financial year; the proposal to draw down some funds from the reserves to reduce the overspend; and that there was no change in the Housing Revenue Account.

Cllr Glenis Ansell, in her capacity as Chair of the Financial Planning Task Group, noted that it was good to see action being taken to address the overspend, and that the task group would have the opportunity to discuss this further.

Resolved

- 1. To note the outcome of the period 7 (31 October 2015) budget Monitoring.**
- 2. To approve the drawdown of £0.6 million from General Fund reserves in line with the risk assessment and advice contained within this report in respect of Children's safeguarding. This was highlighted as a risk and potential need for reserves in setting the budget in February 2015.**

Reason for Decision:

To inform effective decision making and ensure a sound financial control environment.

143 Capital Budget Monitoring - Budget Monitoring Reports Period 7 2015/2016

Councillor Dick Tonge presented a report which informed Cabinet on the position of the 2015/2016 Capital Programme, as at Period 7 (31 October 2015), including highlighting budget changes and any additional funding that had been made available.

Resolved

- 1. To note the budget movements undertaken to the capital programme shown in Appendices A and B.**

Reason for Decision:

To inform Cabinet of the position of the 2015/2016 capital programme as at Period 7 (31 October 2015), including highlighting any budget changes.

144 Council Tax Base 2016/2017

Councillor Dick Tonge presented a report which asked Cabinet to set the Council Tax Base for 2016/2017. In his presentation, Cllr Tonge set out the procedure followed and outlined how the calculation of the tax base is undertaken.

Resolved

- 1. To approve the Council Tax Base 2016/2017 as set out in Appendix A of the report;**
- 2. To note that the recommended collection rate adjustments are set at 99.75% and 82.50% which reflects current expectations for collection.**

Reason for Decision:

Before the Council Tax can be set by the Council in February 2016 a calculation has to be made and approved of the Council Tax Base, which is an annual requirement as laid out in the Local Government Finance Act 1992.

145 A350 - A3102 Melksham Roundabout Improvement

 Cllr Philip Whitehead presented the report which recommended: that tenders for the improvement scheme at A350 - A3102 Melksham Roundabout, known locally as 'Farmers Roundabout', be invited; and that delegated authority be given to the Associate Director and Cabinet Member for entering into a contract.

Issues highlighted in the course of the presentation and discussion included: That this scheme was part of work to address pinch points and improve traffic flow; that the proposal aimed to improve capacity and safety; that the scheme was funded from capital funding and supported by grants from central government.

Cllr Jon Hubbard expressed his dismay that local members and the Melksham Town and Melksham Without Parish Councils had not been consulted on these proposals, and that as a result there was some consternation in the community. In response, Cllr Philip Whitehead stated the proposals would look to address revamp and resequence the whole stretch of road to increase the traffic flow along it; once proposals had been more fully worked up, these would be shared with the local Councils and Councillors – as per the approach taken in areas such as Chippenham.

Cllr Jeff Osborn expressed concern that, whilst he understood that the capital funding for these proposals had not come directly from Wiltshire Council's own budgets, the wider public may not make that distinction, and he argued that the Council would need to consider carefully how the message was communicated.

In response to concerns raised by Cllr Terry Chivers as to whether the proposals would address the problem, Cllr Philip Whitehead stated that he considered the proposals would address the problems in that area as a whole.

Cllr Roy While spoke in support of the proposals, particularly with reference to the economic benefits.

Cllr Jonathan Seed, in his capacity as recent Chair of the Community Area Transport Group, stated that the CATG had been made aware of the principles of the proposals

In addition, the Leader stated that this work had been identified as a priority by the Local Enterprise Partnership.

Resolved

- 1. To invite tenders from the select list of contractors identified; and**
- 2. To delegate authority to Cllr Philip Whitehead, Cabinet Member for Highways and Transport, and Parvis Khansari, Associate Director for Highways and Transport, to approve the award of the contract on receipt of suitable tenders.**

Reason for Decision:

Inviting tenders and delegating authority for award of the contract will enable timely decisions to be made with regard to entering into a contract and proceeding with the improvement scheme on the A350/A3102 Farmers Roundabout at Melksham.

146 Urgent Items

There were no urgent items.

147 Exclusion of the Press and Public

Resolved

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Number 16 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Reason for taking item in private:

Paragraph 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information).

148 **Corporate Geographical Information Solution**

 Councillor Dick Tonge presented a report which sought approval to purchase and implement a corporate Geographical Information System (GIS) to replace the existing contract which would expire in February 2016.

Resolved

- 1. To approve the awarding of the GIS contract to ESRI UK Ltd for the 7 year period at a total approx. contract cost of £1m allowing the new contract to commence on 6th February 2016.**
- 2. To work closely with partners with the objective of having a Wiltshire wide system.**

Reason for Decision:

To ensure the existing contract doesn't expire resulting in the council having to pay per license costs for the existing software which could amount to an annual cost of over £1m per year.

(Duration of meeting: 9.30 am - 12.36 pm)

These decisions were published on the 22 December 2015 and will come into force on 31 December 2015

The Officer who has produced these minutes is William Oulton of Democratic Services, direct line 01225 713935 or e-mail William.Oulton@wiltshire.gov.uk
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CABINET

DRAFT MINUTES of a MEETING held in COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 15 December 2015.

Cllr Baroness Scott of Bybook O.B.E	Leader of the Council
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Fleur de Rhé-Philipe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Keith Humphries	Cabinet Member for Health (including Public Health) and Adult Social Care
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning (strategic and development management), Property, Waste and Strategic Housing
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Systems Thinking, Procurement and Welfare Reform
Cllr Stuart Wheeler	Cabinet Member for Hubs, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services), Heritage & Arts and Customer Care
Cllr Philip Whitehead	Cabinet Member for Highways and Transport
Also in Attendance:	Cllr Glenis Ansell, Cllr Chris Caswill, Cllr Terry Chivers, Cllr Jon Hubbard, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Simon Killane, Cllr Gordon King, Cllr Magnus Macdonald, Cllr Alan MacRae, Cllr Helen Osborn, Cllr Jeff Osborn, Cllr Linda Packard, Cllr Mark Packard and Cllr Roy While

Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

133 **Apologies**

There were no apologies for absence received.

134 **Minutes of the previous meeting**

The minutes of the meeting held on 10 November 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 10 November 2015.

135 Declarations of Interest

There were no declarations of interest.

136 Leader's announcements

The Leader wished Tim Peake well on his trip to the International Space Station.

The Leader was pleased to announce that a number of Syrian Refugees had been housed in Wiltshire.

137 Public participation and Questions from Councillors

The Leader explained that those registered to speak on the Children's Centre item would be considered at that time.

The Leader drew the meeting's attention to the questions, submitted in advance of the meeting, responded to in writing and circulated in a supplementary paper. The Leader invited those in attendance to ask their questions.

a) Mr Richard Hames – Chippenham DPD

In response to a supplement to question 5, Cllr Toby Sturgis stated that a list of sites would be published once the evidence had been produced and agreement reached with the Inspector.

In response to a supplement to question 6, Cllr Toby Sturgis confirmed that of the course, the Council would proceed with an open mind.

In response to a supplement to question 7, Cllr Toby Sturgis stated that the Council would look at evidence would be looked at for all sites.

b) Mr Steve Perry – Chippenham DPD

In response to a supplement to questions 2 and 3, Cllr Toby Sturgis stated that he understood that Chippenham 2020 intended to submit a planning application.

c) Mr Ian James – Chippenham DPD

In response to a supplementary question, Cllr Jonathon Seed stated the Council continued to work with the Environment Agency and would listen to their advice. In addition, Cllr Toby Sturgis stated that Council would wish to consider the

advice of the Environment Agency with regard to the whole catchment area of the river Avon and made reference to the fact that one of the criteria for modern developments is that they should reduce water run-off from the site.

- d) Mrs Anne Henshaw – Chippenham DPD
- e) Mrs Anne Henshaw – Chippenham DPD

In response to a supplementary question regarding consideration as to whether the Cabinet Member's responsibility for both Property and Strategic Planning represented a conflict of interest, the Council's Monitoring Officer stated that he continued to take the view there is no conflict, as both roles are separate. In addition, the Leader asked that the Monitoring Officer write to Mrs Henshaw to further explain his advice on this matter. Cllr Sturgis added that the decision to adopt a plan was not his to take alone, and that the final decision rested with Full Council.

In response to a supplementary question regarding consideration as to whether the views of the public could be fully considered without a masterplan for the Chippenham Area, Cllr Toby Sturgis stated that Council was responding to the Inspector's request for additional information and that the Council should only answer those questions put by the Inspector rather than providing additional information that had not been requested.

In response to a supplementary question regarding the changes to CIL and s106 arrangements, Cllr Toby Sturgis stated that the central government had changed the rules how monies were collected and agreements had to be negotiated, leading to some delays in the Chippenham area.

- f) Mrs Isabell McCord – Chippenham DPD

In response to a supplementary question regarding the reputational damage to the Council caused by the delay, The Leader stated that she was not embarrassed by the delay, and commended the hard work of the officers who were responding to the requests of the inspector who wanted additional information and information presented in a different way.

- g) Mrs Marilyn Mackay – Chippenham DPD

Mrs Mackay noted the response, and additionally stated that the Inspector had, in her opinion, levelled serious criticism and concern at the Council.

- h) Ms Helen Stuckey – Chippenham DPD

In response to a supplementary question regarding the funding for a potential link road, Cllr Toby Sturgis stated that the Council did not have information to enable to answer further.

- i) Mr Malcolm Toogood – Chippenham DPD

Mr Toogood expressed frustration with the process, and stated that the community remained concerned that delays in adopting plans left Chippenham vulnerable to speculative development.

j) Cllr Chris Caswill – Chippenham DPD

In response to a supplement to question 1, Cllr Toby Sturgis stated development on brownfield sites was prioritised, in accordance with the National Planning Policy Framework, but that other sites would have to be considered to meeting the needs. Furthermore, the Leader stated that officers had liaised with Cllr Caswill regarding the list of brownfield sites already taken into account.

In response to a supplement to question 3, Cllr Toby Sturgis and the Leader would provide a written response as to why they were unable to attend the Examination in Public Inquiry in person. Furthermore, the Leader stated that she had been kept up to date, regularly, by officers.

In response to a supplement to question 6, Cllr Toby Sturgis stated that the inspector had previously stated that he was happy to proceed with the hearing and had only suspended proceedings to request further evidence. Furthermore, officers had followed the process agreed with the Inspector who had considered the Core Strategy, but they had not been told that this new Inspector disagreed with this process. In Cllr Sturgis's opinion, every Inspector is an individual and need to be treated as such.

In response to a supplementary question regarding consideration as to whether the Cabinet Member's responsibility for both Property and Strategic Planning represented a conflict of interest, Cllr Sturgis reiterated that he had no individual decision making powers in this regard, and that any final decision would rest with Full Council.

In response to a supplement to questions 9 and 10, Cllr Toby Sturgis stated that current work was being undertaken on the A350 to reduce existing congestion, and that further funding would be needed to undertake other work.

Cllr Chris Caswill thanked the Leader for dealing with his questions at this meeting.

k) Cllr Jon Hubbard - Webcasting

Cllr Jon Hubbard, in noting the written reply, expressed his support for the webcasting of meetings and asked that the system be used to broadcast more meetings.

Cllr Stuart Wheeler stated that he would provide a further update on webcasting arrangements. Furthermore, the Leader stated that, upon reviewing the trial

footage in the Kennet Room, the Cabinet had been reluctant to webcast proceedings as the quality of the footage had not been deemed acceptable.

l) Cllr Bob Jones, MBE – Wiltshire Good Neighbour Scheme

Cllr Bob Jones, in noting the written reply, stated that he remained concerned as to the impacts of the loss of the scheme, and reiterated that it did not just impact on the elderly.

Cllr Keith Humphries stated, in response, that the change in service was a part of a wider piece of work that looked at advice services to older people across Wiltshire, and that proposals would be presented for consultation in the new year.

138 **Children's centre services - proposals for future service delivery following public consultation**

 Councillor Laura Mayes presented a report which provided information on the proposals for future delivery of children's centre services, a summary of feedback gained during the public consultation on these proposals and recommendations for future service delivery.

Issues highlighted in the course of the presentation and discussion included: That government advice is that councils should look beyond the buildings when delivering services; that the proposals aimed to achieve savings by reducing management and building cost; the proposals to move from a universal service to more targeted provision; the feedback that had been given during the review, and how the initial proposals had been changed in response; the process by which views had been sought; how data, particularly on deprivation, had been used to inform the review; the current make-up of the service and the range of providers currently delivering services; how the new services would be tendered for and operated in four geographical areas; that negotiations would take place with providers covering Wilton and Chippenham as to whether centres there could remain open; and how volunteering and fundraising could be encourage.

Jeremy Kent spoke in objection to the proposals, specifically the closure of the centre in Bradford-on-Avon, and queried the financial assumptions of the review.

Natasha spoke in objection to the proposals, specifically the lack of suitable alternative locations in the Bradford-on-Avon area.

Cllr Alison Craddock, from Bradford-on-Avon, spoke in objection to the proposal, specifically highlighting the benefits of early years help that she was concerned would be lost; and expressed dismay as to the perceived lack of consultation with the Town Council.

Cllr Simon Killane made reference to the approach taken in Malmesbury where discussions were already taking place to look for alternative venues.

Cllr Jeff Osborn, whilst he welcomed the change to the proposal regarding Trowbridge, said that he considered that the effect of the proposed cuts in other communities would have a detrimental effect given the scale of cuts in other areas.

Cllr Jon Hubbard, in his capacity as Chair for the Children's Select Committee, expressed annoyance that views of the Select Committee had not been adequately referenced in the report. He went on to state that whilst he believed that there should be some consolidation of provision, no town should be left without a centre. Furthermore, the benefits of the universal service had not been given due weight in the proposals, and many good aspects would be lost.

In response, Cllr Laura Mayes stated that she could not defend continuing to spend money on some centres that had low contact levels with families, and that a targeted approach, working in partnership with universal services such as Health Visitors should be an improvement.

The Leader, in response to the issue raised on Select Committee documentation, asked officers to investigate and report back to her. Furthermore, Cllr Laura Mayes thanked the Select Committee for their input which had informed the proposals.

Cllr Magnus MacDonald and Cllr Gordon King expressed concern that the cuts to the service would mean that a lot of time and money invested in setting up and maintaining the children's centres would be lost, and that targeted work may not be as effective as a universal service.

Cllr Alan Macrae thanked for the officers for visiting the Corsham Area as part of the consultation process, and stated that it was clear that some of the views expressed there had been considered and responded to within the report. Furthermore, he highlighted the importance of transport in ensuring good access, and stated that whilst staff and parents appeared not wedded to buildings, they were looking for minimum of 2 days and additional drop in sessions to continue out-reach work.

In response, Cllr Laura Mayes asked local members to work closely with officers to ensure that the right hours are included in tender documents to address, as much as possible, the community's needs.

Cllr Fleur de Rhé-Philippe and Cllr Philip Whitehead expressed support for the proposals, especially as the changes should result in increased access for rural communities and for those who do not currently attend the centres.

Cllr Caswill expressed concern that a higher burden was being placed on Health Visitors who were already under pressure, and asked whether more

work should have been done to explore how underused centres could have been used better.

In response, Cllr Laura Mayes stated that the review had afforded the Council the opportunity to draw up new contracts with providers which would specify increased networking with other services, including Health Visitors.

Resolved

- 1. To note the feedback from the public consultation;**
- 2. To approve the recommendations for the future delivery of children's centre services set out in Option 3 within the Cabinet paper;**
- 3. To delegate authority to Councillor Laura Mayes, Cabinet Member for Children's Services and senior officers to develop and implement the proposals including completion of the tender process;**
- 4. To confirm that the equality issues and impact of the proposals in the decision making process have been considered and that the Council's Public Sector Equality Duties are being met (Appendix 1); and**
- 5. That officers continue to discuss options for alternative venues with stakeholders in the Bradford-on-Avon Community Area.**

Reason for Decision:

The proposals are made in the context of needing to find ways to continue to meet the needs of young children and their families through re-shaping service delivery whilst looking at opportunities to save money. The Council wants to ensure that it maximises support in the most deprived areas whilst retaining some access to children's centre services across the county

139 Changes to Family Support Services

 Councillor Laura Mayes presented a report which sought Cabinet approval for the proposal to bring the Wiltshire Families First service in-house.

Issues highlighted in the course of the presentation and discussion included: That the proposals aimed to improve access to and efficiency of services; the key areas of the Early Help Strategy; and how different department and partners will engage with the changes.

Resolved

- 1. To approve the creation of a single family support service to be provided by the Council.**

2. **That staff from the Wiltshire Families First Service will transfer into the Council to create a single intensive family and parenting support service.**
3. **That the family support service will be accessible to all families who require a more intensive form of support beyond that which is offered from the Council's Early Help Service and children's centres and will include support for families who meet the threshold for statutory social care intervention.**

Reason for Decision:

The contract for the Wiltshire Families First Service started in April 2012 and will end in March 2016. Since 2012, a number of changes to the way in which families receive support have taken place. These include establishing a multiagency Gateway Panel for allocation of family and parenting services. Improved recording of information received on Early Help Common Assessment Framework (CAF) referrals has been established and the intelligence provided by the Gateway Panel tracker is providing new information about the needs of the families in Wiltshire and also an insight into how well existing services are responding to this. This information suggests that the Council could improve its support for families by having a single family support service with the potential to re-design and re-shape the service to meet identified need.

In addition to this the expansion of the national Troubled Families programme and the change in criteria for Phase 2 of the programme in April 2015 means that more families are now eligible for intensive family and parenting support via the Gateway Panel. Now that Central Government has announced that funding for the Troubled Families programme will continue for a further five years, a single family support service will help to ensure that the Council and partners can continue to meet the requirements of the programme. The revised criteria for Phase 2 of the Troubled Families programme cover both families requiring early help and those in receipt of statutory interventions from Children's Social Care.

140 **Report on Treasury Management Strategy 2015-16 - Second Quarter ended 30 September 2015**

Councillor Dick Tonge presented a report which provided a quarterly review of the Treasury Management Strategy.

Issues highlighted in the course of the presentation and discussion included: That any movements were within the limits set by the agreed Strategy; the profile of the debts, and changes in the temporary deposits; and the implications of RBS and Lloyds credit rating.

Resolved

To note that the contents of the report presented were in line with the Treasury Management Strategy.

Reason for Decision:

To give members an opportunity to consider the performance of the Council in the period to the end of the quarter against the parameters set out in the approved Treasury Management Strategy for 2015-16.

141 Performance Management and Risk Outturn Report: Q2 2015/16

Councillor Dick Tonge presented a report which provided a quarter two update on outturns against the measures and activities compiled and reported through the council's website through the Citizens' Dashboard and other key measures, as well as latest outturns on the council's strategic risk register.

Issues highlighted in the course of the presentation and discussion included: That the level of risk recorded for data security had been increased; the risk of flooding; how the risks to safeguarding had been addressed in the Children's Centres decision; and that a discussion could take place as to whether obesity could be considered as a pandemic and dealt with accordingly in the Risk Register.

Resolved

- 1. To note updates and outturns against the measures and activities ascribed against the council's key outcomes.**
- 2. To note updates and outturns to the strategic risk register.**

Reason for Decision:

The performance framework compiles and monitors outturns in relation to the outcomes laid out in the Business Plan. The framework is distilled from individual services' delivery plans. In doing so, it captures the main focus of activities of the council against each outcome.

The strategic risk register captures and monitors significant risks facing the council: in relation to significant in-service risks facing individual areas, in managing its business across the authority generally and in assuring our preparedness should a national risk event occur.

142 Revenue Budget - Budget Monitoring Reports Period 7 2015/2016

Councillor Dick Tonge presented a report which advised members of the revenue budget monitoring position as at the end of period 7 (end of October 2015) for the financial year 2015/2016 with suggested actions as appropriate.

Issues highlighted in the course of the presentation and discussion included: That action had been taken to reduce budget gap down to £2.9m, and that further action should see a balance position reached by the end of the financial year; the proposal to draw down some funds from the reserves to reduce the overspend; and that there was no change in the Housing Revenue Account.

Cllr Glenis Ansell, in her capacity as Chair of the Financial Planning Task Group, noted that it was good to see action being taken to address the overspend, and that the task group would have the opportunity to discuss this further.

Resolved

- 1. To note the outcome of the period 7 (31 October 2015) budget Monitoring.**
- 2. To approve the drawdown of £0.6 million from General Fund reserves in line with the risk assessment and advice contained within this report in respect of Children's safeguarding. This was highlighted as a risk and potential need for reserves in setting the budget in February 2015.**

Reason for Decision:

To inform effective decision making and ensure a sound financial control environment.

143 Capital Budget Monitoring - Budget Monitoring Reports Period 7 2015/2016

Councillor Dick Tonge presented a report which informed Cabinet on the position of the 2015/2016 Capital Programme, as at Period 7 (31 October 2015), including highlighting budget changes and any additional funding that had been made available.

Resolved

- 1. To note the budget movements undertaken to the capital programme shown in Appendices A and B.**

Reason for Decision:

To inform Cabinet of the position of the 2015/2016 capital programme as at Period 7 (31 October 2015), including highlighting any budget changes.

144 Council Tax Base 2016/2017

Councillor Dick Tonge presented a report which asked Cabinet to set the Council Tax Base for 2016/2017. In his presentation, Cllr Tonge set out the procedure followed and outlined how the calculation of the tax base is undertaken.

Resolved

- 1. To approve the Council Tax Base 2016/2017 as set out in Appendix A of the report;**
- 2. To note that the recommended collection rate adjustments are set at 99.75% and 82.50% which reflects current expectations for collection.**

Reason for Decision:

Before the Council Tax can be set by the Council in February 2016 a calculation has to be made and approved of the Council Tax Base, which is an annual requirement as laid out in the Local Government Finance Act 1992.

145 A350 - A3102 Melksham Roundabout Improvement

 Cllr Philip Whitehead presented the report which recommended: that tenders for the improvement scheme at A350 - A3102 Melksham Roundabout, known locally as 'Farmers Roundabout', be invited; and that delegated authority be given to the Associate Director and Cabinet Member for entering into a contract.

Issues highlighted in the course of the presentation and discussion included: That this scheme was part of work to address pinch points and improve traffic flow; that the proposal aimed to improve capacity and safety; that the scheme was funded from capital funding and supported by grants from central government.

Cllr Jon Hubbard expressed his dismay that local members and the Melksham Town and Melksham Without Parish Councils had not been consulted on these proposals, and that as a result there was some consternation in the community. In response, Cllr Philip Whitehead stated the proposals would look to address revamp and resequence the whole stretch of road to increase the traffic flow along it; once proposals had been more fully worked up, these would be shared with the local Councils and Councillors – as per the approach taken in areas such as Chippenham.

Cllr Jeff Osborn expressed concern that, whilst he understood that the capital funding for these proposals had not come directly from Wiltshire Council's own budgets, the wider public may not make that distinction, and he argued that the Council would need to consider carefully how the message was communicated.

In response to concerns raised by Cllr Terry Chivers as to whether the proposals would address the problem, Cllr Philip Whitehead stated that he considered the proposals would address the problems in that area as a whole.

Cllr Roy While spoke in support of the proposals, particularly with reference to the economic benefits.

Cllr Jonathan Seed, in his capacity as recent Chair of the Community Area Transport Group, stated that the CATG had been made aware of the principles of the proposals

In addition, the Leader stated that this work had been identified as a priority by the Local Enterprise Partnership.

Resolved

- 1. To invite tenders from the select list of contractors identified; and**
- 2. To delegate authority to Cllr Philip Whitehead, Cabinet Member for Highways and Transport, and Parvis Khansari, Associate Director for Highways and Transport, to approve the award of the contract on receipt of suitable tenders.**

Reason for Decision:

Inviting tenders and delegating authority for award of the contract will enable timely decisions to be made with regard to entering into a contract and proceeding with the improvement scheme on the A350/A3102 Farmers Roundabout at Melksham.

146 Urgent Items

There were no urgent items.

147 Exclusion of the Press and Public

Resolved

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Number 16 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Reason for taking item in private:

Paragraph 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information).

148 **Corporate Geographical Information Solution**

 Councillor Dick Tonge presented a report which sought approval to purchase and implement a corporate Geographical Information System (GIS) to replace the existing contract which would expire in February 2016.

Resolved

- 1. To approve the awarding of the GIS contract to ESRI UK Ltd for the 7 year period at a total approx. contract cost of £1m allowing the new contract to commence on 6th February 2016.**
- 2. To work closely with partners with the objective of having a Wiltshire wide system.**

Reason for Decision:

To ensure the existing contract doesn't expire resulting in the council having to pay per license costs for the existing software which could amount to an annual cost of over £1m per year.

(Duration of meeting: 9.30 am - 12.36 pm)

These decisions were published on the 22 December 2015 and will come into force on 31 December 2015

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CABINET CAPITAL ASSETS COMMITTEE

DRAFT MINUTES of a MEETING held in KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 10 November 2015.

Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Toby Sturgis	Cabinet Member for Strategic Planning (strategic and development management), Property, Waste and Strategic Housing
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Also in Attendance:	Cllr Stuart Wheeler, Cllr Anthony Trotman and Cllr Richard Gamble

Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

80 Apologies and Substitutions

Apologies were received from Cllrs Dick Tonge and Baroness Jane Scott OBE who were substituted by Cllr Philip Whitehead and Cllr Laura Mayes for this meeting only.

81 Minutes of the previous meeting

The minutes of the previous meeting, held on the 15 September 2015, were presented.

Resolved

To approve as a correct record and sign the minutes of the meeting held on 15 September 2015.

82 Leader's Announcements

There were no leaders announcements.

83 Declarations of interest

There were no declarations of interest.

84 Public Participation and Questions from Councillors

It was noted that no requests for public participation had been received.

85 Schools Capital Investment Priorities 2016 -2019

Key Councillor Laura Mayes presented a report which asked the Cabinet to agree the Schools Capital Investment Programme for 2016-2019.

Issues highlighted in the course of the presentation and discussion included: that the report followed the approval of the School Places Strategy at Cabinet earlier in the day; that the funding had been drawn down from central government and developer contributions; that some funding should come from the possible Army Re-basing programme; the details of the projects, and the works proposed to take place; the timings of projects in accordance with the strategy; the proposals for special needs provision within mainstream settings; the small number of condition related refurbishment schemes; and how some of the revenue cost can be capitalised as part of the programme.

Resolved

- 1. To note the status of March 2014 approved school capital schemes as shown at Appendix A.**
- 2. To approve the Schools Capital Investment Programme (Basic Need) for 2016-2019 as outlined at Appendix B.**
- 3. To delegate responsibility to the Director for Children's Services to progress the work necessary to provide an 18 place Resource Base at Castlemead Primary Academy, as part of the proposed expansion of the school to 2FE, as at Appendix C.**
- 4. To approve the Schools Capital Investment Programme (Planned Maintenance) totalling £2.5M for 2016/17 as outlined at Appendix D and to agree that a further £2.5M be held pending priorities for 2017/18.**
- 5. To approve the Schools Refurbishment/Replacement Programme for 2016/17 as outlined at Appendix E.**
- 6. To authorise the Corporate Director for Children Services to invite and evaluate tenders for the projects described in this report, and, following consultation with the cabinet member, to award the contract for the project (subject to approval of any necessary statutory proposals) and to authorise, in consultation with the Head of Strategic Asset & FM (or the Asset Portfolio Manager (Estates), in accordance with the relevant scheme of sub-delegation (under paragraph 7 of Part 3B of Wiltshire Council's constitution)), the acquisition of all land (and the completion of any legal documentation) reasonably required in order to facilitate the Schools Capital Investment Programme.**

Reason for Decision:

The Council has a statutory duty to provide sufficient high quality school places to meet the demand arising across Wiltshire, whether from demographic or population change, Core Strategy housing development growth and the Army Re-Basing programme. The Cabinet has recently approved the Wiltshire School Places Strategy 2015-2020 and Implementation Plan which clearly identifies the priorities for capital investment in the short, medium and longer term and this proposed Schools Capital Investment Programme will enable the priority works to be progressed. The Council also has Landlord responsibilities for the effective management and maintenance of the schools (for which the Council is responsible) estate and the investment programme will enable urgent and priority repairs and maintenance projects to proceed .

86 **Gypsy and Traveller Planning Document Update**

 Councillor Toby Sturgis presented a report which informed members of the outcome of an assessment of land for inclusion as potential new traveller sites in the Gypsy and Traveller Development Plan Document (DPD) and sought endorsement for the next steps; and to include providing capital budget. In his presentation, Cllr Sturgis recommended that the proposed resolution be amended to include reference to consultation with the Cabinet Member for Finance.

Issues highlighted in the course of the presentation and discussion included: that the Gypsy and Traveller DPD follows the adoption of the Core Strategy; that there remains of need for additional sites within the County; and the complexity of resourcing and purchasing the land.

Resolved

That, to help deliver a sound and effective Gypsy and Traveller DPD, authority be delegated to the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste in discussion with the Associate Directors of Economic Development and Planning, Finance and Property Services and the Cabinet Member for Finance for the identification and acquisition of land on the open market to deliver the permanent pitch requirement for 2014-2024; and suitable additional emergency stopping places for travellers; and to allocate budget to do so.

Reason for Decision:

There are a number of drivers for pursuing the option to purchase land for allocation in the emerging Gypsy and Traveller DPD. These include:

- (i) The legal requirement in the Housing Acts for councils to provide for the accommodation needs of Gypsy and Travellers in its area.

- (ii) The requirement in national planning policy for councils to respond positively to the accommodation needs of travellers, a commitment the Council has also made to the Wiltshire Core Strategy Inspector.
- (iii) The benefits of reducing unauthorised encampments / developments.
- (iv) The need to provide a choice in the size, type and location of traveller sites in Wiltshire.
- (v) The requirement to maintain a five year supply of housing included in national policy.

87 Urgent items

There were no urgent items.

88 Exclusion of the Press and Public

Resolved

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following items of business because it is likely that if members of the public were present there would disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Reason for taking the item in private:

Paragraph 3 – information relating to the financial information or business affairs of any particular person (including the authority holding that information)
No representations have been received as to why this item should not be held in private.

89 Gypsy and Traveller Planning Document Update (Part ii)

The Committee noted the additional information in the context of their discussions earlier on the agenda.

(Duration of meeting: 2.00 - 2.20 pm)

These decisions were published on the 13 November 2015 and will come into force on Monday 23 November 2015
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CABINET CAPITAL ASSETS COMMITTEE

MINUTES of a MEETING held in KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 19 January 2016.

Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Toby Sturgis	Cabinet Member for Strategic Planning (strategic and development management), Property, Waste and Strategic Housing
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Systems Thinking, Procurement and Welfare Reform
Also in Attendance:	Cllr Jonathon Seed, Cllr Stuart Wheeler, Cllr Philip Whitehead, Cllr Alan MacRae and Cllr Anthony Trotman

Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

1 **Apologies and Substitutions**

Apologies were received from Cllr Baroness Scott of Bybrook O.B.E

2 **Minutes of the previous meeting**

The minutes of the previous meeting, held on the 10 November 2015, were presented.

Resolved

To approve as a correct record and sign the minutes of the meeting held on 10 November 2015.

3 **Leader's Announcements**

There were no Leader's announcements.

4 **Declarations of interest**

There were no declarations of interest.

5 **Public Participation and Questions from Councillors**

Councillor Tony Trotman asked the following question, on behalf of Calne Town Council, relating to the possibility of this Capital Assets Committee of Wiltshire Council making a prompt decision, on transferring the Old Fire and Ambulance building, attached to Calne Town Hall, into the ownership of Calne Town Council.

He went on to state that when Calne surrendered its Borough status in 1974 the building in question was lost, to the District and now more recently, to this Unitary Council. This listed, unused building had been “at risk” for many years, and it was known that to make it waterproof, and serviceable for community use will cost the owners at least £250k.

He informed the meeting that, Calne Town Council had considered, and were now prepared to undertake works to reinstate this building, by linking it to a Heritage Lottery bid, drawn up enabling works to enhance the Town Hall and its listed curtilage.

Finally, he asked: could the Committee give him an assurance that the matter would be dealt with, and that a decision to transfer this building at no cost is considered urgently, so that he could refer a timely date to the Town Clerk and the Council so that a successful bid can go forward.

In response, Councillor Dick Tonge stated that, providing it was at no cost to Wiltshire Council, then he could envisage no impediment to the transfer. He went on to state that this should be considered outside any possible wider devolution package so that it may be expedited. He asked that the Clerk for Calne Town Council write to him so that the matter may be progressed.

6 Exclusion of the Press and Public

The Deputy Leader, in the Chair, asked that as there were no members of the public present that the decision to move into closed decision be brought forward.

There being no objections, the meeting;

Resolved

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following items of business because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Reason for taking the item in private:

Paragraph 3 – information relating to the financial information or business affairs of any particular person (including the authority holding that information)

No representations have been received as to why this item should not be held in private.

7 **Corsham Mansion House**

🔑 Cllr Fleur de Rhé-Philippe, Cabinet Member for Economic Development, Skills and Strategic Transport, presented the report which sought a commitment from the Cabinet Capital Assets Committee to the timing and process for the delivery of the Digital Corsham project. In response to a request from Councillor Alan Macrae, it was agreed that a presentation be made to the Corsham Area Board to give more details of the project.

Proposals

That:

- (i) **Cabinet considers and approves the suggested delivery programme for the refurbishment and redevelopment of the Mansion House property.**
- (ii) **Cabinet delegates authority to the Associate Director for Economic Development and Planning, in consultation with the Leader of the Council and the Cabinet Member for Economic Development, Skills and Strategic Transport and with agreement from the SWLEP Board, to implement the delivery programme and ensure the wider vision for Corsham is realised.**

Reason for Decision:

To ensure that the Corsham Mansion House project, as proposed and developed by Wiltshire Council in collaboration with the SWLEP, is delivered on time and on cost and that the future development of the site is brought forward through a phased and controlled process.

8 **Award of Hard FM Contracts Lots**

🔑 Councillor Dick Tonge, Cabinet Member for Finance, presented the report which described the procurement approach followed, and requested authority from members of the committee for the execution of contracts on this basis.

Resolved

That the Lots should be awarded to the following Contractors

- (i) **Lot 1: Company B**

- (ii) **Lot 2: Company C**
- (iii) **Lot 3: Company A**
- (iv) **Lot 4: Company C**
- (v) **Lot 5: Company D**

- (vi) **That the Corporate Director be authorised, in consultation with the Cabinet Member for Finance & Procurement, to satisfy themselves as to the details regarding the contracts, and then to take all necessary steps to enter into the new Strategic Assets and Facilities Management (SA&FM) Contracts.**

- (vii) **That the Corporate Director be authorised, in consultation with the Cabinet Member for Finance & Procurement, to award a lot to the next contractor, in the event that a successful contractors bid has been withdrawn.**

Reason for Decision:

There is a need to ensure the continued delivery of legal compliance and maintenance services across the entire council-owned property portfolio including hubs, leisure centres (including those currently managed and operated by the private provider), depots, campuses, and LA schools when the existing contracts expire on 31st March 2016.

Following a procurement exercise in accordance with the Restricted Procedure, tenders have been submitted for all 5 contract lots which have been assessed in terms of price and quality.

The most advantageous tenders, taking into account quality and price, should be accepted in accordance with the procurement procedures. The detailed scoring and financial information is contained in a confidential report to be considered in Part 2 of this meeting.

9 **Extra Care Housing Programme**

 Councillor Jonathon Seed, Cabinet Member for Housing, Leisure, Libraries and Flooding, presented the report which sought approval for approval to use the sites, mentioned in the report, for extra care housing; to gain approval to commit a maximum of £25,000 per site to de-risking work; and to delegate authority to the relevant Associate Directors and Cabinet Members to dispose of the sites to Providers on terms to be agreed, commit the HCA funding secured for these schemes and commit Local Authority (LA) funding required to support the delivery of the schemes which is already allocated to the delivery of extra care housing.

In giving his presentation, Cllr Seed proposed that Committee consider additionally to delegate authority to three Corporate Directors, in consultation with the Cabinet Member for Finance and the Cabinet member for Housing, Leisure, Libraries and Flooding to conduct further modelling confirming financial

benefits of extra care housing, alternative sites and capital land values; and to agree the report resulting from the modelling, use of alternative sites and capital land values.

There being no further debate, the Committee;

Resolved

- 1) To approve commitment of the sites at Appendix 1 for the delivery of extra care housing**
- 2) To approve entering contracts for professional services to enable the de-risking of the sites in preparation for disposal in accordance with the Corporate Procurement & Commissioning Board approach up to a maximum value of £25,000 per site.**
- 3) To delegate authority to the Associate Directors responsible for housing, finance, procurement, legal and assets in consultation with the Cabinet Member for Housing, Leisure, Libraries and Flooding, the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste and the Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform to approve;**
 - a) following a tender process the transfer of the sites to a Provider or Providers, identified by the tender process, for the delivery of extra care housing, on terms determined as part of the tender process**
 - b) The commitment of some of the external HCA funding to a Registered Provider for the delivery of extra care**
 - c) Entering into funding agreements with HCA, as required, to secure the grant funding.**
 - d) Commitment of Local Authority (LA) funding required to support the delivery of the schemes which has already been allocated to the delivery of the extra care programme;**
 - e) The general authority to enter into such documents and authorise such processes as are required to give effect to sub-headings a) to d) above.**
- 4) Delegate authority to three Corporate Directors, in consultation with the Cabinet Member for Finance and the Cabinet member for Housing, Leisure, Libraries and Flooding to:**

- i. **Conduct further modelling confirming financial benefits of extra care housing, alternative sites and capital land values; and**
- ii. **Agree the report resulting from the modelling, use of alternative sites and capital land values.**

Reason for Decision:

Since the Older People's Accommodation Strategy was first approved in 2011 work has been ongoing to identify sites that would be suitable for the delivery of extra care housing. In addition to this, work has also been ongoing with Registered Providers (RP) to determine their interest in delivering extra care housing in Wiltshire.

This paper proposes the commitment of a number of council owned sites to provide extra care housing and enabling those sites to be put on the market to invite proposals for the delivery of extra care housing.

10 **Gas and Electricity Supply**

 Councillor Dick Tonge, Cabinet Member for Finance, presented the report which set out the recommended energy purchasing strategy for the council from 2017 – 2022 in order to support achievement of value for money and continued resource efficiency.

In response to a question raised by Cllr Toby Sturgis, Cllr Tonge agreed to send a response to all Cabinet members regarding the percentage of council's energy purchased would be derived from renewable sources.

There being no further debate, the meeting;

Resolved

- 1. That the council takes advantage of flexible in-period purchasing with a risk cap. This will provide an opportunity for greater savings to be achieved, by placing a limited sum at risk.**
- 2. That the council enters into a longer contract after 2017 and takes advantage of current market conditions as well as an extended purchasing window. A five year contract length is recommended.**
- 3. That the council stay with the current provider, West Mercia Energy.**
- 4. An appropriate contractual arrangement is put in place with schools wishing to access the contract and the council recovers the ongoing cost of administration.**

Reason for Decision:

The proposals are made to address existing risks and provide optimum value for money from April 2017 when the existing electricity and gas contract ends.

11 **PFI School Playing Fields (Part II)**

Councillor Stuart Wheeler, Member for Hubs, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services), Heritage & Arts and Customer Care, presented the report which provided an update on the current position, and asked the Committee to consider an agreement with the PFI Company and the Council to fund remedial works on the playing fields at the three PFI schools.

Resolved

To approve option 2 below, as set out in the report, which allowed officers to agree Capital expenditure of between £0.2 million and £0.3 million as part of a commercial negotiation with the PFI contractor, White Horse Education Partnership (WHEP).

Reason for Decision:

To provide a workable solution to the challenges encountered; fundamentally to ensure the provision of good quality Playing Fields for the three PFI Schools.

12 **Procurement of Cleaning Services for September 2016**

 Councillor Dick Tonge, Cabinet Member for Finance, presented the report which asked the Committee to agree to the procurement of cleaning and security services in council buildings within the operational estate managed by Strategic Assets and Facilities Management (SA&FM), with effect from 1st September 2016.

Resolved

- 1. To use the OJEU procurement procedure for the re-tendering of cleaning services, with a new contract to commence on 1st September 2016. Contract term for 5 years with the option to extend by two further one year periods.**
- 2. To delegate authority to enter into contracts, following the procurement and tender evaluation process, to the Cabinet Member for Finance, and the Associate Director for People and Business.**

Reason for Decision:

Existing cleaning contract is due to expire on 31st August 2016 and cannot be extended any further. Options to extend have been exhausted.

Procuring independently through the OJEU process is considered the most cost effective and flexible approach, and the best option for delivering the most competitive outcome for this type of service.

13 Urgent items

There were no urgent items.

(Duration of meeting: 2.00 - 2.45 pm)

These decisions were published on the 25 January 2016 and will come into force on 2 February 2016.
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OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 8 SEPTEMBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Simon Killane (Chairman), Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Christine Crisp, Cllr Stewart Dobson, Cllr Jon Hubbard, Cllr Gordon King, Cllr Jacqui Lay, Cllr Stephen Oldrieve, Cllr John Walsh, Cllr Bridget Wayman and Cllr Philip Whalley (Substitute)

Also Present:

Cllr Keith Humphries, Cllr Bill Moss, Cllr Jane Scott O.B.E, Cllr John Thomson and Cllr Philip Whitehead

78 Apologies

Apologies were received from Councillors Alan Hill, Jeff Osborn and Howard Greenman.

Councillor Hill was substituted by Councillor Philip Whalley.

79 Minutes of the Previous Meeting

The minutes of the ordinary meeting on 7 July 2015 and the extraordinary meeting on 20 July 2015 were presented for consideration. It was,

Resolved:

To APPROVE and sign the minutes as a true and correct record.

80 Declarations of Interest

There were no declarations.

81 Chairman's Announcements

Through the Chair there were the following announcements:

- 1) The Chairman would now be meeting quarterly with the Leader of the Council following recommendations from the recent Peer Review to further engage with the executive leadership of the council.
- 2) The Chairman on behalf of the Committee thanked Mr Jason Teal, Head of Corporate Support, for his work during his time with the council in reviewing and refreshing the scrutiny function during and after the LGA Peer Review, as he was shortly to move on from the council.

82 **Public Participation**

There were no questions or statements submitted.

83 **Integrated Emergency Management Plan**

The draft Integrated Emergency Management Plan and draft Cabinet report on the Plan was presented by Councillor Keith Humphries, Cabinet Member for Health (including Public Health) and Adult Social Care, and Deborah Haynes, Consultant in Public Health, ahead of its consideration by Cabinet on 13 October 2015 and then onwards to Full Council.

It was explained that the Plan was to ensure the Council continued to meet its obligations under the Civil Contingencies Act 2004 by combining into a single Plan the Major Incident Plan, Business Continuity Plan and the Recovery Plan in order to enhance the preparedness and resilience of Wiltshire Council and the wider community it serves in the event of emergency events. A presentation, as attached to these minutes, was circulated.

The Committee discussed the presentation and clarification was sought on matters including the level of awareness among staff of the responsibilities under the Plan and legislation, quality of contact with partners and other agencies, resource levels and processes for reviewing and updating the plan, as detailed fully in the report also attached to the minutes.

At the conclusion of debate, it was,

Resolved:

For the comments of the Overview and Scrutiny Management Committee on the Integrated Emergency Management Plan as detailed in the report attached to these minutes, be forwarded to the Cabinet for their consideration.

84 **Forward Work Programme**

Updates from Chairs/Vice-Chairs

Environment Select Committee (ESC)

The Committee was informed of recent work of the ESC, including the holding of a Rapid Scrutiny on 8 September on the Future Delivery Model for the Repair, Improvement and Maintenance of Council Owned Assets, the approval of the terms of reference for the joint committee Public Transport Review Task Group, and to request endorsement of a Task Group regarding tenant participation regarding housing association changes.

Resolved:

To endorse the establishment of the Task Group as detailed.

Health Select Committee (HSC)

The Committee was informed of recent work of the HSC, including scrutinising the Public Health Service Plan, the first meeting of the Better Care Plan Task Group and continuing work of other task groups.

Children's Select Committee

The Committee was informed of recent work of the ESC, including the intention to hold of a Rapid Scrutiny exercise to consider how to monitor delivery of Children's Community Health Services and that they were awaiting a Ofsted Report following inspection of Children's Services, as well as updates on the work of other task groups.

85 **Management Task Groups**

Financial Planning Task Group

A report was received from the Task Group and a verbal update provided by the Chairman, Councillor Glenis Ansell, on the latest topics examined by the Task Group. Members commented upon the update and made suggestions for future topics of Scrutiny including more detailed looks at various contracts, which the Task Group would consider as they planned their future work.

Swindon and Wiltshire Local Enterprise Partnership (SWLEP) Task Group

In addition to the brief written update the Committee were informed arrangements with Swindon had been confirmed following the elections, and that proper progress would, it was hoped, begin soon. The Leader of the Council and the Committee encouraged the Task Group to chase as many details as possible from the SWLEP, as scrutiny of such a high profile body responsible for large amounts of public money was vital moving forward.

Military-Civilian Integration Partnership (MCIP) Task Group

The Committee noted the brief update included with the agenda, and some members expressed concern the Task Group had not met in some time, and urged it to do so as soon as possible.

86 **Scrutiny of Campus Governance**

At its meeting in July 2015 the Committee had resolved for form a Task Group to scrutinise how the council's proposed Campuses, locally specific hubs of council and partner services in each community area, would be governed. A report was provided on proposed terms of reference for that Task Group, along with details of those members who had expressed an interest in serving on the Task Group.

The Committee discussed the report, and agreed that the primary focus of the Task Group should be providing input on what would be an effective, but flexible governance model for campuses to reflect their divergent offerings in their respective communities, as well as examining how communities would be engaged through those campuses. The role of elected members and Area Boards in any governance arrangement was debated, and it was agreed this should be a priority along with ensuring any model approved would keep communities informed as campuses developed.

The Committee also debated the size of the Task Group and composition of its membership.

At the conclusion of debate, it was,

Resolved:

- 1) To endorse the proposed terms of reference.**
- 2) To support the proposed membership of seven members:
Councillors Christine Crisp, Mary Champion, David Jenkins, Jeff Osborn, Magnus Macdonald, Stuart Dobson and Tony Deane.**
- 3) To receive periodic reports back from the chair of the task group once elected and a final report once the timeline has been established.**

87 **Scrutiny Decision Tracker System**

The Overview and Scrutiny Manager (and designated scrutiny officer) provided an update on the planned implementation of a proposed new system to track the outcomes from scrutiny meetings and exercises. The proposal had arisen following the latest Peer Review of the council's Overview and Scrutiny processes, and was intended provide clear evidence of the impact of the scrutiny process as an item progressed through the council, in addition to ensuring proposals were properly communicated or where accepted implemented.

Resolved:

To note the update.

88 Date of Next Meeting

The date of the next meeting was confirmed as 3 November 2015.

89 Urgent Items

There were no urgent items.

(Duration of meeting: 10.30 am - 12.30 pm)

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**Overview and Scrutiny Management Committee
Report on the Integrated Emergency Management Plan**

Purpose of report

1. To feed back to Cabinet and Full Council a summary of the main issues discussed at the meeting of the Overview and Scrutiny Management Committee held on 8 September 2015.

Background

2. It was stated that the draft Plan consolidated the existing Major Incident, Business Continuity and Recovery Plans, as well as reflecting the organisational changes in the past few years to further embed the responsibilities of the Civil Contingencies Act 2004 across all services of Wiltshire Council.
3. Details were provided on the Local Resilience Forum, Chaired by the Chief Constable of Wiltshire Police and Vice-Chaired by Maggie Rae, Corporate Director, Wiltshire Council, which brings together 'Category 1' responders¹, 'Category 2' responders² and other responders³ to prepare for emergencies within Wiltshire based on the National Risk Register, and creating plans for specific local risks so that services are maintained and communities protected.
4. Although the number of dedicated officers assigned to Emergency Planning had been reduced as part of organisational restructuring, it was clarified that the responsibility had been broadened to cover all senior officers which included an on-call rota for all Corporate and Associate Directors, and to embed the responsibility across services rather than a single centralised team.
5. It was also emphasised the Plan would be a 'live' document, periodically reviewed on a schedule but also in response to any emergency events that occurred, to ensure it remained fit for purpose.

Main issues raised during questioning and debate

6. The Committee discussed how military assistance was built into the plan, and it was stated that Wiltshire had very close working arrangements with the Military and sites such as Porton Down in relation to specific risks, although as military protocol required requests for civil assistance to be approved by High Command, military assistance could not formally be guaranteed.

¹ Emergency Services, Local Authorities, NHS England Team, Public Health England, Environment Agency

² Utilities, Telecoms, Transport, Met Office, Highways England, HSE

³ Including military, voluntary sector, coastguard, media outlets, community groups

7. Details were sought on how the effectiveness of the Plan would be monitored internally and by the Department for Communities and Local Government (DCLG), and it was stated representatives from the DCLG attended Local Resilience Forums to monitor them, as well as annual capability surveys providing benchmarking of Plan effectiveness and indications of perceived gaps.
8. The effectiveness of the Plan was raised in response to comments there were not formal powers to enforce the Plan amongst partner bodies, which is why it was stated creating close working relationships such as through the Local Resilience Forums, which included bodies beyond that required by statute to be involved in Emergency Planning, was so important.
9. The Committee sought details on the roles elected representatives had within the Plan. Councillors would be expected to lead on consultation and assessment if long-term impacts on their community, and help identify gaps in service provision. The Committee considered that utilising Area Boards as a hub for wider community areas to improve preparedness and risk assessment should be emphasised, and noted that the existence of Plans still relied heavily on effective communication to and ability of local responders. It was also agreed a requirement to brief all councillors on major events be included within the Plan, to enable councillors to communicate that information to the community areas.
10. In response to queries it was stated around 1/3 of Town and Parish Councils in Wiltshire had associated Emergency Plans, but that this represented an increase on the past and a move in the right direction, though further work was required to encourage Parishes to complete these.
11. The Committee requested further details of how the responsibility toward Emergency Planning was being embedded with council staff, and it was stated the requirement was now included a part of induction training, targeted work with specific teams was undertaken, and many more service teams consulted and engaged around events, such as a member of the Schools team being present in the Emergency Planning room during the response to the 2014 floods.
12. Details were sought on ensuring the appropriate officers and teams were adequately resourced for the work required, and it was stated that a general fund existed to cover all emergencies to ensure adequate resourcing. It was also stated ensuring contracts with service providers and contractors took account of responsibilities or expectations in the event of emergency events was a vital part of ensuring business continuity and a key part of the Plan.
13. The ongoing Middle Eastern-European migration crisis was raised as an example of a national concern which might, in time, impact upon Wiltshire, and it was stated the Council had been working with partner agencies to discuss what role Wiltshire could and should have in such an issue.
14. The Committee accepted as stated in paragraph 5 that the Plan would be reviewed in response to emergency events so that lessons would be learned immediately, but queried the timescale of the document in the event no such events occurred, and

were informed the document had been designed to cover a maximum of a 2 year period before being re-evaluated in its totality.

15. The Committee considered how Scrutiny could add value to the development and monitoring of the Plan, and considered that as it was an evolving document, it would be beneficial for each Select Committee to consider the plan at some point with a focus on their specific remit, and forward any comments and conclusions to the Cabinet Member.
16. The Committee also acknowledged the excellent work of the team preparing the Plan, noting the significant improvements in the council's operations and planning as presented at the meeting, and hoped further improvements would build upon that work.

Conclusion

17. **That Cabinet and Council take into account the comments from the Overview and Scrutiny Management Committee in considering the draft Integrated Emergency Management Plan.**
18. **To recommend all Select Committees consider including relevant assessment of the Integrated Emergency Management Plan on their Forward Work Programs and in order to further embed the Plan into the work of the Council and partner services.**

Councillor Simon Killane

Chairman of the Overview and Scrutiny Management Committee

Report Author: Kieran Elliott, Senior Democratic Services Officer 01225 718504 or kieran.elliott@wiltshire.gov.uk and Paul Kelly, Overview and Scrutiny Manager (and designated Scrutiny Officer), 01225 713049 or paul.kelly@wiltshire.gov.uk

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OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 3 NOVEMBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Simon Killane (Chairman), Cllr Alan Hill (Vice Chairman), Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Christine Crisp, Cllr Stewart Dobson, Cllr Jon Hubbard, Cllr Jacqui Lay, Cllr John Noeken, Cllr Stephen Oldrieve, Cllr Jeff Osborn, Cllr John Walsh and Cllr Bridget Wayman

Also Present:

Cllr David Jenkins, Cllr Christopher Williams and Cllr Bill Moss

90 **Apologies**

There were no apologies.

91 **Minutes of the Previous Meeting**

The minutes of the meeting held on 8 September 2015 were presented for consideration and it was,

Resolved:

To APPROVE and sign as a correct record the minutes of the meeting held on 8 September 2015.

92 **Declarations of Interest**

There were no declarations.

93 **Chairman's Announcements**

There were no announcements.

94 **Public Participation**

There were no questions or statements submitted.

95 **Forward Work Programme**

The Committee received updates from the Chairman of each Select Committee as follows:

Environment Select Committee (ESC)

The Committee was informed of the recent work of the ESC, including progress on the Local Flood Risk strategy and the receipt of a presentation of the Energy Resilience Plan, which they requested to be annually updated on its progress.

Updates were also provided on the task groups set up through the ESC, including the endorsement of the conclusions of the Highways and Steetscene Task Group, the Public Transport Review Task Group discussing the options being developed for a forthcoming public consultation, and agreeing the membership and terms of reference of the Resident Engagement Task Group. The Waste Task Group would also reconvene to consider the impact of the reduction of opening hours of recycling centres, green waste collection and potentially details of overspends.

Health Select Committee (HSC)

The Committee was informed of the recent work of the HSC, including a recent workshop to improve relationships with partners and how to focus with those partners on important local issues, and working with the ESC in relation to the Public Transport Task Group and the impact of emissions on health but also encouragement of increased cycling and walking routes.

Children's Select Committee (CSC)

The Committee was informed of the recent work of the CSC, including a focus on family planning and support services which would be considered by Cabinet in December 2015, an update on the school places strategy as well requesting endorsement of a Rapid Scrutiny Exercise on the retender of the children's services contract. The Committee sought details of the bids for the new contract and requested the Chairman and Vice-Chairman identify if there were any issues with the procurement process that should be scrutinised further.

The Committee was also updated on the recent Ofsted Inspection of Children's Services, where there were no instances identified of children at risk, and Ofsted had been impressed at the level of Member engagement with the service. The rating received had been as 'requiring improvement', which had previously been the 'satisfactory' rating, an improvement from the last inspection. The Committee endorsed comments thanking all those within Children's Services for their efforts, particularly during the inspection period, for the significant improvements that had been achieved.

The Committee also received updates on the task groups of the CSC, including the ongoing Child Sexual Exploitation Task Group, and the upcoming School Improvement Strategy Task Group.

Resolved:

- 1) **To note the results of the 2015 Ofsted inspection of services for children in need of help and protection, children looked after and care leavers, and how the areas for improvement will be addressed.**
- 2) **To thank all officers involved for their hard work preparing for and during the inspection and for delivering the improvements achieved.**
- 3) **To endorse the set up of a Rapid Scrutiny Exercise regarding the retender of the Children's Services Contract.**

96 **Management Committee Task Group Updates**

Report of the Financial Planning Task Group (FPTG)

The Chairman of the Financial Planning Task Group, Councillor Glenis Ansell, provided a written update on the recent activity of the task group and to request any additional activity the Committee felt appropriate. Details were provided of overspends in the libraries and communications and communities budgets, as well as improvements achieved with the management and monitoring of agency and consultant budgets. The Committee was also informed of the completion of the restructure of the procurement service, which was now more centralised and controlled.

The Committee discussed the update, seeking details of overspends and noting that work was needed to encourage and assist smaller local firms to be able to compete for council contracts in order to provide good service and value.

The Committee also received a request to add an additional member to the Task Group.

Resolved:

To appoint Councillor Jeff Osborn to the Financial Planning Task Group.

Report of the Military Civilian Integration Partnership (MCIP) Task Group

The Management Committee established a task group last November in response to the MCIP being a key action in the Council's Business Plan 2013-17. Due to the size and complexity of the Programme, early work by the Task Group involved scoping where it should focus its attention in order to add value to the current Partnership discussions. In its report to the Management Committee in January this year this was agreed as being *to identify any risks and opportunities presented by the MCIP that are relevant to Wiltshire Council services and priorities*. This will have included the implications for the Council of the Army re-basing workstream of the Programme.

The Task Group regularly updated the Committee throughout the year and provided a written interim report to this meeting. Councillor Alan Hill, Chairman of the Task Group explained that the report focused on the outcome of the Task Group's meeting of 28 October in which it acknowledged the efforts being made locally, the pending peer review and identified a number of issues that it recommended needed addressing based on the discussions and evidence provided to date.

The Committee then heard from Councillor Chris Williams, Cabinet Portfolio Holder for Campuses and Area Boards who was in attendance representing the Executive, along with the Associate Director of Economy and Planning. They felt that there was not enough clarity in the report between the overall Programme and the Army re-basing workstream which therefore lead to some confusion over the evidence under consideration.

Following debate, the Committee recognised that an opportunity for further consideration was needed before it could take an informed view.

Resolved

- 1) To confirm the appointment of the Chairman of the Task Group as a representative of the Council's overview and scrutiny function on the peer review (as previously reported in July) – noting that the review is now not scheduled until Spring 2016.**
- 2) To note the issues raised by the Task Group in the report at paragraphs 14-18 and ask the Executive to respond to these in writing to the Task Group in time for it to report further to the Management Committee at its next meeting on 5 January 2016 based on the areas for review it had previously agreed as set out in paragraph 5 of the report.**

Campus Governance Task Group

The Chairman of the Campus Governance Task Group, Councillor Christine Crisp, presented a written update on the recent activity. It was noted that the diverse operations and characters of the community areas presented a challenge in developing a core structure of governance to be adapted as necessary, but that the group had visited the first operational campus and were focusing on key requirements, governmental and financial, that would apply across all areas and how this would need to be managed.

Review of Local Enterprise Partnership (LEP) Task Group

The Chairman of the Task Group, Councillor Alan Hill, provided details of forthcoming meetings, expressing the hope that engagement with Swindon and the LEP would improve, but that work was now progressing following the change of membership from Swindon Borough Council.

It was noted that Councillor Simon Killane was no longer a member of the Task Group and a replacement would be sought in the usual way from an expression

of interest notification to all non-executive councillors. The outcome would be reported to the next meeting for endorsement.

97 Scrutiny Councillor Learning and Development Programme Update

The Overview and Scrutiny Manager provided a brief update on the Councillor Learning and Development Programme, with the next session to be held on 16 November 2015 on questioning, listening and chairing skills. The first session had been in relation to health scrutiny issues, followed by one on decision-tracking and financial monitoring with good attendance and positive feedback. The Councillor Development Group was also happy with the outcome to date.

Further reports would follow as more sessions were held.

98 South West Scrutiny and Health Scrutiny Network - Update

The written update in the agenda was noted, and the Chairman provided additional details of the regional conference, which included reviewing recent scrutiny successes across the region, the impact of staffing changes, whether council's needed to be more entrepreneurial when raising income, and how to improve core scrutiny skills.

An update on the impact of devolution proposals was also provided, with a proposal to central government that council scrutiny functions be involved in approving any new governance arrangements, however it was not certain the suggestion would be taken up.

Resolved:

To note the update.

99 Reporting news on national policy and legislation to OS committees

The Chairman and Vice-Chairman of the Children's Select Committee, Councillors Jon Hubbard and Jacqui Lay, had requested as detailed in the agenda that Select Committees consider including arrangements to ensure they are kept aware of changes to national policy and legislation that could impact their work.

The Committee were informed the Children's Select Committee had operated such a system for some time, receiving reports from senior management summarising key points from central government, allowing questions on the impact of those changes and shape the forward plan accordingly.

It was recognised that the Children's Select Committee had principally only one council service to receive updates from, but Councillors Hubbard and Lay felt that such a system was manageable for the other committees as well, and would provide additional benefit to their work.

Resolved:

For each Select Committee to note the suggestion to include updates on national policy and legislative changes and consider whether to do something similar.

100 Date of Next Meeting

The date of the next meeting was confirmed as 5 January 2016.

101 Urgent Items

There were no urgent items.

(Duration of meeting: 10.30 am - 1.15 pm)

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OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 5 JANUARY 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Simon Killane (Chairman), Cllr Alan Hill (Vice Chairman), Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Christine Crisp, Cllr Howard Greenman, Cllr Gordon King, Cllr Jacqui Lay, Cllr Stephen Oldrieve, Cllr Jeff Osborn, Cllr Tony Trotman, Cllr John Walsh, Cllr Bridget Wayman and Cllr Ian Thorn (Substitute)

Also Present:

Cllr David Jenkins, Cllr Baroness Scott of Bybrook O.B.E, Cllr Bob Jones MBE, Cllr John Thomson and Cllr Philip Whitehead

1 Apologies

Apologies were received from Councillors Jon Hubbard and Stewart Dobson.

Councillor Hubbard was substituted by Councillor Ian Thorn.

2 Minutes of the Previous Meeting

The minutes of the meeting held on 3 November 2015 were presented for consideration, and it was,

Resolved:

To APPROVE and sign as a true and correct record.

3 Declarations of Interest

There were no declarations.

4 Chairman's Announcements

Through the Chair there were the following announcements:

- 1) Following the meeting of Council held on 24 November 2015 it was announced that Councillor John Noeken had been removed as a

member of the Committee, with Councillor Tony Trotman added as a member of the Committee.

On behalf of the Committee the Chairman expressed thanks to Councillor Noeken for his extensive contributions to the Committee and extended Overview and Scrutiny work.

- 2) The latest learning and development workshop for councillors had been arranged for 2 March 2016 on clarifying the roles and working relationships between executive and scrutiny functions.

5 **Public Participation**

There were no questions or statements submitted.

6 **MyWiltshire App**

On 27 October 2015 the Environment Select Committee received a report from the Highways and Streetscene Task Group on the early termination of the highways contract with Balfour Beatty. Recommendation 8 of the Task Group was endorsed as follows:

O&S Management Committee to determine overview and scrutiny's involvement in the development of the My Wiltshire app as it becomes an increasingly important conduit through which residents can report a range of issues to the council.

The Management Committee therefore received a presentation from Ian Baker, Head of the Programme Office, on the development of the MyWiltshireApp ("the app"), an application for members of the public to report a range of issues directly to council officers including the reporting of instances of potholes, flytipping, abandoned vehicles, rights of way issues and other matters.

The Committee was provided with a demonstration of how the app operates, with the public able to fill out details of specific issues, upload photos, tag the issue to a specific location, and then receive notifications as officers assess and progress through resolution of the issue.

It was emphasised that although the app had first been utilised in respect of Highways issues, it formed part of a broader digitisation strategy within the council to make reporting on issues in relation to an increasingly wider series of council services and therefore public engagement simpler and more accessible, while simultaneously utilising the technology to automate processes to increase efficiency in logging and responding to the reports.

The Committee then discussed the most appropriate method for scrutiny to add value to the ongoing development of the use of the MyWiltshireApp, and providing comment on its current use, potential future uses and how to maximise its effectiveness, and other points including the following:

- Members discussed the current services which the public could report on using the app, and where there was potential to increase this to other council services. It was noted that some public facing services might not be suitable for such a reporting mechanism, and that any rollout would need to be carefully managed, in particular the order in which services were added to ensure that services were prepared to meet what would be hoped to be an increased level of reporting and engagement.
- Some members, while welcoming efforts to increase engagement with the public on service issues, queried whether service areas would face resourcing concerns should the level of reporting of issues increase as a result. In response the Cabinet Member for Highways and Transport, Councillor Philip Whitehead, and the Leader of the Council, Baroness Scott of Bybrook OBE, emphasised that the public were increasingly expectant about council's offering such digital based servicing of their needs, and that any increase in reporting would not impact on resource levels, as the number of issues remained the same even if they were unreported, they were simply harder to identify and resolve.
- It was also stated that although the logging, tracking and resolving of reported issues through the app was also significantly more cost effective than other reporting methods, the digitisation project was focused on improved customer engagement and process efficiency, and those unable or unwilling to utilise the app, would continue to be able to report service issues using current methods.
- The Committee also discussed whether other services or partners operated or were planning to operate similar reporting systems. It was stated that Wiltshire Police in partnership with Wiltshire Council were to make use of the app, and other councils contacted to share ideas. Where other commercial apps might offer an appropriate platform for specific services this would be assessed, although the Committee supported the intention to minimise the number of separate reporting systems to maintain a simple interface for customers.
- In response to queries it was reported that the app also offered features for mobile working opportunities, allowing officers to access and update the status of issues while out in the field.
- A key aspect of the development of the app would be dependent on determining its current usage and effectiveness, with analysis of feedback on the functioning of the app itself and the processes and operations behind it in order to measure its success, and identifying which aspects were most utilised and whether specific areas were utilising it more, and therefore how to replicate that increased awareness in other community areas.
- Specific issues raised during discussion of current operation of the app included the need for guidelines or protocols on how issue statuses were assigned, in particular whether a matter was referred or scheduled for further work, or officially resolved and closed, and when the reporter would receive that notification. It was noted this was largely a cultural rather than technical

concern, regarding individual officers and teams not labelling an issue as closed when it was passed to another service for final resolution.

- Another issue raised included whether it would be possible and useful for local members to be provided with access to community specific updates on reported issues in the same manner as an officer assigned to a specific area, as the public for an area could expect that their local representative would be kept informed of such issues and then attempt to raise it with the member. Whether it would be possible for someone reporting an issue to be made aware of whether the matter had already been reported by another person, and how many, was also raised.
- Finally, the Committee discussed the most appropriate method of assisting with the assessing of potential complications, risks and opportunities with increased utilisation of the app across current and other services. It was strongly considered that although the current use had largely focused on highways issues, given the broader digitisation strategy, any future scrutiny should report back to the Management Committee itself.

At the conclusion of debate, it was,

Resolved:

- 1) To establish a Digitisation (including MyWiltshireApp) Task Group to review the current and future development of the MyWiltshireApp and other opportunities to digitise service engagement with the public;**
- 2) To delegate to the Chairman and Vice-Chairman to prepare Terms of Reference for the Task Group in consultation with the Project Lead, and seek expressions of interest from members to serve on the Task Group.**
- 3) To report back to the next meeting on progress.**

7 Forward Work Programme

The Committee received updates from the Chairman or Vice-Chairman of each Select Committee as follows:

Children's Select Committee (CSC)

The Committee was informed of the recent and forthcoming work of the CSC, including assessing case management systems for child social care, adoption services and positive leisure time activities.

The Committee also received updates on the task groups of the CSC, including the ongoing Child Sexual Exploitation Task Group, including that feedback was being requested from all Area Boards on recent presentations on Child Sexual Exploitation, and the Committee endorsed efforts to encourage all community areas to consider what they could do to further publicity and action on the topic.

Environment Select Committee (ESC)

The Committee was informed of the recent and forthcoming work of the ESC, including approving terms of reference for the Waste Services Task Group following changes to household recycling centre opening times.

It was also noted an extraordinary meeting had been arranged for 12 January 2016 to consider the new Highways contract following the early termination of the contract with Balfour Beatty.

Health Select Committee (HSC)

The Committee was informed of the recent and forthcoming work of the HSC, including a creation of an outcome assessment system to evaluate the work of the committee, and items on pressures within Acute Hospitals, NHS Health Checks and the executive response to the Final Report of the Avon and Wiltshire Partnership Joint Health Scrutiny Working Group.

The current forward plan of the HSC was circulated as detailed [here](#).

8 Final Report of the Campus Governance Task Group

Following the final report of the Review of Area Boards Task Group in 2014, the Committee received a presentation on 7 July 2015 from the Cabinet Member for Communities, Campuses, Area Boards and Broadband, Councillor John Thomson, and the Associate Director (Communities and Communication), Laurie Bell, on the status of the Campus Programme, its challenges and future proposals, and how scrutiny could add value to the continued progressed of the programme.

It was determined that a Task Group be formed to consider the future governance arrangements for the campuses, and terms of reference and membership of the Task Group was confirmed by the Committee on 8 September 2015. The Task Group met on seven occasions between 7 October and 18 November 2015.

The Chairman of the Task Group, Councillor Christine Crisp, stated it had been challenging to assess the issues surrounding governance of campuses, currently referred to as Health and Wellbeing Centres (HWCs) due to the varied nature and composition of each area board and its community area, and that an attempt had been made to establish a suitable framework which could form the basis of adaptable local governance arrangements. Councillor Crisp expressed thanks to all seven members of the Task Group for their efforts, and also to the officer support particularly from the scrutiny team. The recommendation of the Task Group was to refer a series of questions and a proposed framework for campus governance to the Cabinet Member for a response.

The Committee discussed the report, and thanked the Task Group for a comprehensive report from such a relatively short period of examination.

The key issues raised by the Committee were about the proposed Community Area Health And Wellbeing Governance Body Terms Of Reference (Appendix) and included chairmanship of the campus governance body, whether the meetings of any governance body should be held in public or private, the level of information that would be provided to the governance body and the role of the governance body. The Cabinet Member in response stated campus governance bodies would not be party to normally exempt information, and supported a model which met publicly.

As had been explained by the Chairman of the Task Group it was appreciated by the Committee that these would not be issues that could be easily resolved and that further work would be required by the Task Group, in consultation with the Cabinet Member, to review the proposed Terms of Reference and further evidence the benefits and reasons for some of the Terms of Reference, including chairmanship, private or public meetings, and role of the Governance Body.

At the conclusion of debate, it was,

Resolved:

- 1) To thank the Task Group for their report on Campus Governance and refer the recommendations within the report to the Cabinet Member for response, excluding the proposed Community Area Health And Wellbeing Governance Body Terms Of Reference (Appendix), therefore:**

That the Cabinet Member for Cabinet Member for Communities, Campuses, Area Boards and Broadband;

- a) Ensures there is clear delineation of the roles of area board, governance body and Health and Wellbeing team with regards to the HWC and delivering the community area's priorities as this would be crucial in maintaining supportive and harmonious working relationships between the three;**
- b) Considers a review of the role and delegated powers of the area boards, as defined in the council's constitution, if it is necessary to ensure that these would enable the area boards to fulfil its role with regards to the governance of campuses;**
- c) Considers offering some administrative support for the Governance Body;**
- d) Considers if, and if appropriate when, the Task Group should be reconvened in 2016 to provide constructive input to the development of "A communications strategy for keeping communities informed about progress with revised campus developments".**

- 2) **To ask the Task Group to continue its work and review the proposed Community Area Health And Wellbeing Governance Body Terms Of Reference, taking into account the comments made by the Committee as well as the official response to the Committee from the Cabinet Member, as per 1 above, once received.**

9 **Management Committee Task Group Updates**

The Management Committee received the written updates and further verbal updates on its Task Groups as follows:

Military Civilian Integration Partnership Task Group

The report of the Task Group was received, and the Leader of the Council, Baroness Scott of Bybrook OBE, confirmed she had assisted the Chairman of the Task Group, Councillor Alan Hill, with further connections to military partners to further enable its future work.

Resolved

- 1) **To confirm the continuation of the task group in order to receive additional evidence from the Executive and partners about the progress of MCIP and its relationship with Wiltshire Council's other priorities and plans.**
- 2) **To refocus the task group to concentrate on the work around the impact of Army Basing as the single largest work stream in the MCIP.**
- 3) **To expect an update report later in the year to include details of communication of the advantages of Army Basing, the financing of the programme as a whole and the chairman of the task group's involvement in the upcoming peer review.**

Swindon and Wiltshire Local Enterprise Task Group

The Chairman of the Task Group, Councillor Alan Hill, presented the written update as detailed in the agenda.

Financial Planning Task Group

In addition to the written update, the Chairman of the Task Group, Councillor Glenis Ansell, stated that the council overspend for the financial year had been reduced since the last meeting, and a balanced budget would it was hoped be achieved by the end of the financial year.

10 **Urgent Items**

There were no urgent items.

11 **Date of Next Meeting**

The date of the next meeting was confirmed as Wednesday 3 February 2016 for consideration of the executive proposals for the council's budget. A briefing for all councillors would be held on Tuesday 2 February 2016.

An additional meeting would be held on Friday 12 February 2016 to consider any amendments to the executive budget proposals from other political groups and councillors.

The next ordinary meeting was confirmed as Tuesday 1 March 2016.

(Duration of meeting: 10.30 am - 1.15 pm)

The Officer who has produced these minutes is Kieran Elliott (Senior Democratic Services Officer), of Democratic Services, direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

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OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 3 FEBRUARY 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Simon Killane (Chairman), Cllr Alan Hill (Vice Chairman), Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Christine Crisp, Cllr Stewart Dobson, Cllr Jon Hubbard, Cllr Gordon King, Cllr Jacqui Lay, Cllr Stephen Oldrieve, Cllr Jeff Osborn, Cllr Tony Trotman, Cllr John Walsh and Cllr Bridget Wayman

Also Present:

Cllr David Jenkins, Cllr Baroness Scott of Bybrook O.B.E, Cllr Allison Bucknell, Cllr Fleur de Rhé-Philipe, Cllr Dick Tonge, Cllr Stuart Wheeler, Cllr Christopher Williams, Cllr Keith Humphries, Cllr Alan MacRae, Cllr Toby Sturgis, Cllr John Thomson, Cllr Roy While and Cllr Philip Whitehead

12 **Apologies**

Apologies were received from Councillor Howard Greenman.

13 **Declarations of Interest**

There were no declarations.

14 **Chairman's Announcements**

There were no announcements.

15 **Public Participation**

There were no statements or questions submitted.

16 **Date of Next Meeting**

The date of the next meeting was confirmed as the extraordinary meeting to consider opposition budget amendments on 12 February 2016.

The next ordinary meeting was confirmed as 1 March 2016.

17 **Procedure of Meeting**

Members noted the proposed meeting structure.

18 **Wiltshire Council's Financial Plan Update 2016/17**

The draft Wiltshire Council Financial Plan Update for 2016/17 was presented by Councillor Dick Tonge, Cabinet Member for Finance and Michael Hudson, Associate Director of Finance, ahead of its submission to Cabinet on 9 February and Full Council on 23 February 2016.

Details of proposed investments and savings were outlined within the context of continued reductions in the government revenue support grant to the council, increases in service costs particularly in relation to vulnerable people, as well as the impact of the savings implemented through previous budgets.

The Committee, along with other members in attendance including the Chairman of the Financial Planning Task Group and members of the Executive, discussed the proposed budget, and clarification was sought on several issues from the attending Cabinet Members and Corporate Leadership Team, with full details contained in the report as appended to these minutes. Particular focus was given to service budget proposals, in particular how savings would be achieved, clarification over grant funding for area boards and priority areas for further investment, along with other topics as detailed in the appended report.

At the conclusion of debate, it was,

Resolved:

For the comments of the Committee be reported to and considered by Cabinet and Council.

19 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 - 11.55 am)

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Wiltshire Council

APPENDIX

**Cabinet
9 February 2016**

**Council
23 February 2016**

Special Meeting of the Overview and Scrutiny Management Committee Report on the Draft 2016/17 Budget

Purpose of report

1. To report to Cabinet and Full Council a summary of the main issues discussed at the special meeting of the Overview and Scrutiny Management Committee held on 3 February 2016.

Background

2. This special meeting of the Overview and Scrutiny Management Committee provided an opportunity for non-executive councillors to question the Cabinet Member for Finance and the Associate Director for Finance on the draft 2016/17 budget before it is considered at Cabinet on 9 February 2016 and Full Council on 23 February 2016.
3. The Cabinet Member for Finance, supported by the Associate Director of Finance, were in attendance along with the Leader of the Council and members of the Executive and Corporate Leadership Team to provide clarification and answer queries raised by the Committee.
4. In addition to the Budget Papers as available on the website, a briefing from the Cabinet Member open to all members was held on 2 February to provide key details on the Financial Plan. The same briefing was provided as public events held in Trowbridge, Salisbury, Chippenham and Devizes.
5. Details had included:
 - Council Tax to be increased by 1.99%, plus a 2% Social Care Levy.
 - The continuing reductions in grant funding from central government, being 16.3% for the next financial year.
 - Increases in investment for the most vulnerable, older and young people.
 - Details of service changes required to achieve the £25.254m savings proposed.

Main issues raised during questioning and debate

6. The Chairman invited the Chairman of the Financial Planning Task Group and the Select Committee Chairmen to lead off discussion, with a focus on budget proposals and their implications for services, before opening up to general queries.

Financial Planning Task Group

7. The Chairman of the Financial Planning Task Group noted the work of the Task Group in tracking key spends for the council over the course of the financial year,

and detailed the comments from the Task Group following their meeting with the Cabinet Member for Finance on 29 January, as included as an annex to this report. The Cabinet Member thanked the Task Group for their work across the year.

8. The Committee also discussed the proposed rise in Council Tax and introduction of a Social Care Levy, noting that the levels of debt due to non-payment of these should be periodically reviewed by the Financial Planning Task Group.

Health Select Committee

9. The Committee noted the high proportion of older Wiltshire residents and the focus therefore given to health services and social care in the budget.
10. The level of savings required of 'Other Public Health and Public Protection' were raised, in respect of delivering prevention schemes.
11. The need for continued close working with partners such as the Wiltshire Clinical Commissioning Group (CCG) to drive integration and identify efficiencies and improvements was noted.
12. In response to queries on whether potential procurement savings within the health budget had been investigated, it was stated it had, but that many contracts had seven year terms and were currently in the middle of their operational periods.
13. The Committee sought expanded details of the proposed savings under 'Adult Social Care Operations' as outlined in the budget book. The Cabinet Member for Health and Adult Social Care, Councillor Keith Humphries, stated he would circulate a detailed breakdown of the proposed savings to the Health Select Committee.

Children's Select Committee

14. The Committee discussed the increased pressures upon Children's Services, such as the impact of Special Guardianship Orders, which offer an option for children needing permanent care, increasing to just over 200 young people. It was recognised that taking into account the totality of the service there was an increase in funding, although around £3.6M in savings had been identified.
15. It was noted that in the past the Children's Select Committee and Safeguarding Children and Young People Task Group had expressed concern at the level of dependency upon agency workers, and that significant savings had been identified with the reduction in that dependency.
16. A commitment to reducing the numbers of Looked After Children in residential or out of county placements was detailed. Increasing the proportion of placements within Wiltshire and with foster carers would provide savings as well as typically being beneficial for the young people.
17. In response to queries arising from the report, it was stated that there would be further updates to clarify the separation between Area Boards' locally held young people's funds and Local Youth Network (LYN) grants, as requested by the Financial

Planning Task Group. Further clarification on this matter would be presented to Cabinet and Council.

18. The Cabinet Member for Communities, Campuses, Area Boards and Broadband also confirmed that all Area Board grants would face a reduction of 10% in the proposed budget, but that any unspent LYN grant funds would be carried over to the next financial year. The Committee welcomed the clarification, as this would enable those in receipt of grants to plan accordingly for future years.
19. Other topics discussed included pressures on Special Education Needs and Early Years Grant Funding, and how the council would manage the market to ensure the level of provision of free child care as set out by central government.

Environment Select Committee

20. The Committee assessed details of the Highways and Waste budgets, and in particular the need to monitor both closely given the new contracts that had been put in place for both service areas. The Cabinet Member also clarified new wording in respect of the report of the Financial Planning Task Group's report comment on Highways. The amended wording is reflected in the appended Task Group report.
21. Details were sought on economic development in respect of the Local Enterprise Partnership and associated planned capital programme expenditure. It was stated there had been no reduction, but that some funding had been spread over several years to match when the projects would be delivered,.
22. The Committee sought details of the impact of the proposed budget on housing and rents and other associated issues. It was stated these issues had been raised and answered at the meeting of the Wiltshire Council Housing Board on 25 January and the minutes would be circulated to the Committee.
23. The level of public health grant allocated for leisure services was discussed, and it was confirmed that those areas currently without a bricks and mortar health and wellbeing centre (formerly campus) would not be excluded from those funds.
24. The predicted increase in income from Planning was noted as well as the need to ensure that any savings through efficiencies and restructuring would not affect the council's capacity to achieve the predicted increase in income.
25. Other topics raised included details of service savings and potential staff reductions in Enforcement. It was clarified these were vacant posts that would not be filled, and not therefore a further reduction in the current level of enforcement activity.

General Enquiries and Observations

26. The Committee noted that a schedule of all amendments to the budget papers would be presented to Cabinet and Council to track any alterations before and after its own deliberations.
27. The Committee encouraged the Select Committees to continue to monitor the progress of service areas within their remits.

28. Other topics raised included reiterating the requirement for all proposals and amendments to take into account the key priorities of the council's Business Plan, and the progression of negotiations in respect of delegation of council assets and services to Salisbury City Council, and it was stated that any delays to this process would not have an impact on the predicted budget for the next financial year.

Conclusion

29. That Cabinet and Council take into account the comments from the Overview and Scrutiny Management Committee and the Financial Planning Task Group in considering the update to the Financial Plan 2016/17.

Councillor Simon Killane **Chairman of the Overview and Scrutiny Management Committee**

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Annex 1- Report of the Financial Planning Task Group

Overview and Scrutiny Management Committee

3 February 2016

**Report of the Financial Planning Task Group – 29 January 2016:
Financial Plan Update 2016/17**

Issue	Response / Comments
(page and paragraphs numbers refer to the Budget report)	
Budget Setting Process	
<p>Budget setting process for 2016/17</p> <ul style="list-style-type: none"> • Public consultation • Financial Planning Task Group 29 Jan • Councillor briefing 2 Feb • OSMC meeting 3 Feb • OSMC meeting 12 Feb (opposition budget) 	<p>A robust approach over several months involving the political and corporate leadership.</p> <p>The outcome from three stages of scrutiny should mean that full Council is informed when it comes to the debate.</p>
Revenue Budget 2015/16	
<p>(Page 7)</p> <p>The 2015/16 revised revenue budget of £314.983 million is forecast to be balanced (para 3.2)</p> <p>The capital, Housing Revenue Account (HRA) and schools budgets are also on target to be balanced (para 3.3)</p>	<p>The Task Group will scrutinise the final outturn figures once available.</p>
Specific budget areas 2016/17	
<p>(Page 8)</p> <p>Action 2 - Stimulate economic growth: “The budget continues the commitment to invest in growing and protecting our economy, with £0.582 million in 2016/17 invested in continuing the support for Action Wiltshire.”</p>	<p>It was noted that the Economy and Planning budget line (page 48) shows a reduction of £0.590M from 2015/16.</p> <p>This breaks down into £0.316M savings from ‘Employees’ and ‘Supplies and Services’ and a £0.263 increase in Gross Income.</p>

(page 9) Action 3 – Area Boards and working with communities	<p>The cabinet member confirmed that the one-off young people’s funds held by Area Boards (sometimes known as Locally Held Funds) will not be touched. For unspent annual Local Youth Network (LYN) grants only funding for specific projects can be carried over to the new financial year.</p> <p>Further clarity will be provided at OS Management Committee on 3 February.</p> <p>Members requested greater accounting separation between these two funding streams.</p>
(page 15) Better Care Plan “Locally Wiltshire’s Better Care Fund has been uplifted by £0.9 million, however the budget for the £28 million is still being finalised. We have thus assumed £10.277 million allocated in 2015/16 will continue to be allocated to Wiltshire Council in 2016-17.”	It was noted that the final Better Care Fund allocation would be discussed at the Joint Commissioning Board on 4 th February.
(page 15-17) Social Care Levy “this report proposes that the Council implement this new Levy for 2016/17 at 2%.” (para 6.12) Council tax “this report recommend a 1.99% increase in the Council Tax for 2016/17. (para 6.13)	No increase in debt due to non-payment of council tax has been assumed against the proposed 1.99% council tax rise and 2% social care levy. The council has good protection systems in place, a very high proportion of direct debits for council tax and one of the highest collection rates in the country (over 18 months). In addition currently no local economic factors point to a significant downturn in residents’ ability to pay. For example, Wiltshire has a high employment rate.
(page 18) Government Funding – Future Years’ negotiation “the Secretary of State invited councils to approach DCLG to negotiate settlements with the potential for greater retention locally of business rates (NNDR), although on the understanding of greater responsibilities... Regular updates will be given to Council.” (para 6.17)	<p>Further announcements on the final DCLG settlements are expected on 4th February.</p> <p>The Financial Planning Task Group requests to be kept informed on the outcomes of negotiations and will report back to the OS Management Committee.</p>

<p>(page 19)</p> <p>“Overall the pressures of £24.965 million will be funded in part by the additional £11.559 million raised by Council Tax and £4.322 million from the 2% Social Care Levy. That leaves a gap of £9.084 million.” (para 17.3)</p>	<p>It was clarified that the £11.559M refers to additional council tax income, and a further £4.322M from the 2% Social Care Levy.</p>
<p>(page 20)</p> <p>Adult Social Care See table</p> <p>Savings summary table £3.837M saving are to be found from ‘Older People’</p>	<p>The £1.4M increase in the cost of ‘forensic mental health’ cases is due to an increase in the number of cases and a greater onus on providing care services.</p> <p>It was reported the proposed savings were realistic with delivery of initiatives to reduce the use of expensive residential care, including HomeFirst, Help To Live At Home and Extra Care.</p>
<p>(page 22)</p> <p>Highways “The county highways network and street scene services are a priority. The ability to attract inward investment for a thriving economy and to ensure citizens and residents live and work in well maintained private and public space means that we will increase expenditure by £3.350m.” (para 7.9)</p>	<p>“the growth in the Highways budget is to reverse some of the reductions that have been made over last few years and to enable previously reported increase in future costs following the introduction of the new contract for Highways and Streetscene.</p>
<p>(page 22)</p> <p>Waste “The County has seen on average a growth in its residential properties by 2% each year for the last three years. It forecasts that this will continue into 2016/17. Whilst individual houses can be added to rounds, where whole estates are being developed and sold this creates added pressures and needs for new bins and rounds, as well as costs of disposal. As such the Council has estimated it needs to divert £0.900m of monies raised from Council Tax to Waste services to fund this growth, so that there is a direct link between income raised and costs incurred.” (para 7.10)</p>	<p>It was reported that reviews to waste collection rounds, extra income from garden waste fees and other income streams such as third party subsidies would contribute to the proposed net savings of £0.505M (see Service Budget Summary page 48).</p>

<p>(page 23)</p> <p>Housing</p> <p>“An extra £250,000 has been identified to assist with the funding of deposits and offers to private landlords to secure suitable alternative accommodation as well as with our homeless prevention work to better manage the increased workloads and support that housing officers will need to provide to those households impacted by Welfare Reform.” (para 7.14)</p>	<p>The £0.250M has been included to reflect an increasing risk of homelessness due to the impacts of Welfare Reform.</p> <p>Further details of how these funds would be used and managed were requested for the OS Management Committee meeting.</p>
<p>(page 25)</p> <p>Other pressures</p> <p>“Increased demand has an impact on ‘back office’ services through increased costs, for example additional legal / advocacy for child protection... As a result additional funding has been directed to Legal (£0.4m)” (para 7.17)</p>	<p>Previous years have seen increased demand for legal services due to rising numbers of court cases and reduced income due to a national challenge to the charging of land search fees.</p> <p>The proposed investment will provide a prudent level of in-house legal advice and reduce the need to pay for external legal advice.</p>
<p>(page 25)</p> <p>Fees and Charges</p> <p>“Exceptions to this are for Garden Waste where a 5% increase is proposed.” (para 8.2)</p>	<p>The Waste Service Changes Task Group is looking at the impact of the introduction of fees for garden waste collections and will now need to consider the 5% increase if agreed.</p>
<p>(page 26)</p> <p>Capital Programme borrowing</p> <p>“The total 4 year [capital] programme thus requires circa £100.164 million of borrowing ... borrowing in 2016/17 has been reduced to just £1 million. There is an assumed £99.164 million over the following three years at this stage (2017-20)...</p> <p>...The total capital financing budget in 2017/18 is anticipated to be around £26m or circa 8% of the Councils net budget, up from 5% in 2014/2015.” (para 8.7)</p>	<p>The levels of borrowing projected are included as a cost pressure under future years’ calculations.</p> <p>Interest rates will continue to be monitored to determine the appropriate times to borrow.</p> <p>The task group will continue to monitor the council’s levels of borrowing.</p>
<p>(page 32)</p> <p>Savings</p> <p>Voluntary Sector grants</p>	<p>As was already agreed in 2014, Voluntary and Community Sector (VCS) grants will be reduced by 10% for the second year running. All funded VCS groups were written to and advised of this 2-year reduction.</p>

<p>(page 38)</p> <p>General Fund Reserve “...the current forecast outturn is circa £10 million. This means the General Fund Reserve is in line with the revised recommended level, and future use of these funds are seen as a matter of last recourse given the low levels compared to other councils.”</p>	<p>The task group noted that the council has low levels of reserves compared to other councils and will continue to monitor this as a risk.</p>
<p>(page 38)</p> <p>11. Assessment of Reserves See table</p>	<p>The task group noted that proposal to add £1M to the General Fund Reserve (GFR) in 2018.</p> <p>It was reported that at present the council carries the risk for any potential decrease in the collection of Business Rates and until the future position is known it has been considered prudent to plan an increase in the funds held in reserve.</p>
<p>(page 48)</p> <p>Service Budget summary See table</p> <p>Other Public Health & Public Protection in Public Health and Protection: 2016/17 £2.904M budget reduced by £0.398M.</p> <p>Early Help in Operational Children’s Services are asked to save £0.504M</p> <p>Library Heritage and Arts shows a reduced budget from £3.671M to £2.912M = £0.759M reduction.</p>	<p>These proposed reductions to 2016/17 budgets would be achieved mostly through staff restructuring.</p> <p>These proposed reductions to 2016/17 budgets would be achieved mostly through staff restructuring.</p> <p>Of the £0.842M proposed savings from Libraries, Heritage and Arts, £0.547M would be from ‘Supplies and Services’.</p>

Cllr Glenis Ansell, Chairman of the Financial Planning Task Group

Report author: Henry Powell, Senior Scrutiny Officer, 01225 718052,
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CHILDREN'S SELECT COMMITTEE

MINUTES OF THE CHILDREN'S SELECT COMMITTEE MEETING HELD ON 13 OCTOBER 2015 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Jon Hubbard (Chairman), Dr M Thompson, Mr J Hawkins, Cllr Sue Evans, Cllr Mary Douglas, Cllr Chris Hurst, Cllr Simon Jacobs, Cllr Mary Champion, Cllr Bill Moss, Cllr Helen Osborn, Cllr Ricky Rogers, Cllr Philip Whalley, Mr Ken Brough, Miss Sarah Busby, Miss Tracy Cornelius, Cllr Trevor Carbin (Substitute), Miss Cathy Shahrokni and Pigott

Also Present:

Cllr Alan MacRae, Cllr Laura Mayes and Cllr Richard Gamble

65 Apologies

Apologies for absence were received from Cllr Pat Aves (who was substituted by Cllr Trevor Carbin), Cllr Jacqui Lay and Revd. Alice Kemp.

66 Minutes of the Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 21 July 2015 as a correct record.

67 Declarations of Interest

There were no declarations of interest made at the meeting.

68 Chairman's Announcements

The Chairman made the following announcements:-

- (1) Future Delivery of Family and Parenting Support Services** At the last meeting on 21 July 2015, this Committee received details of a proposal to bring together the commissioned service for families requiring support who did not meet the threshold for social care intervention and the in-

house service, which currently worked with families who were in receipt of statutory intervention.

The Committee resolved that the Chairman should meet with the Cabinet Member and Director to discuss if and how scrutiny might add value to this topic. Following a meeting with Julia Cramp, Associate Director and Cllr Alan Macrae, Portfolio Holder, it was agreed that there may be a future opportunity for scrutiny to help develop the remit and design of the new service, but considered that it would be sensible to await the Cabinet report and decision in November before considering this further.

An update report would be brought back to this Committee in December 2015.

- (2) **Child Sexual Exploitation Member Training Sessions** Following the successful sessions held on 17 and 18 September, Members who were unable to attend would have the opportunity to attend a half day training session on raising awareness of Child Sexual Exploitation (CSE) on Tuesday 20 October 2015, from 1.00pm to 4.00pm, in the Council Chamber at County Hall, Trowbridge. This training would be provided by Blair Keltie (CSE Manager) and Deborah Barlow (Principal Social Worker). The training would ensure that councillors knew what CSE was, how to spot the signs and what action they could take to help eradicate it.

Any Member wishing to attend this session was requested to confirm their attendance via email to corporatebusinesssupport@wiltshire.gov.uk by 13 October. Places would be confirmed by Outlook calendar invitation shortly after 13 October, confirming details for the training session.

Further information about CSE could be obtained from Blair Keltie at blair.keltie@wiltshire.gov.uk

69 **Public Participation**

There were no members of the public present or Councillors' questions.

70 **Children's Community Services Retender**

The Chairman reminded the Committee that the Children's Community Health Services in Wiltshire were being retendered to seek a contract/provider and a report had been presented to the last meeting describing the background to this decision. The tender was advertised in mid-December 2014 and six Pre-Qualification Questionnaires (PQQs) were submitted. Five of these providers were successful at PQQ evaluation and were invited to submit a tender application.

Cabinet made a decision regarding the preferred provider earlier that day in a closed section of the meeting. Although the decision on the provider had been taken, there were still many steps to be taken in the formation of the service and how the services it included would be monitored.

After some discussion,

Resolved:

To establish a rapid scrutiny exercise to be held in January 2016 to help develop the performance monitoring framework within the contract.

71 School Places Strategy 2015-2020 - update

The Committee considered a report by Carolyn Godfrey, Corporate Director, presenting an update on the Wiltshire School Places Strategy.

Members were reminded that the purpose of the Strategy was to set out the context and background for the Council's strategic planning of school places and demand across the Local Authority area. It provided an overview of demographic information for Wiltshire at the current time and included a more detailed analysis of each secondary school planning area, including historic trends and future projections. This Strategy would become a key framework document for the Council in considering any statutory changes to school organisation including the commissioning of new schools and would inform future capital investment projects.

The draft Strategy was presented to this Committee at its last meeting when it was resolved:-

1. To request that all Area Boards are invited and encouraged to respond to the draft School Places Strategy 2015-20 during the consultation.
2. To request that a report is brought back to Committee in October outlining how the draft Strategy has been amended following consultation.

During discussion the following points were raised:-

- There was confusion over terminology as community and educational areas were not coterminous. It was felt that a footnote in the School Places Strategy should state and explain this. It was explained that school planning areas could not be changed as they were set in conjunction with the DfE.

- There was also an inconsistency in language in that the report referred to Community Area Boards. There was a need to include all schools within such an area with an explanatory footnote.
- There was also some discussion about housing allocations as set in Core Strategy and that they were a little optimistic and did not reflect reality. It was explained that these figures were the projected requirements for the life of the Strategy which was for a period until 2026 when presumably requirements might be quite different. It was noted that information was updated every year.

Resolved:

To note the update provided, the impact on the final version of the consultations undertaken, that the Strategy will now go before Cabinet on 10 November and to request that the points raised by Children’s Select Committee be included in the Cabinet report.

72 Ofsted Inspection 2015

Consideration was given to a report by Carolyn Godfrey, Corporate Director, informing the Committee of the Ofsted inspection of services for children in need of help and protection, children looked after and care leavers, the resulting published report and how Ofsted’s recommendations for improvement would be addressed. The inspection had taken place in July 2015 over a four week period and was very thorough.

During the inspection no cases were identified where children and young people were left at unnecessary risk of harm. Inspectors had found the overall effectiveness of Wiltshire services to be Requires Improvement and all the sub-judgements had the same outcome. However, there were many positive points highlighted in the inspection report. The report had been published on 1 September 2015 and the Local Authority was required to submit an improvement plan to Ofsted within 70 working days of the publication of the report. It was reported that the vast majority of improvements suggested were already in the Authority’s action plans and were already being worked on. Members were pleased to note that the Inspectors were confident that the Local Authority knew what needed to be done “to get to good” and that the trajectory was positive.

Members considered that there was continued work to be done by this Committee in the coming months to monitor the ongoing work being undertaken to further improve this service prior to the next Ofsted Inspection.

Resolved:

1. To note the results of the 2015 Ofsted inspection of services for children in need of help and protection, children looked after and care leavers, and how the areas for improvement will be addressed.
2. To thank all officers involved for their hard work preparing for and during the inspection and for delivering the improvements achieved.

73 Anti-Bullying Week 2015

The Committee received a report by Julia Cramp, Associate Director which set out what would be taking place in Wiltshire regarding Anti-Bullying Week in England from 16 to 20 November 2015. The theme would be *Make a Noise about Bullying*.

It was noted that the key aims of the week would be:-

1. To empower children and young people to make a noise about bullying – whether it is happening to them or to someone else, face to face or online;
2. To help parents and carers have conversations with their children about bullying –both as a way of preventing bullying, and to help children who are worried about bullying;
3. To encourage ‘talking schools’ where all children and young people are given a safe space to discuss bullying and other issues that effect their lives, and are supported to report all forms of bullying;
4. To equip teachers to respond effectively when children tell them they’re being bullied; and
5. To raise awareness of the impact of bullying on children’s lives if they don’t tell anyone it’s happening – or if they are not given appropriate support – with a focus on the impact on mental health.

It was reported that recently children and young people had been asked via a survey on pupil health and wellbeing about their experience of bullying. From a response of nearly 7,000, it had been found that the vast majority of children and young people had not been bullied. 81% of primary aged pupils said that they had never been bullied and 70% of secondary aged students stated that they had not been bullied during the last year. Members were interested to note that cyber-bullying appeared to be the least frequent form of bullying overall (23%) but it was nearly double this rate (45%) amongst Year 12 students. There was need for this to be looked into in more detail.

Whilst a number of schools were active in support of Anti-Bullying Week, Members were disappointed to be informed that school academies were

generally not getting involved in this initiative and that consequently, the Wiltshire Assembly of Youth were no longer giving priority to this.

The Committee considered that all councillors should involve themselves in this and support the campaign by attending the young people's led event in their area and also encourage local schools to participate in this campaign by downloading the Anti-Bullying campaign pack, the free resources and entering the national anti-bullying competition.

Resolved:

- 1. To note the report provided.**
- 2. To note that anti-bullying had previously been dropped by Wiltshire Assembly of Youth (WAY) as a work priority due to a lack of involvement by schools.**
- 3. To receive a further report in January 2016 outlining what activity took place in Wiltshire during Anti-Bullying Week 2015.**

74 SEND Task Group - Executive response update

The Chairman reminded the meeting that The Special Educational Needs and/or Disabilities (SEND) Task Group brought its final report to Committee in January 2015 and the Executive response was received in April 2015. It was resolved that the Committee would receive an updated executive response to Recommendation 15 at a future meeting.

“Recommendation 15: [The Cabinet Member] Provides an action plan describing how it will be ensured that:

- Young people with SEND aged 18+ have access to respite care in Wiltshire that is structured and develops their independent living skills alongside peers of a similar age;
- Young people with SEND who exhibit challenging behaviour continue to have access to respite care in Wiltshire when they turn 18, meeting the requirements of the ‘Special Educational Needs and Disability Code of Practice: 0 To 25 Years’ paragraph 3.52.”

A further report by the Cabinet Member for Children's Services was received which presented a further Executive response.

Cllr Laura Mayes, Cabinet Member, explained that respite services for young people aged 18 or over were provided through direct provision at one of the Council's residential units or through direct payments which allowed families to purchase their own provision. These services were for young people that met

the social care eligibility criteria as opposed to all young people with SEND. The residential units were primarily concerned with providing respite care rather than providing independent living skills, although support would always focus on developing life skills.

In relation to challenging behaviour the residential units had recently completed building work which had created an environment which had improved the potential to meet the needs of young people with challenging behaviour.

The Committee received the written comments of Revd. Alice Kemp, Chairman of the SEND Task Group, who stated that whilst she welcomed the new provision for young people with challenging behaviour which was now built and operational, she was concerned that there was a potential lack of structure in adult respite care for young adults aged 18 to 25. It was appreciated that there was a need for more work to be carried out to provide satisfactory facilities for this group of young adults.

After further discussion,

Resolved:

- 1. To note the Cabinet Member for Children's Services' responses.**
- 2. To request a written response to the points raised in writing by the Chairman of the SEND Task Group.**
- 3. To carry out further discussions regarding the provision of respite care for young adults.**

75 School and the Local Authority Task Group - Executive response update

The Chairman reminded the Committee that the final report of the Schools and Local Authority Task Group had been endorsed by this Committee in January 2015 and the Executive response was received in April 2015 when it had been resolved to receive further responses to Recommendations 2 and 15 at a future meeting.

Accordingly, Cllr Laura Mayes, Cabinet Member, presented an updated executive response on the implementation of Recommendations 2 and 15 which were as follows:-

Recommendation 2

Original task group recommendation: *[That the Cabinet Member...]* Recommends the creation of an overarching director-led group to take a holistic view of all aspects of the council's relationship with schools and the services and support it provides to them. This group should include a range of partners,

such as those who currently participate in the Schools Forum's Schools Services Board. The group should meet regularly and monitor the quality and take-up of the council's schools services and the continued delivery of the council's statutory responsibilities.

The Committee noted that the view of the Executive was that the remit of the recommended group was too wide and proposed that a Traded Services Stakeholder Group be set up to consider the quality of services on offer to schools from the Council. The oversight of the delivery of the Council's statutory responsibilities was covered by other groups.

The Committee had requested to be kept informed of the composition of the Group and to receive its minutes. The Cabinet Member informed the meeting that the first meeting of the Group had met a few weeks previously but that it had been quite informal. A further meeting of the Group was due to be held the following week and Members requested that the minutes of that meeting be made available to them together with the Groups' terms of reference and membership.

Recommendation 5

Original task group recommendation: *[That the Cabinet Member...] Brings all of the services the council provides to schools into a single, cohesive offer that is proactively marketed in a business-oriented way.*

The report informed Members that the position on traded services had not changed significantly since the Task Group undertook its work. The Associate Director for Commissioning, Performance & School Effectiveness was currently working with the Associate Director for Finance to produce a report for discussion with the Corporate Directors and Cabinet on the Council's future role in providing traded services. This would involve an assessment of whether the cost of delivering services was matched by the income received from trading and how services could be delivered more efficiently.

After some discussion,

Resolved:

To note the further executive response provided and request that the composition, meeting minutes and terms of reference of the Traded Services Stakeholder Group be circulated.

76 Troubled Families Programme - update

The Committee received a report by Carolyn Godfrey, Corporate Director, which provided an update on the Troubled Families Programme.

The DfE had announced funding for Phase 1 of the Programme in December 2011, which facilitated the collaborative working of local authorities with partners to radically transform the lives of the most troubled families. Wiltshire had been allocated 510 families to “turn round” before the end of March 2015, the criteria being families who:

- were involved in crime or anti-social behaviour;
- had a child who had been excluded or was persistently absent from school;
- were in receipt of out of work benefits; and
- had a high cost to the public purse.

It was explained that this was a payment by results scheme and Wiltshire achieved 100% success, making a difference to all 510 families.

Members were informed that Wiltshire joined Phase 2 of the scheme in early January 2015 and started working with 70 families under the new criteria, which were:-

- Parents and children involved in crime or antisocial behaviour.
- Children who had not been attending school regularly.
- Children who needed help.
- Adults out of work or at risk of financial exclusion at risk of worklessness.
- Families affected by domestic violence and abuse.
- Parents and children with a range of health problems.

During discussion, Members were pleased to note the encouraging success rates so far achieved both in Phase 1 of the Programme and also the achievements to date in Phase 2. The Committee requested more detailed information in due course on the outcomes of working with troubled families.

Resolved:

To request an update on the Troubled Families Programme in 12 months' time to include the outcomes of work undertaken with families.

77 DfE Changes - Update from Department for Education

The Committee received an update from Carolyn Godfrey, Corporate Director, on developments relating to children's services arising from the Department for Education from July to September 2015 as follows:-

- Childcare Bill: policy statement
- Protecting Children from Radicalisation: the prevent duty
- Keeping children safe in education
- School Admissions Code

- Coasting schools
- Constitution of governing bodies of maintained schools
- Home School agreements
- Behaviour and discipline in schools
- Academies update
- Reviewing Post-16 Institutions
- SEN transfer review
- Children Act 1989: care planning, placement and case review

Resolved:

- 1. To note the update provided.**
- 2. To request an update on the implications of Central Government's 'coasting schools' agenda when appropriate.**
- 3. To request information regarding any effect the new constitution of maintained schools' governing bodies might have on local authority governors.**

78 Task Group Update

The Committee received an update on the activity of the following Task Groups:-

- Child Sexual Exploitation (CSE) Task Group
- Obesity and Child Poverty Task Group (joint with Health Select Committee)
- Positive Leisure Time Activities for Young People Task Group (reconvened)
- Safeguarding Children and Young People Task Group
- School Improvement Strategy Task Group

Resolved:

- 1. To note the update on task group activity provided.**
- 2. To agree that Cllr Pat Aves joins the Child Sexual Exploitation (CSE) Task Group;**
- 3. To endorse the proposed terms of reference of the Obesity and Child Poverty Task Group (already endorsed by the Health Select Committee);**
- 4. To endorse the proposed terms of reference of the reconvened Positive Leisure Time Activities for Young People Task Group.**

5. To note that the Safeguarding C&YP Task Group is now ensuring there are no duplications or gaps between its work and that of the CSE Task Group and the Safeguarding C&YP Panel with a view to bringing the task group to a close within 12 months;
6. The agree that the School Improvement Strategy Task Group defers commencement of its work until Spring/Summer 2016 and then reviews the effectiveness of the School Improvement Strategy 2015/16.
7. To agree that Dr Mike Thompson and Cllr Trevor Carbin join the School Improvement Strategy Task Group.

79 **Forward Work Programme**

The Committee received a document showing the relevant items from the Overview & Scrutiny Forward Work Programme.

Resolved:

To note the Forward Work Programme for this Committee.

80 **Date of Next Meeting**

Resolved:

To note that the next scheduled meeting of the Committee would be held on Tuesday 8 December 2015, at County Hall, Trowbridge, starting at 10.30am.

81 **Urgent Items**

There were no urgent items of business.

(Duration of meeting: 2.30 - 4.45 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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CHILDREN'S SELECT COMMITTEE

DRAFT MINUTES OF THE CHILDREN'S SELECT COMMITTEE MEETING HELD ON 8 DECEMBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Jon Hubbard (Chairman), Cllr Jacqui Lay (Vice Chairman), Dr M Thompson, Rev Alice Kemp, Mr J Hawkins, Cllr Sue Evans, Cllr Pat Aves, Cllr Mary Douglas, Cllr Chris Hurst, Cllr Simon Jacobs, Cllr Bill Moss, Cllr Jeff Osborn (Substitute), Cllr Ricky Rogers, Cllr Philip Whalley, Miss Sarah Busby, Cllr James Sheppard and Miss Cathy Shahrokni

Also Present:

Cllr Alan MacRae, Cllr Laura Mayes and Cllr Richard Gamble

82 Apologies

Apologies for absence were received from Cllr Mary Champion, Cllr Helen Osborn (who was substituted by Cllr Jeff Osborn), Miss Tracy Cornelius and Miss Freya Pigott.

83 Minutes of the Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 13 October 2015 as a correct record, subject to the following amendments:-

- **Minute No 73 – Anti-Bullying Week 2015**

Second and third resolutions to be amended to read as follows:

- 2. To note that anti-bullying had previously been dropped by Wiltshire Assembly of Youth (WAY) as a work priority due to a lack of involvement by *schools*.**
- 3. To receive a further report in *January 2016* outlining what activity took place in Wiltshire during Anti-Bullying Week 2015.**

- **Minute No 74 – SEND Task Group – Executive response update**

Second resolution to be amended to read as follows:

2. **To request a written response to the points raised in writing by the Chairman of the SEND Task Group.**

84 **Declarations of Interest**

There were no declarations of interest made at the meeting.

85 **Chairman's Announcements**

The Chairman made the following announcements:-

- (a) **Cabinet Items** The following items were due to be considered by Cabinet on 15 December 2015:-

- **Re-design of Wiltshire Children's Centres – Report on Consultation** To outline the responses to the public consultation on proposed changes to the design and delivery of children's centres.
- **One Joined up Family Support Service for Families in Wiltshire** To propose bringing together the commissioned service for families requiring support who do not meet the threshold for social care intervention and the in-house service which currently works with families who are in receipt of statutory intervention.

The Chairman reported that because these reports were published on 7 December 2015, he did not consider this sufficient time for this Committee to make any meaningful input. However, he encouraged members of this Committee to attend the Cabinet meeting on 15 December 2015 to express their views or else send them to himself or a member of the Scrutiny Team.

- (b) **Children's Community Services Rapid Scrutiny Exercise** In October Wiltshire CCG, Wiltshire Council and NHS England confirmed the intention to award Virgin Care the contract to provide community child health services in Wiltshire for the next five years. This Committee received a report on this in July and an update in October.

As of April 2016, the services currently provided to Wiltshire's children and young people by five different organisations would transfer to Virgin Care. The services would include health visiting, children's community nursing and speech and language therapy. Children's community health services played a key role in ensuring children had the best start in life and that their health needs were met throughout childhood.

At our last meeting the Committee established a rapid scrutiny exercise to help develop the performance monitoring framework for the contract. Participating members would contribute to ensuring that these important services were delivered effectively and met the needs of children across Wiltshire. The exercise would take place in January and two meetings were anticipated.

Members interested in taking part were asked to contact Adam Brown, Senior Scrutiny Officer.

- (c) **Senior Scrutiny Officer Support** The Chairman reported that Adam Brown would provide lead officer support to this Committee. Adam was previously a Democratic Services Officer but had recently been seconded into Emma Dove's post whilst she was on maternity leave. Henry Powell would be taking on lead officer support for the Health Select Committee.

The Chairman, on behalf of the Committee, warmly thanked Henry Powell for all his work and help to the Committee over a number of years and wished him well in his new appointment.

86 **Public Participation**

There were no members of the public present or Councillors' questions.

87 **Children's Services Case Management Systems - Briefing**

The Committee received an update on developments with the Council's social care case management system, which had been requested by the Committee in April 2015.

It was explained that currently the work of Children's Services was supported by a range of management systems that were provided through five suppliers. Furthermore, some information was held outside of these systems, such as additional workflow information.

The Committee noted that contracts for existing systems were due to be reviewed and this would provide an opportunity to consider which systems would be fit for the future needs of the service. The Corporate Leadership Team had recognised this need and a proposal for review had been added to the ICT Capital Plan for further consideration and planning. As part of this review models currently used by other local authorities were being examined to see if one model might be suitable to Wiltshire's needs. Both capital and revenue costs were being investigated.

After some discussion,

Resolved:

- 1. To note that a review of the Council's existing case management system was currently being scoped and had been added to the ICT Capital Plan for further consideration and planning, with progress anticipated in March 2016.**
- 2. To request a further update on the review at the Committee's meeting on 31 May 2016.**

88 Early Help Dataset

The Committee received an updated Early Help Dataset following a review by the Early Help Task Group. Carolyn Godfrey, Corporate Director, reported that the Early Help Dataset was a relatively new quarterly dataset, this being the fifth version populated since its creation in September 2014. The dataset had evolved over the preceding 12 months following continuous review from the Early Intervention Sub Group (a joint group overseen by the Wiltshire Safeguarding Children Board and the Children's Trust) and the formal review by the Early Help Task Group.

It was pointed out that charts of the most critical early help measures had been included to show long term sustainability and these would be added to as long term data became available.

During the ensuing discussion, members welcomed the provision of charts in addition to the tables. Members expressed appreciation for the clarity of the tables and found it helpful that they were grouped together in themes. However, members did question why some sections of the early help data tables had been included but without any statistical data provided. In response, members were informed that more of these sections would be populated as further long term data became available.

Resolved:

- 1. To recognise that the revised Early Help Dataset is the mechanism for providing oversight and delivery of the Early Help Strategy and to congratulate officers on its development.**
- 2. To recognise the complexity of embedding this new dataset and note that its further development is a key deliverable for the Early Intervention Sub-Group and is monitored by the Wiltshire Safeguarding Children Board and the Children's Trust.**
- 3. To accept the revised Early Help Dataset as helping to meet the requirements defined and recommended by the Early Help Strategy Task Group.**

89 **Commissioning of Adoption Service to Adoptions West**

The Committee received a briefing note by Carolyn Godfrey, Corporate Director, on the Council's plan to commission out its adoption service to Adoptions West.

It was noted that during the Spring of 2015, the Government issued guidance that local authorities (and Voluntary Adoption Services) should work collaboratively to ensure more effective arrangements were in place to deliver adoption where it was considered to be in a child's best interest. Already underway, the Adoption West initiative was the local response to this with seven local authorities in Gloucestershire, Avon & Somerset and Wiltshire working together to produce a new operational model. A bid for funding had been submitted to the Department for Education to support this transition to a new operating model.

Some concern was expressed on the effect this change could have on the young families affected, it being noted that some children could be placed with families outside their immediate area, thus Wiltshire families could receive children from out of county. Although the number of children up for adoption in Wiltshire was not known, from a national perspective the numbers were decreasing.

After further discussion,

Resolved:

- 1. To note that Adoptions West comprises seven local authorities and is the response to Government guidance that local authorities should work collaboratively on the adoptions process.**
- 2. To note that by January 2016 various potential models for Adoptions West will have been developed and will then be considered by the Governance Group.**
- 3. To request a verbal update on the delivery of Adoptions West in January 2016, noting the potential for more detailed scrutiny input when appropriate.**

90 **DfE Changes - Update from Department for Education - October 2015 to November 2015**

The Committee received an update from Carolyn Godfrey, Corporate Director, on developments relating to children's services arising from the Department for Education from October to November 2015 as follows:-

- Childcare Bill – The cost of providing childcare analysis of responses

- Teacher misconduct: The prohibition of teachers
- Consultation on intervening in failing, underperforming and coasting schools
- Consultation on funding for school admission appeals – It was brought to the Committee’s attention that Wiltshire traditionally had not come out well in the national formula regarding the allocation of funding for schools but that Wiltshire Council had now joined the f40 Group which could well be of assistance in securing a better slice of the funding.
- Recovery of unpaid penalty notices for absence
- GCSE reform: design and technology
- Implementing the English Baccalaureate (EBacc)
- Academies update
- Teaching improvement since the 2009 to 2010 academic year
- Children’s residential care review: independent call for evidence
- Mandatory reporting of female genital mutilation; Procedural information

Resolved:

- 1. To note the update provided.**
- 2. To request that a brief explanation of the f40 Group and its membership is circulated to the Committee by email.**

91 Task Group Update

The Committee received an update on the activity of the following Task Groups:

- Child Sexual Exploitation (CSE) Task Group
- Obesity and Child Poverty Task Group (joint with Health Select Committee)
- Positive Leisure Time Activities for Young People Task Group (reconvened)
- Safeguarding Children and Young People Task Group
- School Improvement Strategy Task Group

Resolved:

To note the update on task group activity provided.

92 **Foward Work Programme**

The Committee received a document showing the relevant items from the Overview & Scrutiny Forward Work Programme.

Resolved:

To note the Forward Work Programme for this Committee.

93 **Date of Next Meeting**

Resolved:

To note that the next scheduled meeting of this Committee would be held on Tuesday 26 January 2016, at County Hall, Trowbridge, starting at 10.30am.

94 **Urgent Items**

There were no urgent items of business.

(Duration of meeting: 10.30 am - 12.30 pm)

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CHILDREN'S SELECT COMMITTEE

DRAFT MINUTES OF THE CHILDREN'S SELECT COMMITTEE MEETING HELD ON 26 JANUARY 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Jon Hubbard (Chairman), Cllr Jacqui Lay (Vice Chairman), Cllr Pat Aves, Cllr Mary Champion, Cllr Mary Douglas, Cllr Sue Evans, Cllr Chris Hurst, Cllr Simon Jacobs, Cllr Bill Moss, Cllr Ricky Rogers, Cllr James Sheppard, Cllr Philip Whalley, Rev Alice Kemp, Dr M Thompson, Miss Tracy Cornelius, Mr J Hawkins, Miss Cathy Shahrokni, Cllr Jeff Osborn (Substitute) and James Wilkins.

Also Present:

Cllr Alan MacRae, Cllr Laura Mayes, Cllr Richard Gamble, Cllr Simon Killane and Cllr David Jenkins.

1 Apologies

Apologies for absence were received from Cllr Helen Osborn (who was substituted by Cllr Jeff Osborn), Mr Ken Brough, Mrs Lynne Swainston and Miss Sarah Busby.

2 Minutes of the Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 8 December 2015 as a correct record.

3 Declarations of Interest

There were no declarations of interest made at the meeting.

4 Chairman's Announcements

The Chairman made the following announcements:

- **James Wilkins** The Chairman introduced and welcomed James Wilkins on his first attendance at a meeting of this Committee. He explained that James would be representing Young People in Further Education and hoped that he would find the work of this Committee both interesting and rewarding.
- **Membership of the f40 Group** Members were reminded that at the previous meeting it had been agreed to circulate information on the role of the f40 Group.

A briefing note had now also been circulated confirming Wiltshire Council's membership to the f40 Group. The decision was made by the Wiltshire Schools Forum, which comprised of representatives of schools in Wiltshire for the purpose of determining the allocation of the Dedicated Schools Grant.

The f40 Group represented the education authorities in England which received the lowest cash allocations from government for primary and secondary pupils. The group campaigned to change the way the government allocated funding to local authorities and schools. As a part of this membership, Wiltshire was now entitled to have a representative on the f40's Executive Committee, which had yet to be decided.

- **Cabinet items**

On 9 February 2016 Cabinet would consider the following item:

School Admissions 2017/18 (Non-Key Decision)

To determine Wiltshire Council's admission arrangements for Voluntary Controlled & Community school's for 2017/18 intake. To determine Wiltshire Council's Co-ordinated Schemes for Admissions 2017/18.

On 15 March 2016 Cabinet would consider the following item:

Wiltshire Council CSE Action Plan Update (Non-Key Decision)

To inform Cabinet of progress made on implementing the Child Sexual Exploitation (CSE) action plan.

5 **Public Participation**

There were no members of the public present or Councillors' questions.

6 **Pupil Performance in Public Tests and Examinations 2015**

The Committee received a report by Carolyn Godfrey, Corporate Director which provided an overview of pupil performance in tests and examinations in 2014/15

academic year. The report also gave an overview of recent school improvement work and set out the priorities for the next year.

Members noted with pleasure that there had been improvement in outcomes for pupils on a number of indicators at each key stage.

- The percentage of children achieving a good level of development at the end of the Foundation Stage (Reception Year) had increased by over 7%.
- Attainment at KS1 had either been maintained or improved for the percentage of pupils achieving level 2 and above.
- There had been a 2% rise in the proportion of pupils achieving level 4 and above in reading, writing and maths at KS2. Progress in core subjects had remained the same or slightly improved with the exception of maths which declined by 1%.
- There had been a much greater rise in the percentage of pupils gaining 5 or more good GCSEs including English and maths. This had risen by 2%, a greater rise than national and local comparators. The proportion of pupils making expected progress between the end of their primary schooling and the end of KS4 also had continued to improve with a particularly noteworthy 5.2% increase in pupils making expected progress in maths.

It was pointed out that there were a number of areas where there had not been improvements or where improvements were not rapid enough and these had become priority areas for action.

Outcomes in phonics and for maths at KS2 continued to be a priority. Despite improvements in the proportion of pupils achieving expected levels in phonics decoding, this remained lower than the national comparison. This was particularly the case for pupils eligible for free school meals (FSM).

There had been very marked improvements in the outcomes for disadvantaged learners at KS2 and KS4 with rates of improvements outstripping those of national and local comparators. However, this vulnerable group of pupils continued to be a high priority as outcomes in Wiltshire still needed to improve to match national figures and those of non-FSM pupils in the county. It was noted that in some instances there appeared to be a lack of information passing from primary to secondary schools, particularly regarding the pastoral needs of some pupils, which compounded the problems.

It was recognised that there was generally a lack of understanding about phonics. The goal of phonics was to enable beginning readers to decode new written words by sounding them out, or in phonics terms, blending the sound-spelling patterns. Since it focused on the spoken and written units within words,

phonics was a sublexical approach and, as a result, was often contrasted with whole language, a word-level-up philosophy for teaching reading.

After further discussion,

Resolved:

- (1) To note the contents of the report.**
- (2) To request a pre-information briefing on the delivery of phonics decoding within Wiltshire Council schools at the next Children's Select Committee meeting.**
- (3) To congratulate the work of Wiltshire Schools in placing Key Stage 4 within the top performance quartile and to thank all schools for ongoing work and the work of young people in their continuing achievement.**
- (4) To bring back the vocational Key Stage 5 results for consideration at the next meeting on 22 March 2016.**

7 Anti-Bullying Update

The Committee received an update report by Julia Cramp, Associate Director, Commissioning, Performance & School Effectiveness on events held in Wiltshire during Anti-Bullying Week 2015.

It was noted that the Council had supported the National Anti-Bullying Week which had taken place between 16 and 20 November 2015. The theme had been *Make a Noise about Bullying*, and had a strong focus on communicating key messages via social media using the hash tag #anti-bullyingweek. Local activities to support the national campaign complemented a wide range of other initiatives which take place throughout the year to help and tackle bullying.

Local data discussed during the week confirmed that the majority of young people in Wiltshire had not experienced bullying and considered that their schools dealt well with bullying. In recent reports, Ofsted consistently provided positive feedback on the way Wiltshire schools approached bullying on the relatively rare occasions when it took place, but the Local Authority would continue to work with schools to promote good practice in relation to dealing with bullying.

During anti-bullying week the Council actively promoted the national campaign and encouraged all Wiltshire schools to mark the week and download the free campaign materials. Although it had not been possible to confirm how many Wiltshire schools took part or downloaded resources, it was likely that a large number of schools got involved, as schools often mentioned anti-bullying week

as part of their Healthy Schools audits. Many schools had added information about activities to their school website and some engaged the local press.

During discussion, reference was made to the Pupil Health and Wellbeing Survey and Members considered that it would be useful to establish which schools were engaged in this survey within their community areas.

Resolved:

(1) To note the contents of the update.

(2) To provide Members with information on which schools were and were not engaged with the Pupil Health and Wellbeing Survey in their area.

8 Adoptions West

The Chairman reminded Members that at its meeting held on 8 December 2015, this Committee received a briefing note on the Council's plan to commission out the adoption service to Adoptions West. The Committee requested that a further verbal update be received at the January meeting of this Committee, noting the potential or more detailed scrutiny input when appropriate.

The Committee received a confidential update from Carolyn Godfrey, Corporate Director.

Resolved:

(1) To note the verbal update.

(2) To request a further verbal update when more information is available.

9 Interim report of the Child Sexual Exploitation (CSE) Task Group

The Chairman reminded Members that, at its meeting on 13 October 2014, the Committee established a Child Sexual Exploitation Task Group. The terms of reference focused on scrutinising and monitoring the implementation of Wiltshire Council's Sexual Exploitation Action Plan.

It was expected that the final report of the Task Group would be received by the Committee in March or May 2016. However, as the Committee had agreed to the establishment of the Task Group over a year ago, the Task Group was keen to update the Committee on its work to date and to seek endorsement of its planned work.

Cllr Jacqui Lay, Chairman of the Task Group, explained that it had started its work some 10 months previously looking at a huge amount of information and had a number of comprehensive briefings and gathered information from a number of sources. These sources included looking at the case studies at Rotherham and Oxford and also at the resources available through the Local Government Association (LGA). The resource pack for councils from the LGA - Tackling Child Sexual Exploitation - was noted as having been very useful and the Task Group felt that other task groups should consider using these resource packs for future work, particularly for the scoping work.

Cllr Lay went on to report that one of the initial tasks was to understand how the Council's Action Plan had been developed and its relationship with the Wiltshire Safeguarding Children Board (WSCB) Action Plan and how the two plans tied in together. The WSCB plan was in essence an overarching plan which its other partners would use to create their own plans. Other partners in question included the police and the health authority.

A number of other Local Authority action plans had been examined for comparison. The Action Plan was described as very much an evolving living document, evolving all the time, and being updated. As such it was intended that the Task Group would look at it again at its next meeting.

Cllr Lay stressed that raising awareness was very much a key action and this had included training for councillors and also presentations to Area Boards. Some feedback had been received from some Area Boards that had received the presentations and this would be looked into further at future meetings. It was noted that not all councillors had attended the training sessions and it was noted that there was online training available. Cllr Laura Mayes, Cabinet Member for Children's Services, kindly offered to highlight the importance of this training to Members at Full Council.

Resolved:

To note the interim report and the proposed future work for the Task Group.

10 Safeguarding Children and Young People Task Group Update

The Committee received an interim report from the Safeguarding Children and Young People Task Group which presented the work it proposed to undertake before the Task Group was disbanded.

During discussion, Cllr Mary Douglas, drew attention to the Committee's meeting on 21 July 2015, when, on considering the Executive Response to the final report of the Children's Centres Task Group, the Committee had agreed to look, in the New Year, at how the additional funding expected for Early Help transferred from the Health service would be used. Members also requested information on the recruitment and retention of staff.

Resolved:

- (1) To note the work undertaken by the Task Group so far.**
- (2) To explore setting up an Early Help Task Group.**
- (3) To receive regular updates at the Children's Select Committee on recruitment and retention of staff.**
- (4) To endorse the future work for the Safeguarding Children and Young People Task Group as presented in the interim report.**
- (5) To endorse the recommendations of the Task Group regarding Multi-Agency Forums as contained within the interim report and refer them to the Cabinet Member for Children's Services for response at the next Children's Select Committee meeting.**

11 DfE Changes - Update from Department for Education - November 2015 to January 2016

The Committee received an update from Carolyn Godfrey, Corporate Director, on developments relating to children's services arising from the Department for Education from November 2015 to January 2016 as follows;-

- Autumn Statement and Spending Review
- Wraparound and holiday childcare – open consultation
- Funding for school admission appeals: Outcome of the consultation
- Behaviour and discipline in schools
- Supporting pupils at school with medical conditions
- Dealing with issues relating to parental responsibility
- School complaints procedures
- Governance handbook
- School teachers' pay and conditions
- Academies update
- Reforming children's social care, A vision for change
- Special Guardianship Review

Resolved:

- (1) To note the update provided.**
- (2) To request that a copy of the Local Authority's response to the Government's consultation on wraparound and holiday childcare and how schools should respond to requests from parents for the use of school facilities be sent to the Chairman for information.**

12 **Task Group Update**

The Committee received an update on the activity of the following Task Groups:

- Obesity and Child Poverty Task Group (joint with Health Select Committee)
- Positive Leisure Time Activities for Young People Task Group (reconvened)
- School Improvement Strategy Task Group
- Special Educational Needs and/or Disabilities (SEND) Task Group

Resolved:

To note the update on task group activity provided.

13 **Forward Work Programme**

The Committee received a document showing the relevant items from the Overview & Scrutiny Forward Work Programme.

Resolved:

(1) To note the Forward Work Programme for this Committee.

(2) To request the Chairman and Vice-Chairman to discuss the possibility of including fostering as part of the Committee's Forward Work Programme at their next meeting with the executive.

14 **Date of Next Meeting**

To note that the next scheduled meeting of this Committee would be held on Tuesday 22 March 2016, at County Hall, Trowbridge, starting at 10.30am.

15 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 12.55 pm)

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ENVIRONMENT SELECT COMMITTEE

DRAFT MINUTES OF THE ENVIRONMENT SELECT COMMITTEE MEETING HELD ON 1 SEPTEMBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Rosemary Brown (Substitute), Cllr Anna Cuthbert (Substitute), Cllr Dennis Drewett, Cllr Peter Edge (Vice Chairman), Cllr Peter Evans, Cllr Jose Green, Cllr Bob Jones MBE (Substitute), Cllr Jacqui Lay, Cllr Magnus Macdonald, Cllr Ian McLennan, Cllr Tony Trotman, Cllr Bridget Wayman (Chairman) and Cllr Philip Whalley

Also Present:

Cllr Jonathon Seed, Cllr Jerry Wickham

38 Apologies

Apologies were received from:

Cllr Brian Dalton
Cllr Linda Packard
Cllr James Sheppard
Carlton Brand

Cllr Brian Dalton was substituted by Cllr Bob Jones
Cllr Linda Packard was substituted by Cllr Rosemary Brown
Cllr James Sheppard was substituted by Cllr Anna Cuthbert

39 Minutes of the Previous Meeting

The durability of decal (stickers) on green waste bins was questioned with regards to minute 33a. It was requested that an update on whether they are expected to be temporary be provided to the Committee.

It was noted that the net saving in garden waste services was £1.2million in 2015, with £300,000 per annum savings as a result of revised recycling centre opening hours.

Resolved:

To confirm as a true and correct record the minutes of the meeting held on 9 June 2015.

40 **Declarations of Interest**

Cllr Bridget Wayman declared a non-pecuniary interest in item 7 as she was a non-executive director of Selwood Housing.

41 **Chairman's Announcements**

Community Litter Picking

Information on collecting waste from community litter picking was requested by the committee at the Environment Select Committee meeting on 9 June 2015 and was circulated to members of the committee.

The Committee noted that it was hoped a more holistic approach would have been provided across Wiltshire to prevent littering. More work was expected regarding school programmes and work with fast food outlets. Information was requested regarding this.

HRC Hours

It was announced that the Associate Director for Waste and Environment had indicated that the specification tendered for would be reduced hours so that all savings made were clear. Work was also being done to address traffic management.

It was noted that charities with discretionary passes to recycling centres visited HRCs during weekend peak hours. It was recommended that these charities go directly to Amesbury Transfer Centre.

Fracking

It was announced that from the bidding round undertaken last year, the Department of Energy and Climate Change (DECC) had received 95 licence applications to explore for onshore oil and gas covering 295 'blocks' in England, Scotland and Wales. A total of 159 blocks remained for further consideration, 4 of which related to Wiltshire.

The consultation focused on whether the Habitats Regulations Assessment (HRA) undertaken was reasonable on the 159 sites remaining for "further consideration" and not whether these areas should be subject to hydrocarbon (oil and gas) exploration or extraction, also known as 'fracking'.

The deadline for the consultation was 29 September 2015, by which time Wiltshire Council would submit a response.

BBLP Contract

Wiltshire Council was noted as working towards a solution with Balfour Beatty. An update would be provided when available.

42 **Public Participation**

Mr Andrew Hewitt was in attendance to deliver a statement on the subject of fracking within Wiltshire.

43 **Review of On and Off-Street Parking Traffic Regulation Orders**

Parvis Khansari, Associate Director for Highways and Transport, was in attendance to introduce the report.

A public consultation on the revised Wiltshire LTP Car Parking Strategy had been carried between 27 October 2014 and 19 January 2015. A total of 5,013 people and organisations had responded to the consultation.

Cabinet had considered the outcome of the review and public consultation at their 17 March 2015 meeting.

Changes to all Traffic Regulation Orders were advertised. An associated public consultation exercise was undertaken between 25 June and 20 July 2015. Response to this was noted as being low with 26 of the 38 total responses relating to proposed changes from pay and display to a MiPermit scheme at Sheep Street car park in Devizes.

Proposed changes in parking charges from pay and display to MiPermit-only was explained as being limited currently to small car parks. This was to help judge how it will affect those who would struggle with operating in cashless payment conditions and see how it can be managed.

It was suggested by the Committee that a trial of the MiPermit-only scheme should be performed within Salisbury. A larger car park was explained as having been declined as a trial option as the reaction could not be predicted.

Implementation would take place after the process had been through scrutiny, area boards, and then a delegated decision.

The choice of Sheep Street car park was explained as being chosen due to its high usage from older people. Information was needed from those who do not often use phones for payment.

Possible traffic congestion caused by the change in the car park charging system at Sheep Street was noted.

It was asked whether problems with phone signals would be a cause for concern. Devizes was explained as being good for phone signal, and that Marlborough had been declined as a choice due to the poor phone signal in the area.

Resolved:

- 1. To request an update report to be brought to the Environment Select Committee 6 months after commencement of operation the MiPermit only trials.**
- 2. To recommend that a suitable trial car park is identified site be located and used within Salisbury.**

44 **Housing**

45 **Housing Association Resident Participation and Scrutiny**

Nicole Smith, Head of Housing, and Cllr Jonathon Seed were in attendance to introduce the item.

A briefing note had been previously circulated to members regarding the Housing Association Resident Participation and Scrutiny.

It was explained that, overall, there had been a good response from tenants, and that there had been success in getting them involved. A total of 2,500 texts had been sent out with a good response rate and Facebook had also been utilised for involvement. It was clarified that traditional methods of communication were still being used and that modern methods of communication were used to supplement this. It was noted that, following the changes to the Housing Allocation Policy, several thousand responses were returned as applicants were unknown at the address on record.

A question was asked regarding the inclusion of local councillors, and how they could become more involved. It was explained that this could be looked into.

Resolved:

- 1. To notify Overview and Scrutiny of the Environment Select Committee's intention to form a scrutiny Task Group.**
- 2. To circulate a request for Task Group membership to the Environment Select Committee members.**

46 **Housing Allocation Policy - Implementation Update**

Nicole Smith, Head of Housing, and Cllr Jonathon Seed were in attendance to introduce the item.

The purpose of the allocation policy was explained as setting a framework for Wiltshire Council and its partners for the registration, assessment and allocation of affordable homes. The allocation policy described how applicants for affordable housing were assessed to ensure that those with the greatest housing need were prioritised for the allocation of affordable housing in Wiltshire.

Wiltshire's revised allocation policy was fully implemented in February 2015 and remained a choice-based lettings scheme which covered the whole of Wiltshire.

Previously there had been 20,676 applicants on Wiltshire's housing register. It was suspected that a large number of these were now inactive or no longer relevant applications, as data had not been cleansed from the system for a number of years. It was also previously impossible to work out how those who best needed housing could be looked after.

Following the changes to the Housing Allocation Policy several thousand responses were returned as no longer at that address or unknown to letters sent out to applicants.

Between 15 and 20 complaints had been received during the reassessment of the 20,676 applications.

Regarding address information issues it was suggested that people should be informed that it is their duty to update their information after joining the housing register. It was explained that 12 months after joining the register applicants would be requested to confirm that their information is correct or update it.

Bidding was explained as not being limited to those with a local connection. Once a shortlist had been drawn those with local connections were prioritised first, followed by those in the surrounding area, and then the rest of Wiltshire.

It was explained that allocations were first extended to local connections, as this comes before bands. Children numbers within the area were also taken into consideration to reduce density.

Local connections were noted as including a permanent employee contract. Local connections were rigorously tested by assessment officers to ensure their legitimacy. An application could be processed in two weeks if information was readily available, but the process would take as long as was needed. It was suggested that the local connection be better advertised as a key factor in the consideration of an application.

The right to buy scheme was noted as reducing available housing stock. Different ways to address this were noted as needing to be looked at, it was explained that suggestions would be welcomed.

It was asked what would happen if an applicant had a strong local connection to a house available in an area, but had already been allocated a house elsewhere. Previously they would have been placed in the bronze band, which was unanimously recommended to be removed through consultation. House Swap and the Open House Market Register were named as options for this situation.

Bids were clarified as being able to be made through electronic or non-electronic means.

Two bedroom properties were noted as being harder to let, as people were unable to afford the rent. A possible solution was to offer housing lets on a shared basis. It was suggested that two bedroom flats should be taken as starter homes for families.

Resolved:

For the report to return to the Environment Select Committee in 6 months to consider the impact of the revised Housing Bill.

47 **Future Delivery Model for the Repairs, Improvements and Maintenance of Council Owned Assets**

Cllr Wayman explained that the Future Delivery Model for the Repairs, Improvements and Maintenance of Council Owned Assets report was currently unavailable.

It was explained that the report would be going to Cabinet on 17 September 2015. A rapid scrutiny task group was hoped to be performed on the report on 8 September before the report went to Cabinet.

Resolved:

To hold a rapid scrutiny exercise on 8 September 2015 to consider the future delivery model for repairs, improvements and maintenance of Council owned assets.

48 **Task Group Update**

Public Transport Review Task Group

The Chairman drew attention to the update in the agenda pack. It was explained that the task group would review the outcome of a pre-consultation exercise at its next meeting on 16 September 2015. This would include feedback from members of the task group who have attended meetings with bus operators.

The Task Group's proposed terms of reference were considered by the Committee.

Highways and Streetscene Contract (BBLP) Task Group

The Chairman drew attention to the update in the agenda pack. It was noted that the strategic direction and forward work programming for the Task Group was under development following the meeting held between the Chair of the Task Group, Corporate Director, Associate Director and Cabinet Member on 14 May 2015.

The Committee requested an update on Balfour Beatty and it was explained that an announcement was imminent and would be provided when available.

Resolved:

- 1. To note the Task Group updates.**
- 2. To approve the terms of reference for the Public Transport Review Task Group.**

49 **Forward Work Programme**

It was explained that issues would soon be added to the forward work programme as a result of the next Overview and Scrutiny Committee meeting.

Cycle-paths and footpaths were noted as being issues of potential interest and it was suggested that this was a possible area for investigation in partnership with the Health Select Committee.

Resolved:

To note the forward work programme.

50 **Urgent Items**

There were no urgent items.

51 **Date of Next Meeting**

The next meeting of the Committee would be held on 27 October 2015 at 10.30am in the Kennet Room, County Hall, Trowbridge, BA14 8JN.

(Duration of meeting: 10.30 am - 12.40 pm)

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ENVIRONMENT SELECT COMMITTEE

DRAFT MINUTES OF THE ENVIRONMENT SELECT COMMITTEE MEETING HELD ON 27 OCTOBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Brian Dalton, Cllr Dennis Drewett, Cllr Peter Edge (Vice Chairman), Cllr Peter Evans, Cllr Jose Green, Cllr Jacqui Lay, Cllr Magnus Macdonald, Cllr Ian McLennan, Cllr Linda Packard, Cllr James Sheppard, Cllr Tony Trotman, Cllr Bridget Wayman (Chairman) and Cllr Philip Whalley

Also Present:

Carlton Brand (Corporate Director), Cllr Chris Caswill, Cllr Terry Chivers, Cllr Tony Deane, Marie Gondlach, Cllr Alan Hill, Cllr Bob Jones MBE, Paul Kelly, Cllr Jeff Osborn, Fiona Rae, Cllr Jonathon Seed, Stephen Slater, Cllr Toby Sturgis and Cllr Philip Whitehead

52 Apologies

There were no apologies for absence.

53 Minutes of the Previous Meeting

Resolved:

To confirm as a true and correct record the minutes of the meeting held on 1 September 2015.

54 Declarations of Interest

There were no declarations of interest.

55 Chairman's Announcements

The Chairman made the following announcements:

- **Fracking consultation response (Habitats Regulations Assessment)**

The Chairman drew attention to the robust response provided by Wiltshire Council to the consultation.

- **MiPermit**

The Chairman explained that Salt Lane Car Park had been identified as a site in Salisbury for the MiPermit trial. It was noted that the trials in Melksham, Royal Wootton Bassett, and Devizes would begin in February and the Salisbury trial would begin in March; all trials would run for 6 weeks.

It was highlighted that there would be signage in each car park for the duration of the trial to advise members of the public how to contact Parking Services with any feedback and comments. The responses and car park occupancy data would be collated and further decisions would then be made on the potential of extending the trial.

- **HRC Traffic Management**

The Chairman read an update from the Associate Director for Waste and Environment. It was noted that opening times for the Household Recycling Centres (HRCs) had been publicised through the Communications Team and that this had included the use of local radio stations. However there had still been some traffic issues at HRCs probably caused by lack of awareness.

It was also explained that a series of measures had been introduced to relieve pressure to the HRCs including re-directing charities to transfer stations, on site direction of traffic by Hills' staff, and enforcement action against businesses attending HRCs.

The Chairman commented that the full response had been passed on to the Waste Task Group who would continue to monitor the traffic management at HRCs. It was also highlighted that residents could use kerbside recycling services, the green waste collection service, and that food digesters, called Green Johannas, were available at a subsidised rate from

56 **Public Participation**

The Committee noted the rules on public participation.

57 **Energy Resilience Plan**

Louise Woollen, Development Officer, Green Economy, introduced the Energy Resilience Plan. It was explained that stakeholder engagement, including internal and external consultation, had been critical in the development of the Energy Resilience Plan. The Development Officer noted that there were four key action areas and that a detailed action plan was available in the Appendix to the Plan.

It was hoped to publish final document next month following comments.

It was explained that carbon emissions had been gradually reducing both locally and nationally. In addition, more efficient sources of energy had resulted in an overall reduction in the demand for energy.

It was highlighted the main source of carbon emissions in Wiltshire was electricity use in homes and businesses. It was also noted that transport accounted for 40% of emissions but that this was largely due to the size and rural nature of Wiltshire where personal vehicles were necessary for transportation.

The Development Officer drew attention to fact that Wiltshire was rated third in the South West region in terms of installed renewable electricity and heat capacity.

Members of the Committee enquired about the impact of the recent government changes to energy subsidies and the likely impact for solar parks. The Development Officer explained that the impact would be difficult to judge and that, although there would likely be a reduction in the installation of new renewable energy sources, other options were being investigated.

The Chairman highlighted that a key issue in Wiltshire was affordable warmth. The Committee raised concerns that a restricting factor was the connection points on the grid and commented that it would be beneficial to have more information about gas points in Wiltshire. The Development Officer explained that the Public Health team was doing some work in this area and that information gathering on this subject was being undertaken in association with the Energy Resilience Plan.

Following questions from the Committee, it was confirmed that there was a programme that installed biomass fuel into Wiltshire schools. At present, about 13 school buildings used biomass and a lot of work had been undertaken to ensure that the biomass had been sourced locally. It was also clarified that fracking was not covered in detail in the Energy Resilience Plan and explained that the Plan focused on the immediate short term.

The Committee expressed the importance of ensuring that the Energy Resilience Plan operated in harmony with all Wiltshire Council Plans, especially the Core Strategy, and the actions and decisions of central government.

Some members expressed concern that local community groups were no longer able to ensure returns on renewable energy projects. It was noted that the Energy Resilience Plan would support renewable energy groups through ongoing partnership work. It was explained that this would likely involve a number of avenues, including an investigation of funding at a European level. It was also noted that a government announcement on an alternative to the Green Deal was anticipated shortly.

It was clarified that the viability of ground source and air source heat was decided at a project level. The Energy Resilience Plan aimed to raise awareness of a number of technologies but to be technology neutral.

Resolved:

- 1. To request an annual report on the Energy Resilience Plan.**

58 **Update on Street Lighting**

The Associate Director for Transport and Highways drew attention to the written report available in the agenda pack. It was highlighted that the changes to street lighting reductions had reduced energy consumption by almost 20% between August 2013 and August 2015.

Some members of the Committee commended the prompt action of officers in response to ongoing public consultation on the changes to street lighting.

It was noted that, in the case of new developments, lighting was provided by the developer but that Wiltshire Council was responsible for providing the electricity.

The Cabinet member for Highways and Transport explained that there had been public concern in about 3% of the changes to street lighting and that the majority of people in Wiltshire had welcomed the changes to street lighting as a sensible strategy in response to limited resources.

It was explained that about one third of street lights in Wiltshire used LEDs (Light Emitting Diodes). LED lights lasted longer and involved less maintenance than traditional street lights. It was noted that large scale installation of LED lighting in Wiltshire was very costly as it also involved a modification of street lighting columns.

It was clarified that Wiltshire Council had been unsuccessful in securing Department for Transport Challenge Funding to improve the street lighting stock. It was noted that £275 million was available and that this had been oversubscribed by £1.4 billion.

Cllr Packard – para 34: gap to fill in savings – will be managed through one-off remedial actions. PK: big actions on savings have been done – any further street lighting reductions must be carefully considered. S.106 monies will be used for any future actions. Would like to see this back at the committee.

Resolved:

- 1. To note the update on Street Lighting.**
- 2. To investigate further information on s.106 monies to be used to provide LED street lighting.**

59 **Wiltshire Local Flood Risk Management Strategy**

The Cabinet member for Housing, Leisure, Libraries, and Flooding explained that there had been fewer issues of flooding in the winter of 2014 when compared with previous years although there had been some flash flooding in September 2014. It was explained that Wiltshire Council was working well with all flooding partners and the Cabinet member commended the report to the Committee.

It was confirmed that the budget for the three flood working groups was controlled centrally had that the working groups had a clear understanding of how projects were prioritised.

It was noted that some local residents had concerns that the flood working groups met too often and that there was not a live action tracker online. The Cabinet member for Housing, Leisure, Libraries, and Flooding commented that regular attendees of the flood working groups considered the meeting frequency to be appropriate. It was also highlighted that parish councillors and partners could raise any issues through the Chairman in advance of the meetings.

Some members of the Committee commended the work of the flood working groups and encouraged parish representatives to attend when an issue of interest to their area arose. In relation to Sustainable Urban Drainage Systems (SUDS), the importance of long term maintenance was emphasised. It was confirmed that the Drainage Team considered the long term sustainability of any systems when consulting on planning applications.

It was highlighted that, following the flooding in September 2014, a report had been expected and the Cabinet member for Housing, Leisure, Libraries, and Flooding undertook to investigate progress on this issue. It was highlighted that flooding in early autumn was a different issue to prolonged flooding in winter. The Head of Highways Asset Management and Commissioning explained that where flooding was caused by a specific reason, Wiltshire Council was usually able to effect a prompt solution but that other issues were less clear and took several years to resolve.

The Cabinet member commented that flooding was likely to be a permanent issue in Wiltshire. The expertise of local residents in flooding issues was noted and the Cabinet member advocated the importance of local involvement.

Cllr Caswill drew attention to the Developers' Guidance Note and commented that there was no reference to the Wiltshire Council Core Strategy. It was suggested that the guidance should provide a clear statement that all developers are expected to comply with the Wiltshire Council Core Strategy. It was noted that the full version of the Developers' Guidance was likely to be available shortly.

Resolved:

- 1. To note the progress being made on managing flood risk in Wiltshire, and the work of the Operational Flood Working Groups, which have been particularly effective at working with local communities, the Environment Agency, and other organisations.**
- 2. To note the development of the Groundwater Management Strategy and the Developers' Guides to augment the strategy set out in the Local Flood Risk Management Strategy.**
- 3. To request that the annual report on the Local Flood Risk Management Strategy included information on SUDS.**

60 Integrated Emergency Management Plan

The Chairman introduced the Integrated Emergency Management Plan. The Committee's attention was drawn to the fact that, at its 8 September 2015 meeting, the Management Committee considered the new Wiltshire Council Integrated Emergency Management Plan, ahead of its adoption by Full Council. This Plan details the Council's policy on emergency planning, and how the Council would discharge its duties for major incidents, business continuity and recovery.

The Integrated Emergency Management Plan could be viewed in the Overview and Scrutiny Management Committee's agenda. The Management Committee recommended that the Environment Select Committee was aware of the purpose and content of the Plan when undertaking its work.

Resolved:

- 1. That the committee remains aware of the Integrated Emergency Management Plan when undertaking its work.**

61 Wholly Owned Subsidiary Rapid Scrutiny

The Chairman explained that, on 8 September 2015, Cllrs Bridget Wayman, Peter Evans, and Magnus Macdonald took part in the Rapid Scrutiny Exercise, established by the Environment Select Committee, to consider the report on Future Delivery Model for the Repairs, Improvements and Maintenance of Council Owned Assets.

The outcome report of the Rapid Scrutiny Exercise was presented to Cabinet on 15 September 2015 was available in the Cabinet minutes on the Wiltshire Council website

It was explained that another Rapid Scrutiny Exercise was to be undertaken, prior to the formal start of the procurement process, to enable the scrutiny members to consider the details of the proposed Wholly Owned Subsidiary.

The Chairman highlighted that the recommendations included giving consideration to more than one contractor and the inclusion of an apprenticeship scheme in the Wholly Owned Subsidiary.

Resolved:

To endorse the work done by the rapid scrutiny exercise.

62 **Highways and Streetscene task group - early termination of the Highways and Streetscene Contract with Balfour Beatty Living Places**

Cllr Jeff Osborn, Chairman of the Task Group, explained that the Highways and Streetscene Contract had been terminated by mutual agreement. It was highlighted that the Audit reports had been made available after the Task Group meeting and the Chairman of the Task Group recommended closer working between Scrutiny and Audit in the future.

The Chairman of the Highways and Streetscene Task Group drew attention to the recommendations in the Task Group report and commended them to the Committee.

The Cabinet member for Highways and Transport drew attention to Recommendation 1 of the Task Group report and echoed the positive nature of scrutiny, the executive, and officers working in partnership. It was confirmed that the report proposed an extraordinary meeting of the Environment Select Committee in January in order to obtain the input of scrutiny before the new contract was taken to Cabinet in January. It was also clarified that Recommendation 5 of the Task Group report aimed to reflect the fact that highways issues were a priority for the public.

It was clarified that a Wiltshire Council lawyer had been involved in the drawing up of the Highways and Streetscene contract and had been a member of the project team throughout the process. It was also noted that the Legal Team was involved in all contracts entered into at Wiltshire Council. Some members requested a summary of key clauses in the Highways and Streetscene Contract for the next Committee meeting. The Chairman of the Task Group highlighted that issues of communication were dealt with under Recommendation 6 of the Task Group report.

It was confirmed that the quality assessment questionnaire had been sent out and that the European and UK Procurement Regulations were being followed. It was anticipated that the shortlist would be announced in mid-November; this would be followed by the tendering process.

Resolved:

To endorse the recommendations from Task Group report:

- 1. To welcome the positive and open engagement with overview and scrutiny shown by the executive and officers in bringing reports to the Task Group and Environment Select Committee for discussion pre-Cabinet and the further opportunities for O&S involvement outlined in Recommendation 2.**
- 2. Highways and Streetscene Task Group to meet in December 2015 and monitor the development of the tendering process and Environment Select Committee to hold an extraordinary meeting in January 2016 to consider the proposed contract decision.**
- 3. To welcome the inclusion of Parish Stewards within the new Highways contracts.**
- 4. To welcome the move away from an integrated model and towards more separated contracts for highways and amenities functions when they are retendered.**
- 5. To note that the 2016/17 budget setting process will allow a considered and robust debate around what funding levels are needed to provide highways and amenities that meet expectations, particularly in service areas considered a priority by the public.**
- 6. Arrangements for the delivery of highways and amenities services, both until and after new contracts commence in April 2016, are clearly communicated in order to maximise awareness amongst councillors, affected employees and the public.**
- 7. Environment Select Committee and the Highways and Streetscene Task Group to be involved in the HMEP Strategic Peer Review to be held in the coming months.**
- 8. O&S Management Committee to determine overview and scrutiny's involvement in the development of the My Wiltshire app as it becomes an increasingly important conduit through which residents can report a range of issues to the council.**

63 Task Group Update

The Chairman drew attention to the written updates available in the agenda pack.

Cllr Peter Evans, Chairman of the Public Transport Review Task Group, highlighted that the next meeting of the Task Group would take place on 17 November 2015, instead of 4 November 2015.

The Committee also noted that it would be beneficial for the Waste Task Group to investigate the impact of reduced Household Recycling Centres' hours and traffic management issues. It was also suggested that the Waste Task Group could investigate the impact of the new green waste collection service particularly in relation to flytipping.

Resolved:

- 1. To agree the proposed membership of the Resident Engagement Task Group.**
- 2. To ask the Waste Group Task Group to investigate the impact of reduced Household Recycling Centres' hours and traffic management issues and to investigate the impact of the new green waste collection service particularly in relation to flytipping.**
- 3. To note the updates on Task Group activity.**

64 Forward Work Programme

It was explained that a meeting had taken place on 6 October 2015 regarding the Gypsy and Traveller Development Plan and that the position for consideration by the committee, or referral to task group, would be better known after January 2016.

Resolved:

To note updates on the progress of items on the forward work programme.

65 Urgent Items

There were no urgent items.

66 Date of the Next Meeting

An additional meeting would be organised to January 2016 to consider the proposed contract decision as recommended by the Highways and Streetscene task group (minute item 62).

The next ordinary meeting would take place at 10.30am, 16 February 2016 in the Kennet Room.

67 Exclusion of the Press and Public

Resolved:

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Number 17 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

68 **Highways and Streetscene Contract**

The considerations of the committee have been recorded in minute item 62.

(Duration of meeting: 10.30 am - 1.20 pm)

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HEALTH SELECT COMMITTEE

DRAFT MINUTES OF THE HEALTH SELECT COMMITTEE MEETING HELD ON 22 SEPTEMBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Chuck Berry (Chairman), Cllr Chris Caswill, Cllr Mary Champion, Cllr Sue Evans, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr John Knight, Cllr Paul Oatway, Cllr Jeff Osborn, Cllr John Walsh, Diane Gooch, Irene Kohler, Steve Wheeler, Cllr Pat Aves (Substitute) and Cllr Anna Cuthbert (Substitute)

58 Apologies

Apologies were received from:

Cllr Gordon King
Cllr Mary Douglas
Cllr Christine Crisp
Cllr Keith Humphries

Cllr Gordon King was substituted by Cllr Pat Aves
Cllr Mary Douglas was substituted by Cllr Anna Cuthbert

59 Minutes of the Previous Meeting

Resolved

To confirm and sign the minutes of the previous meeting held on 5 May 2015 as a true and accurate record.

60 Declarations of Interest

There were no declarations of interest.

61 **Chairman's Announcements**

a) Health Select Committee Half Day Workshop

Members were encouraged to attend a half day workshop for the Health Select Committee and their partners. A large number of senior partner employees would be in attendance.

The workshop would aim to identify areas where scrutiny could best provide input.

b) Joint Health and Wellbeing Strategy Refresh

The Health Select Committee considered the strategy in May 2015 and raised a number of issues on: housing, poverty, isolation, and loneliness.

The final strategy was due to be signed off by the Health and Wellbeing Board on 24 September 2015.

c) NHS Foundation Trust Inspection Listening Event

The Care Quality Commission (CQC) was working with Healthwatch Swindon and Wiltshire Council to gather experiences from the public to inform their inspections through a listening event.

The event would be held on 24 September 2015 at Marlborough Town Hall at 6pm. Members were encouraged to attend.

62 **Public Participation**

There were no questions or statements received.

63 **Arriva**

Andy Jennings, Commissioning Manager for NHS Wiltshire Clinical Commissioning Group (CCG), and Ed Potter, Regional Head of Patient Transport Service at Arriva, were in attendance to deliver a 6-month update report from Arriva.

The update was requested to be received following the embedding of new contractual arrangements. Arriva Transport Solutions Ltd (ATSL) had been awarded contracts by Bath and North East Somerset (BaNES), Gloucestershire, Swindon and Wiltshire CCGs for non-emergency patient transport in summer 2013. The service went live on 1 December 2013. The NHS-funded Non-Emergency Patient Transport Service (NEPTS) was for patients who, due to their mobility or medical needs, could not travel safely by any other means.

The hierarchy diagram on page two of the report was referred to in order to demonstrate the different ways of getting to and from hospital. It was explained that this diagram was not 100% accurate as there were variances in sections. Two-way arrows in the diagram were used to highlight areas of variance.

The monthly journey activity details were measure through a month by month comparison of year two against year one. Variability had been expected and was experienced by a rate of approximately 5%. This was explained as suggesting consistency across the profile of demand.

The Key Performance Indicators (KPI's) were noted. The top three KPI's on page three of the report were being met consistently. KPI's four, five, and six were explained as being the most challenging to meet. Progress was being made to meet KPI's five and six, but more work needed to be done to meeting KPI four.

Extra investment and staff had been provided to improve call centre performance. This had resulted in an improvement which had since tailed off. During the second half of 2014 and the early months of 2015 acute trust staff were explained as often choosing to use the phone rather than the online system. This resulted in pressure on call handling staff and resulted in the longer waiting times. Staff training was being implemented to improve the use of the online system to address this.

Unacceptable waiting times had remained as the biggest cause for complaint. Total complaints presented for the period January to August 2015 included complaints from all possible sources, direct and indirect. An average of 1 complaint per every 500 journeys was received. Within the South West a majority of complaints were received regarding what to do if customers weren't eligible for Arriva's services.

A contract fine had been introduced regarding significant waiting times for transport. The fine would apply to the longest waits. To address this Arriva was carrying out a detailed analysis to improve the experience for patients. Locality teams would be receiving daily reports to identify which parents were waiting longer than 180minutes for a pre-planned journey (120mins over KPI), and those waiting for longer than 360minutes for a journey booked on the day of transportation (120minutes over KPI). Using this information Locality Managers will review and follow up any extreme waits to analyse root causes, follow up with patients, and take any appropriate actions and share learning.

It was asked if there was a way for Arriva to perform group journeys. This was done where possible. Patients who had regular scheduled appointments, such as dialysis patients, were sometimes able to be picked up as part of a group journey. A team of planners would spot possible opportunities to combine journeys and attempt to follow through, however this was not always possible.

It was confirmed that the statistic for answering a call within 30seconds was an answer from a real person. The call centre was explained as being located in Bristol.

Taxis were used for a range of pre-planned work, including dialysis, when car transportation was suitable. Feedback and data demonstrated that a majority of journeys made this way were successful. It was noted that there were occasions when there was a wait, but that the performance overall was amongst the best.

The Committee requested to know the original value of the Wiltshire CCG & Arriva contract, versus the new value of the rebased contract. It was explained that this information could be researched and provided to the Committee.

A question was asked on the subject of eligibility. It was requested that Arriva's leaflet be revised so that it was less off-putting. The leaflet was noted as having been in circulation for a while, and would be reviewed when possible. Numbers on how many were not meeting eligibility requirements would be included in the next report to the Committee.

Resolved

- 1. For Arriva to return to the Health Select Committee in 6months with an update report**
- 2. To include details of how many do not meet eligibility requirements within the update report**

64 NHS 111

The 6month update report provided by NHS 111 was referred to by the Committee.

Problems with recruitment and access to Clinical Advisers were noted as key issues. It was also noted that the target for "Warm Transfers to a Clinical Adviser" was 98%, and that in August 2015 40% was met. The "Call Back within 10 Minutes" rates were also noted as being below the 95% target, with a 48% rate in August 2015.

It was noted that the "Call Back within 10 Minutes" was a call back from a Clinical Adviser, and that there was a national problem with their recruitment. Employing more than enough Clinical Advisers was explained as being inefficient, as it would lead to times in the day when surplus Clinical Advisers would be left without work. It was asked whether the targets of 98% and 95% were realistic. It was also noted that no NHS 111 in the country was meeting these targets.

Total referrals to Emergency Departments were noted as a point for concern. Progress was originally being made with this between March and May 2015, recent performance had seen this drop.

Resolved

- 1. To receive an update report in 6months time and representation to present the report**
- 2. To request the attendance of Wiltshire CCG at the Health Select Committee to explain their position on NHS 111**

65 PAN Wiltshire Choice Policy on Discharge From Hospital / Intermediate Care or Hospital Transfer

James Roach, Integration Director for Health and Social Care at Wiltshire Council, was in attendance to present the draft Wiltshire Choice Policy.

The Choice Policy was designed to address patient choice with regard to discharge planning within the NHS and how this would be maintained within the budget and practical constraints of the NHS.

It was noted that the draft Choice Policy had been viewed by the Better Care Plan Task Group. On the advice of Healthwatch it had been rewritten to include less jargon, along with the inclusion of a glossary.

The background of the policy was an aim to enhance patient discharge from hospital. Choice was discovered to be a growing problem and correct conversations around discharge were not being held to move patients through the system. A decision was made to rebase the choice policy from the original 7 discharge pathways.

The purpose of this policy was to ensure that Delayed Transfer of Care (DTOC) due to Patient Choice was managed fairly throughout the discharge planning process, and to provide more care for people within their own home. The new policy was built on the process undertaken in Dorset where examples of good practice had been demonstrated.

It was explained that in extreme circumstances under the current arrangements there had been examples of patients refusing up to 10 reasonable choices for care. The process needed to be enhanced to ensure that the patient and any family were well informed of their choices and situation.

A patient was noted as not having a right to remain in a hospital bed, and that remaining in a hospital bed longer than necessary was not in their own interest due to risks of infection.

Section 8 of the policy "Choice of Available Options and Interim Care" was explained as working on the basis of two reasonable offers. These would first

take into account a patient's needs, family needs, then service needs in that order.

Conversation regarding discharge would be encouraged to begin at the start of the pathway, along with ensuring that all conversations were connected. Staff needed to be trained to deal with difficult conversations so that patients, when necessary, could be informed that their best choice for care was at home.

Regarding escalation it was explained that good communication from the start should act as a preventative and help remove anxiety from the process. It was also noted that a degree of acceptance was needed that some patients would not want to move. Some instances would also require a legal process to move a patient and provide notice so that they move from a bed at a set date. Patient letters would support this process.

A summary of the 6 stages of discharge were provided within the draft policy. Stage 1 was to give the standard information (during admission); stage 2 was to refer to services to support discharge (during admission); stage 3 was to offer options and prepare for discharge (before discharge); stage 4 was an informal process regarding available options declined; stage 5 was a formal process with explanatory formal letter; stage 6 was beginning a legal process.

The legal process would be led by the provider responsible for the bed. Wiltshire Council would need to act in a supportive role as commissioners of the system.

It was requested that the Health Select Committee approve the document, which would go through the CCG for sign off in October.

Cllr John Walsh, Chairman of the Better Care Plan Task Group, expressed his support for the document explaining that it was of a good quality, but could however be tightened up with a few more timings.

In response to a question it was explained that for the first time in 18 months DTOC levels had dropped. Choice was noted as accountable for a large proportion of delays.

The policy would fall under the Better Care Plan, joint between Wiltshire Council and the CCG. It would be a system policy that hospitals would support. All hospitals would agree to adopt the policy. Employees of the Acute Hospitals would be responsible for delivering letters to patients.

Concern was expressed over the training ambitions and scope for mistakes during conversation with a patient. The importance of making the right choice when dealing with dementia sufferers was also highlighted. The involvement of Healthwatch was noted.

It was asked who a patient should communicate to if they felt they weren't being fairly treated. Healthwatch would be having a team work on this over the coming year and would report back on feedback from patients and family. Quality of the letters which would be delivered to patients was noted as having improved as a result of consideration by the Better Care Plan Task Group. This was noted as being an important factor as they would provide clarity to the patient and family.

Resolved

- 1. To endorse the report on the grounds that section 15 "Monitoring Compliance and Effectiveness" is strengthened and circulated to the Health Select Committee.**
- 2. For the Health Select Committee to receive a report on the numbers of patients who have gone through the various stages described within the Choice Policy as part of its ongoing evaluation.**

66 Task Group Update

a) Better Care Plan Task Group

Cllr John Walsh noted that the Better Care Plan covered a huge area and presented the Task Group's terms of reference to the Committee. The Task Group was receiving good officer support and was making good progress with a programme that would carry through until September 2016.

The Task Group was planning to agree its terms of reference and work programme based on the risk register and key priorities for the Better Care Plan as well as considering progress on Home First and reviewing the latest version of the Choice Policy.

b) Passenger Transport Group

A written task group update was provided to the Committee and noted.

c) Obesity and Child Poverty Task Group

Cllr Pat Aves explained that the Task Group's focus had been narrowed to looking at schools.

The Task Group were keen to explore ways that families of limited means could be encouraged, without extra cost, to subscribe to the idea of healthy eating. It was noted that those who need advice the most were the hardest to contact.

The Task Group had learnt about a pilot scheme to encourage healthy eating in schools across Wiltshire. Schools in areas of higher deprivation were higher in priority due to the obesity and poverty link.

d) Avon and Wiltshire Partnership (AWP) Joint Working Group

Cllr John Noeken delivered an update on the AWP Working Group. The joint working group was comprised of 8 local authorities, including BaNES, Bristol, North Somerset, and Wiltshire.

A teleconference with the CQC was being sought to discuss draft reports in order to be in a better position to inform the joint working group members about the overall position.

A general report, along with a specific section for Wiltshire, was scheduled for the November Health Select Committee meeting.

The AWP were currently dealing with 6 CCG's.

Resolved

- 1) To endorse the terms of reference for the Better Care Plan Task Group
- 2) To note the Task Group updates.

67 **Forward Work Programme**

Resolved

To note the forward work plan.

68 **Urgent Items**

There were no urgent items.

69 **Date of Next Meeting**

It was noted that the next meeting would be on Tuesday 17 November, 2015 at 10.30am in the Kennet Room - County Hall, Trowbridge BA14 8JN.

(Duration of meeting: 10.30 am - 12.40 pm)

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HEALTH SELECT COMMITTEE

DRAFT MINUTES OF THE HEALTH SELECT COMMITTEE MEETING HELD ON 17 NOVEMBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Chuck Berry (Chairman), Cllr Gordon King (Vice Chairman), Cllr Chris Caswill, Cllr Mary Champion, Cllr Christine Crisp, Cllr Sue Evans, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr John Knight, Cllr Jeff Osborn, Cllr John Walsh, Irene Kohler, Steve Wheeler and Cllr Anna Cuthbert (Substitute)

70 Apologies

Apologies were received from:

Cllr Mary Douglas
Cllr Paul Oatway
Diane Gooch
Cllr Keith Humphries

Cllr Mary Douglas was substituted by Cllr Anna Cuthbert

71 Minutes of the Previous Meeting

Resolved

To confirm and sign the minutes of the previous meeting held on 22 September 2015 as a true and accurate record subject to the following amendment:

Minute 65 - PAN Wiltshire Choice Policy on Discharge From Hospital / Intermediate Care or Hospital Transfer

“In response to a question it was explained that for the first time in 18months DTOC levels had dropped. Choice was noted as accountable for a small proportion of delays.”

72 Declarations of Interest

None.

73 Chairman's Announcements

a) CQC Listening Event for the Salisbury Foundation Trust

The announcement in the agenda pack was referred to.

b) Relocation of Services at the Royal United Hospital, Bath

The announcement in the agenda pack was referred to.

c) Contenance Policy Letter Sent to National Policy Makers

The announcement in the agenda pack was referred to.

d) Consultation on the Mandate to NHS England

It was requested that work be done to investigate whether the Health Select Committee should respond to the consultation.

e) Hopper Bus Service

Cllr Osborn announced that he had attended a meeting with the CCG which discussed the long-term future of the Hopper Bus service. A consultation was running until 23 November 2015.

The importance of organisations working together was considered. It was requested that the Health Select Committee receive a paper at the January or March 2016 committee meeting regarding how voluntary organisations, Wiltshire Council, and the CCG would work together to deal with winter pressures.

Resolved

To receive a report on how Wiltshire Council, the Clinical Commissioning Group, and voluntary organisations would work together to deal with winter pressures at either the January or March 2016 Health Select Committee meeting.

74 Public Participation

It was noted that Cllr Caswill had originally submitted questions for consideration relating to the Help to Live at Home Final Report and the Health Select Committee Forward Work Programming Workshop Report. Cllr Caswill was now present to deliver the questions at the meeting.

Concern was expressed over the amount of time available for members of the public to submit questions to scrutiny committees after agenda publication. It was requested that this be extended if possible.

Resolved

To request that the Chairman of the Overview and Scrutiny Management Committee investigate the possibility of extending the deadline for questions submitted to Select Committees under Public Participation.

75 Help to Live at Home Task Group Final Report

Cllr Gordon King, Chairman of the Help to Live at Home (HTLAH) Task Group, introduced the Task Group's final report.

Thanks were expressed by Cllr King to members of the Task Group, witnesses, partners, and officers for all their support. Emily Higson was thanked for her help as the Task Group's supporting officer.

The Wiltshire Council Help to Live at Home scheme went live in April 2011. The objectives of the scheme at the time of going live were used to guide the terms of reference for the Task Group.

The Task Group's process went through what failures had been caused by Help to Live at Home and what could be learnt from them.

Answers were given to Cllr Caswill questions as detailed below:

1. Why did the Task Force not follow up the prior invitation "to review the performance of the HTLAH providers"? Given that 2 out of 4 have failed CQC inspections, the public will find this hard to understand.

It was explained that this referred to paragraph 6c of the report. The provider Mears had progressed from "inadequate" to "requires improvement". No indication had been received that their improvement would progress further and the Task Group were reasonably satisfied that a monitoring process was in place. It was explained that poor leadership and management failed to take Mears through their organisational change. It had been decided that there was no need to make further comment on this in the final report.

2. Why are we not given any insights into at least the conclusions of the Bolton report, which is presumably relevant and has not been made public?

The Bolton Report was noted as having been commissioned by Wiltshire Council for Wiltshire Council Officers, and not by the Task Group. The report was released for the Task Group's consideration and it was noted that there was some synergy present between the report and the Task Group's recommendations 1 & 3.

It was explained by James Cawley that the Bolton Report could be made available to the Committee.

3. Para 15 seems to suggest that the use of an Outcomes approach by the Council means that clients have no right to expect visits at particular times and the services they request, and their expectations need to be managed down. Is that correct? Hopefully not and in that case can this text be revised?

It was explained that the clarity of the paragraph may not be worded strongly enough. A revision of the paragraph could be made if possible to improve this.

It was also explained that there was an anticipated 7 years before full integration could be achieved between health and social care.

4. What is the Council's Outcomes approach? It seems to have been taken for granted and not explored or challenged?

The Outcomes Based System related to the impact on a user's quality of life. It was important that they were getting the time and care when they needed it. The aim was to help reduce the amount of time needed and as a result improve independence.

5. Why do the Recommendations not follow the findings and conclusions more closely? For example, why is there no recommendation with respect to support workers journey times and preparation (paras 19 and 20)? And no recommendation about the crucial lack of capacity (para 26)?

The recommendations were a result of many meetings and interactions with partners and witnesses. The recommendations were chosen as ones that could realistically be delivered.

6. Does the Task Group consider that the move to the national living wage is not an issue for Wiltshire Providers and the Council as Commissioner? Why was it not mentioned?

All providers would have to re-evaluate their business cases, which would be urgent and would need to take place with regards to the national living wage.

7. Similarly the strong warnings from the Barker Commission and major national service providers seem to find no echo in this report and particularly not in the recommendations, which seem broadly to adopt a 'business-as-usual with careful steering' approach. Does this mean that the Task Force rejects these more radical concerns as not relevant to Wiltshire?

The Task Group were happy that the outcomes based approach was a strong and robust one. It was decided that it was the right approach and that incremental tweaks were required rather than total change.

8. Last but not least, where is the voice of residents and the public more widely in this report?

Eight people had been met by the Task Group in their own homes, two from each provider. It was noted that their input could be found throughout the report.

It was proposed by Steve Wheeler that a further recommendation be added. The recommendation took into account the risk to the whole scheme of HTLAH from one or more of the providers leaving the scheme, termination of their contract, or deciding not to renew their contract in the future. It was explained that there should be a robust contingency plan in place for these situations.

Within recommendation 10 of the report it was requested that a recommendation for Wiltshire Council to develop central database which could be regularly updated be included. Wiltshire Council was noted as having a database in use called CareFirst, it was agreed that this could be referred to in the recommendation.

To ensure that the recommendations were being worked towards it was proposed that representatives from the four providers return to the Committee in March 2016 to provide updates on the progress.

Concern was expressed that findings and conclusions within the main body of the report were not represented within the recommendations. It was explained that the recommendations would be received by the relevant cabinet member to take forward, and that they would not be able to take forward recommendations outside of their span of control.

A supplement could be created which detailed an explanation of the Outcomes Based Model and added as a supplement to the report.

The Bolton Report was noted as containing similar recommendations, but shorter and less thorough than the Task Group's report. The Bolton Report provided a snapshot of a single point in time, whereas the HTLAH Task Group work was wider.

It was agreed that it could be resolved to state that both the conclusions and recommendations from the report should be considered by Cabinet.

Resolved

- 1. To endorse the conclusions and recommendations within the Task Group's final report.**

2. To endorse and include the extra recommendation that “Commissioners are urged to develop robust contingency plans against the removal from one or more of the providers”
3. To refer to Wiltshire CareFirst as the primary database in recommendation 10.
4. To revise section 15 of the report for clarification.

76 AWP Working Group

Cllr John Noeken was in attendance to deliver the Working Group’s report.

In September 2014 the Care Quality Commission published a quality report on AWP as part of their mental health inspection programme. The CQC found that AWP must take significant steps to improve the quality of their services and were then in breach of regulations. A joint working group to look at AWP’s response to the CQC inspection report was created in spring 2015.

The following local authorities were a part of the Working Group: Bath & North; East Somerset Council; Bristol City Council; North Somerset District Council; Wiltshire Council.

Difficulties to the group’s work came from both Swindon and South Gloucester local authorities choosing not to join the working group. Other local authorities also had elections in May 2015 which put the work on standby for a number of months.

Concerns were expressed over the safety in mental health wards, as described in paragraph 15 of the report. Significant staff shortages had compounded this issue. At times when there were no beds available, adults of all ages were admitted to wards far from their own home.

It was noted that Wiltshire was good in regards to Delayed Transfers of Care (DToC) which was positive, as DToC figures was a cause of much of the trouble for AWP.

AWP had gone to great lengths to ensure compliance with CQC observations, which had been dealt with. Strong leadership was referenced as helping this.

With regards to buildings and their safety AWP was explained as currently operating out of 8 PFI buildings. In some of these retrofitting was difficult, but had been done where appropriate.

As a result of the CQC report the AWP reported that 88% of its staff have received an appraisal and 100 staff will undertake the Institute of Leadership and Management programme in 2015. A £3,000 premia for new staff had been introduced. Other incentives, such as nursery care for staff’s children, retention rewards and incentives to existing staff when friends are recruited were also

being explored. As of 15 July 2015, a further 40 staff had been recruited and were pending deployment.

Support was expressed for recommendation 8. It was noted that whilst it was difficult to bring all the participating local authorities together it was also very beneficial.

The subject of AWP's real estate was discussed. The Red Gables building was noted as being on the market without consultation. Red Gables was noted as being largely an admin building but also where patients collect methadone for treatment purposes. An alternate location for this service had not been given. It was requested that officers pursue this and circulate the answer to the Committee.

It was explained that Cllr Noeken would be unable to continue taking on the workload from the Working Group due to commitments elsewhere. The position was opened up to other members.

Resolved

- 1. To endorse the final report and its recommendations.**
- 2. To express that the Committee is interested in continuing a cross-authority scrutiny group to monitor the Avon and Wiltshire Partnership improvement programme and the Trust's performance, but are currently seeking to fill Cllr John Noeken's vacancy.**

77 Health Select Committee Forward Work Programming Workshop Report

Cllr Chuck Berry introduced the report and referenced the foreword on the first page.

Members of the Committee agreed that it was important for the Health Select Committee to retain their flexibility when it came to looking at any important issues that arise in the future. This was agreed, but it was also noted that the bigger picture needed to be addressed.

It was requested that a note be included on relations between the Health and Wellbeing Board and the Health Select Committee within Wiltshire Council.

A question was asked over the guidelines on the Community Services Tender. A copy of the invitation the tender would be circulated to the Committee for information.

It was requested that the Committee monitor the Community Health Contract.

Healthwatch would take a copy of the report to their meeting to note that this is a possible forward work programme and that Healthwatch should align theirs with it.

Resolved

To endorse the proposal that the Chair and Vice Chair shortlist the items based on the criteria as outlined in the report.

78 Task Group Update

a) Public Transport Review Task Group

Cllr Peter Evans was in attendance to introduce the Task Group's update.

The Task Group's meeting had been backdated until the full consultation document was made available. The consultation was anticipated to go out mid-January 2016.

b) Better Care Plan Task Group

Cllr John Walsh was in attendance to introduce the Task Group's update.

The Task Group had held three meetings to discuss the key priorities for the Better Care Plan, consider progress on Home First, and to review the latest version of the Choice Policy.

Witnesses would be sought out for interview by the Task Group in the future, along with visiting people at their own locations.

c) Obesity and Child Poverty Task Group

The written update was noted.

d) Section 15 of the Choice Policy

It had been agreed at the September 2015 meeting of the Health Select Committee to request that Section 15 "Monitoring Compliance and Effectiveness" from the Wiltshire Choice Policy be strengthened and returned to the Committee for endorsement.

The strengthened Section 15 (now Section 14 in the Policy) was circulated to the Committee.

Resolved

- 1. To note the Task Group updates.**
- 2. To endorse the strengthened Section 15 (now Section 14) "Monitoring Compliance and Effectiveness" from the Wiltshire Choice Policy.**

79 **Discussion Paper on the Future of the South Western Ambulance Service Joint Health Overview and Scrutiny Committee**

The Committee received a discussion paper on the future of the South Western Ambulance Service Trust (SWAST) Joint Health Overview and Scrutiny Committee (HOSC) submitted by the representative members of Gloucestershire County Council. It was suggested that member authorities, including Wiltshire Council, seek to replace the Joint HOSC with their own individual arrangements to effectively engage with the South Western Ambulance Service Trust.

The joint committee was noted as not having been well supported by Local Authorities and operated as a discussion group.

Bristol City Council had offered to moderate quality accounts. This offer was recommended as one that should be accepted. It was suggested that the Committee invite the Chairman or Chief Executive to attend meetings when necessary instead of sending out officers to the HOSC meetings.

It was also explained that graphs and data were needed that specifically, rather than the South West.

Concern was expressed that authorities would be retreating into silos if the HOSC was disbanded. Concern was also expressed over how the scrutiny of the council service would be addressed if the committee was dissolved.

The next regional Overview and Scrutiny Management meeting was on 22 March 2016 in Bristol, it was suggested that SWAST be invited to this.

It was requested that Wiltshire specific data be made available to the Committee regarding SWAST so that it could be known when to call them to the Committee meetings.

Resolved

To endorse the disbandment of the Joint HOSC as proposed by Gloucestershire County Council in the final paragraph of the report

80 **Urgent Items**

None.

81 Date of Next Meeting

Tuesday, 12th January, 2016 10.30am in the Kennet Room - County Hall,
Trowbridge BA14 8JN

(Duration of meeting: 10.30 am - 1.00 pm)

The Officer who has produced these minutes is Adam Brown, of Democratic
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STRATEGIC PLANNING COMMITTEE

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 23 SEPTEMBER 2015 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Andrew Davis (Chairman), Cllr Trevor Carbin, Cllr Terry Chivers, Cllr Stewart Dobson, Cllr Charles Howard, Cllr David Jenkins, Cllr Bill Moss, Cllr Jerry Wickham (Substitute) and Cllr Magnus Macdonald (Substitute)

Also Present:

Cllr Ian Thorn

60 Apologies for Absence

Apologies for absence were received from Cllr Tony Trotman (who was substituted by Cllr Jerry Wickham), Cllr Glenis Ansell (who was substituted by Cllr Magnus Macdonald), Cllr Christopher Newbury and Cllr Fred Westmoreland.

61 Minutes of the Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 15 July 2015.

62 Declarations of Interest

Cllr Jerry Wickham declared a non-pecuniary interest in the following application as he held the position of Portfolio Holder for Waste:

14/12003/WCM – Stephenson Road, Northacre Trading Estate, Westbury, BA13 4WD – Advanced thermal treatment facility

63 Chairman's Announcements

The Chairman announced that the following application had been withdrawn from the agenda as the Officers had not yet received, as promised, a communication from the Environment Agency formally withdrawing its objection:

14/11642/DP3 - Downton C of E Primary School, Gravel Close, Downton, SP5 3LZ - Change of use of Memorial Gardens to provide an enlarged playground area, incorporating a hard games court area. Bridge over The Bunney, proposed 2 storey classroom extension and extension to main hall. (See Minute No 65 below)

64 **Public Participation and Councillors' Questions**

There were no questions received from members of the Council.

Members of the public addressed the Committee as set out in Minute Nos. 66, 67 & 68 below.

65 **14/11642/DP3 - Downton C of E Primary School, Gravel Close, Downton, SP5 3LZ - Change of use of Memorial Gardens to provide an enlarged playground area, incorporating a hard games court area. Bridge over The Bunney, proposed 2 storey classroom extension and extension to main hall.**

This item had been withdrawn from the agenda. (See Minute No. 63 above.)

66 **14/11295/REM - Former George Ward School, Shurnhold, Melksham, SN12 8GQ - Reserved Matters application pursuant to outline permission W11/02312/ FUL for the erection of 261 dwellings relating to access, appearance, landscaping, layout and scale**

The following people spoke against the application

Mr Frith, a local resident

Cllr Paul Carter, representing Melksham Without Parish Council

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application with a recommendation that planning permission be granted subject to conditions and the prior completion of a legal agreement to secure 40% affordable housing, 1.5 acres employment land, public open space, an education contribution, ecological mitigation, a Management Company for the public open space and ecology features, off-site highway improvements and a highway contribution of £6,000 for a potential traffic regulation order.

Members had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

After discussion,

Resolved:

To approve the reserved matters, subject to the following conditions:-

- 1 The development hereby permitted shall begin no later than two years from the date of the reserved matters hereby approved.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

858-PL00 Rev A	Location Plan
858-PL01-1 Rev E	Planning Layout 1 of 2
858-PL01-2 Rev F	Planning Layout 2 of 2
858-PL02 Rev D	Materials Plan
858-PL03 Rev D	Storey Heights Plan
858-PL04-01 Rev B	Street Scenes
858-PL04-02 Rev B	Street Scenes
858-PL05 Rev C	POS Area Plan
858	Parking Schedule
P700/10 Rev F (Sheet 1 of 2)	Refuse Vehicle Swept Analysis North Section
P700/11 Rev G (Sheet 2 of 2)	Refuse Vehicle Swept Analysis South Section
P700/13 Rev F	Proposed Finished Floor Levels (Sheet 1 of 2)
P700/14 Rev F	Proposed Finished Floor Levels (Sheet 2 of 2)
P700/15 Rev F (Sheet 1 of 2)	Visibility Splays and Indicative Street Lighting
P700/16 Rev E (Sheet 2 of 2)	Visibility Splays and Indicative Street Lighting
PERW 19598 10D	Landscape Masterplan
858-PL110-1 Rev A	Housing Type Plans and Elevations
858-PL110-2 Rev A	Housing Type Plans and Elevations
858-PL110-3 Rev A	Housing Type Plans and Elevations
858-PL111-1 Rev A	Housing Type Plans and Elevations
858-PL112-1 Rev A	Housing Type Plans and Elevations
858-PL112-2 Rev A	Housing Type Plans and Elevations
858-PL113-1 Rev A	Housing Type Plans and Elevations
858-PL113-2 Rev A	Housing Type Plans and Elevations
858-PL114-1 Rev A	Housing Type Plans and Elevations
858-PL115-1 Rev A	Housing Type Plans and Elevations
858-PL115-2 Rev A	Housing Type Plans and Elevations
858-PL116-1 Rev A	Housing Type Plans and Elevations
858-PL116-2 Rev A	Housing Type Plans and Elevations

858-PL117-1 Rev A Housing Type Plans and Elevations
 858-PL118-1 Rev A Housing Type Plans and Elevations
 858-PL119-1 Rev A Housing Type Plans and Elevations
 858-PL119-2 Rev A Housing Type Plans and Elevations
 858-PL122-1 Rev A Housing Type Plans and Elevations
 858-PL122-2 Rev A Housing Type Plans and Elevations
 858-PL122-3 Rev A Housing Type Plans and Elevations
 858-PL123-1 Rev A Housing Type Plans and Elevations
 858-PL123-2 Rev A Housing Type Plans and Elevations
 858-PL123-3 Rev A Housing Type Plans and Elevations
 858-PL124-1 Rev A Housing Type Plans and Elevations
 858-PL124-2 Rev A Housing Type Plans and Elevations
 858-PL125-1 Rev A Housing Type Plans and Elevations
 858-PL125-2 Rev A Housing Type Plans and Elevations
 858-PL128-1 Rev B Housing Type Plans and Elevations
 858-PL128-2 Rev B Housing Type Plans and Elevations
 858-PL129-1 Rev A Housing Type Plans and Elevations
 858-PL129-2 Rev A Housing Type Plans and Elevations
 858-PL130-1 Rev A Housing Type Plans and Elevations
 858-PL131-1 Rev A Housing Type Plans and Elevations
 858-PL132-1 Rev B Housing Type Plans and Elevations
 858-PL133-1 Housing Type Plans and Elevations
 858-PL134-1 Housing Type Plans and Elevations
 858-PL134-2 Housing Type Plans and Elevations
 858-PL134-3 Housing Type Plans and Elevations

REASON: For the avoidance of doubt and in the interests of proper planning

- 3 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 5 The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced

footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access

- 6 No development shall commence on site until full details of the construction of the estate roads, footways, footpaths, verges and junctions, and full details of street lighting, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions and street lighting, have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 7 No dwelling shall be occupied until the parking space(s) together with the access thereto, have been provided in accordance with the approved plans.

REASON: In the interests of highway safety and the amenity of future occupants.

- 8 Prior to development commencing on the site details/plans of the temporary access for construction traffic and sales office access on to/from the Bath Road shall be submitted to and approved in writing by the Local Planning Authority; this should also include any signage scheme associated with the temporary access that would need to be installed and a timetable for the restoration of the hedgerow which should include the species of the replacement planting. The access and signage shall be completed in accordance with the approved details.

The temporary access together with any associated equipment permitted shall be removed and the hedgerow reinstated in accordance with the approved timetable.

REASON: In the interests of highway safety and visual amenity

- 9 No dwelling on plots 66 - 70, 79 - 84 and plots 115 - 117 as indicated on the planning layout (Plan number 858-PL01-2 Rev F) shall be first occupied until:

(a) A scheme for the laying out and equipping of the NEAP/POS (Neighbourhood equipped area for play/Public Open space) shown on the submitted plan, to include landscaping, boundary treatment and for future maintenance and safety checks of the equipment has been submitted and approved in writing by the Local Planning Authority

and;

(b)The play area has been laid out and equipped in accordance with the approved scheme.

REASON: To ensure that the play area is provided in a timely manner in the interests of the amenity of future residents.

- 10 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

location and current canopy spread of all existing trees and hedgerows on the land;
full details of any to be retained, together with measures for their protection in the course of development;
a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
finished levels and contours;
means of enclosure;
boundary treatments;
pedestrian access links onto Bath Road and Dunch Lane
car park layouts;
other vehicle and pedestrian access and circulation areas;
all hard and soft surfacing materials;
minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 11 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 12 **The window serving toilets and bathrooms, as shown on the submitted plans, shall be obscure glazed and shall be installed prior to the first occupation of the development hereby permitted and shall be maintained as such at all times thereafter.**

REASON: In the interests of amenity and privacy

- 13 **No works shall be undertaken on site until such time as a full schedule of tree planting root protection measures has first been submitted to and approved in writing by the Local Planning Authority; and implemented in accordance with such approved details.**

REASON: To ensure that tree roots do not affect the structural integrity of buildings and structures in the future

- 14 **INFORMATIVE: At this stage of the planning application Wiltshire Fire & Rescue Service is required to make comment relating to section B5 of Approved Document B. Essentially, this relates to the provision of reasonable facilities to assist fire fighters within the building and to enable fire appliances to gain access to the building.**

Complying with these requirements, in advance of the formal Building Regulations consultation process, will assist during that process and are made without prejudice to it.

Approved Document B can be found on www.planningportal.gov.uk/buildingregulations/approveddocuments/partb.

Access and Facilities for the Fire Service

Consideration is to be given to ensure access to the site, for the purpose of fire fighting, is adequate for the size and nature of the development.

Water Supplies for Fire Fighting

Consideration should be given to the National Guidance Document on the Provision of Water for Fire Fighting and the specific advice of this Authority on the location of fire hydrants.

- 15 **INFORMATIVE: Your attention is drawn to the fact that, whilst the details have been approved in relation to this reserved matters application for 261 dwellings, there are other conditions attached to the outline planning permission W/11/02312/FUL which relate to the site which will need to be discharged prior to the commencement of works as well a requirements contained within the associated legal agreement which will need to be met.**

- 16 **INFORMATIVE: Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.**

(Note: Cllr Terry Chivers requested that his vote against the Motion be recorded.)

67 **14/07689/OUT - Land north of Holt Road and Cemetery Lane, Bradford on Avon - Erection of up to 60 dwellings (including affordable dwellings), up to 3,000 sq.m. of B1 employment floor space, informal and formal public open space, allotments, drainage, landscaping , engineering (ground levelling) and other associated works. Outline application to determine access.**

The following people spoke against the proposal:

Cllr Gwen Allison, Chairman of the Planning Committee, Bradford on Avon Town Council

Mr Zac Tullett, representing the Friends of Woolley

Mr David Moss, Chairman of Bradford on Avon Preservation Trust

Mr Martin Newman, a local resident

The following people spoke in support of the proposal:

Mr Guy Wakefield, the agent

Mr Tony Best, ABD Company

The Committee received a presentation from the Senior Planning Officer which set out the main issues in respect of the application with a recommendation that outline planning permission be granted, subject to the prior completion of a legal agreement to secure 40% affordable housing, 1.5 acres of employment land, public open space, an education contribution, ecological mitigation, a Management Company for the public open space and ecology features, off-site highway improvements and a contribution of £6,000 for a potential traffic regulation order.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Cllr Ian Thorn, on behalf of Cllr Rosemary Brown, the local Member, spoke against the application on the grounds that the emerging Neighbourhood Plan was not being taken into account. The Area Development Manager explained that the Neighbourhood Plan was still being developed and its current status did not amount to a material consideration in determining this application. He also explained that the application was in broad accordance with the aims of the Wiltshire Core Strategy in relation to employment and would meet the majority of the housing requirement for the town identified in the Core Strategy. Although the site lay adjacent to but outside the Limits of the Development of the town, there were sound reasons for considering the application favourably.

After discussion,

Resolved:

To refuse planning permission for the following reason:

The proposal by reason of the siting of housing development outside of the limits of development defined for Bradford on Avon in the Wiltshire Core Strategy would conflict with policy CP2 of the Wiltshire Core Strategy which only allows residential development beyond these limits through a plan led-process of either a Site Allocations Development Plan or Neighbourhood Plan. The proposal has not been brought forward through either of these means and therefore conflicts with the delivery strategy of the development plan.

68 **14/12003/WCM - Stephenson Road, Northacre Trading Estate, Westbury, BA13 4WD - Advanced thermal treatment facility**

The following person spoke against the proposal:

Mr Francis Morland, a local resident

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application with a recommendation that planning permission be granted, subject to conditions.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received a statement from a member of the public as detailed above, expressing his views regarding the planning application.

After discussion,

Resolved:

To grant planning permission, subject to the following conditions;-

- 1. The development hereby permitted shall begin no later than five years from the date of this permission.**

Reason: In accordance with Section 51(1) of the Planning and Compulsory Purchase Act 2004.

- 2. Unless otherwise required by conditions attached to this permission, the development hereby permitted shall be carried out in accordance with Drawing Numbers:**

040_A05 Revision B – Site Plan, Dated 24.11.2014

040_A07 Revision C, Sheet 1 of 4 – Site Elevations, dated 02.12.14
040_A07 Revision C, Sheet 2 of 4 – Site Elevations, dated 02.12.14
040_A07 Revision C, Sheet 3 of 4 – Site Elevations, dated 02.12.14
040_A07 Revision C, Sheet 4 of 4 – Site Elevations, dated 02.12.14
040_A08 Revision B - Proposed Floor Plan, dated 10.12.14
040_A09 Revision B – Site Section Levels, dated 02.12.14
040_A10 Revision B – Site Traffic Route Plan, dated 09.12.14
NOR-LP01REVA – Landscape Plan

Reason: To secure what was proposed and in the interests of proper planning.

3. The external surfaces of the building hereby approved shall be finished using the following colour specifications:

Southwest elevation – Wedgwood Blue (BS5252: 18C37)
All other elevations – Mushroom (BS5252: 10B19)
Roof surfaces – Svelte Grey (BS5252: 10B23)

Reason: In the interests of visual amenity.

4. No waste other than those waste materials defined in the application and environmental statement shall enter the site.

Reason: Other waste materials raise environmental and amenity issues that would require consideration afresh and to ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

5. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment.
- i) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Waste Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved Construction Method Statement.

Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

6. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Waste Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

69 **Date of the Next Meeting**

Resolved:

To note that the next scheduled meeting of the Committee was due to be held on Wednesday 21 October 2015, at County Hall, Trowbridge, starting at 10.30am.

70 **Urgent Items**

There were no urgent items of business.

(Duration of meeting: 10.30 am - 1.15 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 21 OCTOBER 2015 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Andrew Davis (Chairman), Cllr Tony Trotman (Vice Chairman), Cllr Glenis Ansell, Cllr Trevor Carbin, Cllr Terry Chivers, Cllr Stewart Dobson, Cllr Charles Howard, Cllr Bill Moss, Cllr Christopher Newbury and Cllr Fred Westmoreland

Also Present:

Cllr Julian Johnson

71 **Apologies for Absence**

An apology for absence was received from Cllr David Jenkins.

72 **Minutes of the Previous Meeting**

Resolved:

To confirm and sign the minutes of the previous meeting held on 23 September 2015.

73 **Declarations of Interest**

There were no declarations of interest made at the meeting.

74 **Chairman's Announcements**

There were no Chairman's announcements.

75 **Public Participation and Councillors' Questions**

There were no questions received from members of the Council.

Members of the public addressed the Committee as set out in Minute Nos. 76 and 77 below.

76 **14/11642/DP3 - Downton C of E Primary School, Gravel Close, Downton, SP5 3LZ - Change of use of Memorial Gardens to provide an enlarged playground area, incorporating a hard games court area. Bridge over The Bunney, proposed 2 storey classroom extension and extension to main hall.**

The following people spoke against the application

Mr Bryan Morris, a local resident
Mr Rick Ladds, a local resident
Ms Nicola Wilson, representing Downton Society

The following person spoke in support of the application

Mr Andy Townsend, a Governor of Downton Primary School
Cllr David Mace, Chairman of Downton Parish Council (qualified support)

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application, with a recommendation that subject to the Environment Agency lifting their objection, to grant planning permission, subject to conditions. He explained that a communication had still not been received from the Environment Agency withdrawing their objection to the proposal, the Agency intimating that the application was being considered by consultants and they did not anticipate being able to send a formal response to the Council for at least a further two weeks.

Members had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Julian Johnson, the local Member, in which he explained that, although in principle he supported the proposal, he did have some reservations in particular regarding the proposed cladding of the extension to the school, water storage and the flood defence ditch and water-retaining channel, called The Bunny.

After discussion,

Resolved:

Subject to the Environment Agency withdrawing their objections, to delegate to the Area Development Manager authority to grant planning permission, subject to the following conditions and any further conditions requested by the Environment Agency:-

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing number P008a Revision A dated Nov 2014, as deposited with the local planning authority on 14.08.15, and
Drawing number P014b Revision B dated Nov 2014, as deposited with the local planning authority on 14.08.15, and
Drawing number P004 Revision C dated July 15, as deposited with the local planning authority on 14.08.15, and
Drawing number P006 Revision A dated Nov 2014, as deposited with the local planning authority on 14.08.15, and
Drawing number P002 Revision C dated Nov 2014, as deposited with the local planning authority on 14.08.15, and
Drawing number P007 dated Nov 2014, as deposited with the local planning authority on 14.08.15, and
Drawing number P003 dated Nov 2014, as deposited with the local planning authority on 14.08.15, and
Drawing number P005b Revision B dated Nov 2014, as deposited with the local planning authority on 14.08.15, and
Drawing number P015c Revision C dated Nov 2014, as deposited with the local planning authority on 14.08.15, and
Drawing number P013b Revision B dated Nov 2014, as deposited with the local planning authority on 14.08.15, and
Drawing number P016c Revision C dated Nov 2014, as deposited with the local planning authority on 14.08.15.

REASON: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

4. No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being brought into use.

REASON: In the interests of visual amenity and the character and appearance of the area.

5. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
- (a) indications of all existing trees and hedgerows on the land;
 - (b) details of any to be retained, together with measures for their protection in the course of development;
 - (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
 - (d) finished levels and contours;
 - (e) means of enclosure;
 - (f) car park layouts;
 - (g) other vehicle and pedestrian access and circulation areas;
 - (h) hard surfacing materials;
 - (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
 - (j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

7. No development shall commence on site until a scheme of works/mitigation measures for noise attenuation along the northern boundary of the playground area (existing and proposed) has been

submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed prior to the extended playground area being first brought into use and shall be maintained in accordance with the approved details at all times thereafter.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

8. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays. No burning of waste shall take place on the site during the construction phase of the development.

REASON: In the interests of neighbouring amenities

(Cllr Christopher Newbury requested that his vote against the Motion be recorded.)

77 **14/06561/FUL - Land to the west of Salisbury Road, Salisbury Road, Downton - Erect 99 dwellings (83 houses and 16 flats) together with garages, timber pergolas, garden sheds and refuse/cycle stores and associated works**

The following people spoke in support of the application

Mr Cliff Lane, the agent

Ms Jane Brentor, Downton Neighbourhood Plan

Cllr David Mace, Chairman of Downton Parish Council (qualified support)

The Committee received a presentation from the Area Development Manager which set out the main issues in respect of the application with a recommendation that planning permission be granted, subject to the satisfactory completion of a Section 106 Agreement and conditions.

Members had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning applications.

Members then heard the views of Cllr Julian Johnson, the local Member, in which he explained that, although in principle he supported the proposal, he did have some concerns regarding:

- Drainage, considering that the existing sewage and drainage infrastructure was insufficient to support current housing.
- Highways, stating that a solution was required for vehicles from the proposed new development accessing the already-congested Road A338.

The Area Development Manager considered that these concerns were fully covered in Condition Nos. 10, 14 and 15.

The Committee also received:-

- late representations from the Council's Ecologist concerning the impact of the proposal on the New Forest Special Protection Area (SPA) and stating that further information had been presented by the developer demonstrating that a mechanism to offset impacts on the New Forest SPA was likely to be forthcoming.
- Representations from Mrs Sandra Moody and Mrs Saxby, local residents.

After discussion,

Resolved:

To delegate authority to the Area Development Manager to grant planning permission, provided:-

- 1) Planning application 14/11642/DP3 (Downton C of E Primary School, Gravel Close, Downton, SP5 3LZ - Change of use of Memorial Gardens to provide an enlarged playground area, incorporating a hard games court area. Bridge over The Bunney, proposed 2 storey classroom extension and extension to main hall) first gaining planning permission;**
- 2) The proposed mitigation measures in respect of the impact on the New Forest Special Protection Area are agreed to the satisfaction of the Area Development Manager (South), which shall be the subject of an 'appropriate assessment' having regard to the Habitat Regulations; and**
- 3) All interested parties enter into a Section 106 Agreement under the Town and Country Planning Act 1900 in respect of the following matters:-**
 - **Affordable Housing**
 - **Public Open Space**
 - **Educational Facilities**
 - **Early Years Education**
 - **Community Facilities**
 - **Refuse Collection/Recycling**
 - **New Forest Special Area of Protection**

And subject to the following conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the attached schedule.**

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to commencement of the development hereby approved a phasing plan for its delivery shall be submitted to the local planning authority for approval in writing. In particular the phasing plan shall specify that no more than 75% of the open market houses shall be occupied prior to completion of all of the following – the affordable houses, the on-site Locally Equipped Area of Play and the two on-site Local Areas of Play, and the off-site highways works (comprising the right hand turn lane from the A338 (and associated verge and central relief works), the on-site pedestrian / cycle links to Wick Lane, the off-site puffin crossing and the off-site A338 footpath works). The development shall be carried out strictly in accordance with the approved phasing plan.**

REASON: To ensure appropriate phased delivery of the development and related infrastructure in the interests of amenity in general.

- 4 No development shall commence on site until the exact details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 5 No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.**

REASON: The application contained insufficient information

to enable this matter to be considered prior to granting planning permission and/or [DELETE as appropriate] the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity.

- 6** No development shall commence on site until a scheme of phasing of landscaping has been approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following occupation of the building(s) or the completion of the development, whichever is the sooner within that particular phase; any trees or plants which within a period of five years, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting.

- 7** Prior to commencement of the development hereby approved details of any proposed diversion of the overhead cables shall be submitted to the local planning authority for approval in writing. The diversion works shall be carried out in accordance with the approved details.

REASON: The application contains insufficient detail to address this matter at this time.

- 8** No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in

accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years]

REASONS: To safeguard the amenities of the area.

- 9** No development shall commence on site until a landscape management plan / Landscape Environmental Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the proper management of the landscaped areas in the interests of visual amenity and ecological enhancement.

- 10** The development hereby approved shall be carried out strictly in accordance with the 'Foul Water Drainage' and 'Surface Water Drainage' Drainage' specifications set out in the report by Tribach Associates dated 26 November 2014. With specific regard to the upsizing of the off-site foul water sewer, this shall be completed prior to the first occupation of any dwelling on the site.

REASON: To ensure adequate foul and surface water drainage at the site, and to ensure the wider foul water infrastructure is sufficient in capacity to accommodate the approved development.

- 11** The development hereby permitted shall not be occupied or first brought into use until the area between the nearside

carriageway edge of Wick Lane and a line drawn 2.0 metres parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.
REASON: In the interests of highway safety.

- 12 The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.
REASON: To ensure that the development is served by an adequate means of access.
- 13 No individual dwelling shall be first occupied until its parking space(s) together with the access thereto, have been provided in accordance with the approved plans.
REASON: In the interests of highway safety and the amenity of future occupants.
- 14 The development hereby permitted shall not be first occupied until a Management Plan for the future maintenance of the roads and other communal areas has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be maintained thereafter in accordance with the approved Management Plan.
REASON: To ensure that satisfactory arrangements for the future maintenance of those areas are in place.
- 15 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - h) measures for the protection of the natural environment;
 - i) hours of construction, including deliveries;
 - j) the routing of construction traffic to and from the site

(which shall not include via Wick Lane other than in connection with initial construction of the A338 access to the site);

k) The location and use of generators and temporary site accommodation

- has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects neighbours' amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

16 No development shall commence on site until details of the stopping up of all existing accesses, both pedestrian and vehicular, from the A338 and Wick Lane, shown to be stopped up have been submitted to and approved in writing by the Local Planning Authority. These stopping ups shall take place in accordance with the approved details within one month of the first use of the approved estate access from the A338. No later than one month after the first occupation of the development, the sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of highway safety.

17 No part of the development shall be occupied until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

18 1) The floors, walls, ceilings, roofs, glazing and ventilation systems for plots 1-4 hereby approved shall be constructed and maintained at all times thereafter in accordance with Schedule 12/6220/SCH2 of the submitted Cole Jarman Planning Noise Assessment Report 12/6220/R2 revision 1 Dated 30 July 2015.

2) The east and north facing windows of Plot 1-4 hereby approved shall be non-openable / sealed closed and maintained in that way at all times thereafter. System 3 compliant mechanical ventilation systems shall be installed and at all times thereafter maintained in these properties.

3) The ceilings, glazing and ventilation systems for Plot 99 hereby approved and the ceilings, glazing systems and ventilation systems for the first floor bedrooms of Plot 5 to 17 inclusive hereby approved shall be constructed and maintained at all times thereafter in accordance with Schedule 12/6220/SH3 of the submitted Cole Jarman Planning Noise Assessment Report 12/6220/R2 revision 1 Dated 30th July 2015.

4) A 1.8m close boarded fence with a minimum density of 10kg/m² shall be erected along the boundary to the south of plots 1-4 and the eastern boundary of the site as shown in Figure 12/6220/FI1-2 of the submitted Cole Jarman Planning Noise Assessment Report 12/6220/R2 revision 1 Dated 30th July 2015. The final 1m section of the fence adjacent to the A338 shall reduce from 1.8m to no less than 0.9m in height. The fence so erected shall be retained and maintained in perpetuity thereafter.

REASON: To safeguard the amenities of the occupiers of these houses from potential noise disturbance.

19 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii)

indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: The application contained insufficient information to enable this matter to be considered.

20 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of residential amenity.

21 The dwellings hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate for it has been issued and submitted to, and approved in writing by, the local planning authority certifying that Code Level 4 has been achieved.

REASON: To ensure that the objectives of sustainable development set out Policy CP41 of the Wiltshire Core Strategy are achieved.

22 No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable development and climate change adaptation.

23 No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON: To prevent pollution of the water environment

24 **INFORMATIVE TO APPLICANT:** This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

[Plus any additional ecology conditions which may be required by the WC Ecologist].

78 Date of the Next Meeting

Resolved:

To note that the next scheduled meeting of the Committee was due to be held on Wednesday 11 November 2015, at County Hall, Trowbridge, starting at 10.30am.

79 Urgent Items

There were no item of urgent business.

(Duration of meeting: 10.30 am - 12.25 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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

STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 9 DECEMBER 2015 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Andrew Davis (Chairman), Cllr Tony Trotman (Vice Chairman), Cllr Glenis Ansell, Cllr Terry Chivers, Cllr Stewart Dobson, Cllr Charles Howard, Cllr David Jenkins, Cllr Christopher Newbury, Cllr Fred Westmoreland and Cllr Magnus Macdonald (Substitute)

Also Present:

Cllr Baroness Scott of Bybrook O.B.E, Cllr Dick Tonge and Cllr Tony Deane

80 **Apologies for Absence**

Apologies for absence were received from Cllr Trevor Carbin, who was substituted by Cllr Magnus Macdonald and Cllr Bill Moss.

81 **Minutes of the Previous Meeting**

Resolved:

To confirm and sign the minutes of the previous meeting held on 21 October 2015.

82 **Declarations of Interest**

There were no declarations of interest made at the meeting.

83 **Chairman's Announcements**

There were no Chairman's announcements.

84 **Public Participation and Councillors' Questions**

There were no questions received from members of the Council.

Members of the public addressed the Committee as set out in minute nos. 85 and 86 below.

85 **13/04647/WCM - Land at Leigh Delamere near Chippenham, Wiltshire - Construction of a New Landscaped Noise Attenuation Bund**

The following people spoke in support of the application.

Mrs H Tupper, the applicant
Mr Simon Chambers, the agent

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application, with a recommendation that planning permission be refused.

Members had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Baroness Scott of Bybrook OBE, the local Member, who expressed concern over HGV traffic impact and highway safety implications, these concerns also having been brought to her attention by local parish councils and residents.

After discussion,

Resolved:

To refuse planning permission for the following reasons:-

- 1. The development is for a waste management operation outside any allocated site located in the Wiltshire and Swindon Waste Site Allocations Local Plan 2013, or preferred location identified in the Wiltshire and Swindon Waste Core Strategy 2006 – 2026 and it has not been demonstrated by the applicant to be in accordance with all relevant provisions of the strategy, objectives and policies of Waste Development Plan Documents. Accordingly, the development is contrary to Policies WCS3 and WCS5 of the Waste Core Strategy and Policies WDC11 and WDC13 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.**
- 2. Inadequate details and justification has been submitted with regard to the proposed land raising operation and the Council is not satisfied that such land raising does not constitute a waste disposal operation and an imprudent use of resources not necessary for the reduction of noise levels from the existing Motorway. Materials used in land raising could be better used in association with restoration work elsewhere. Accordingly, the proposal fails to accord with policies WCS3 and WCS5 of the Wiltshire and Swindon Waste Core Strategy 2006 – 2026 DPD and policies WDC11 and**

WDC13 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.

- 3. The proposed development involves land raising which fails to promote or maintain the quality, character and appearance of the historic environment and fails to demonstrate that public benefits of constructing a bund at this location would outweigh the harm that would be caused to the designated heritage assets. Accordingly, the proposal is contrary to the National Planning Policy Framework and Section 72(1) of the Planning (Listed Building and Conservation Area) Act 1990 and contrary to Policy WDC9 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.**
- 4. The proposal has failed to demonstrate that it avoids or mitigates against significant adverse impacts to amenity, noise from construction, vibration and transportation of waste. The Council is not satisfied, on the basis of the information submitted, that the proposal would not result in an adverse effect on the local environment and the residential amenity of local residents due to noise and dust created in connection with the proposed site operations. The proposal is therefore considered contrary to Policy WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.**
- 5. The traffic generated from this proposal would use roads which by virtue of their function in the highway network and their inadequate width, alignment and junctions, are considered unsuitable to accommodate the type of vehicles and increase in traffic associated with this development. The proposals are contrary to Policies WDC2 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies DPD 2009.**

86 **15/00712/WCM - Bradford Road, Corsham, Wiltshire - Construction of an Inclined Mine Entrance from the Surface into Existing Permitted Mine Workings Construction of Ancillary Surface Facilities including Access on to Highway Offices Car Park Workshop Covered Storage Open Storage Landscaping and Restoration**

The following people spoke against the application

Mr Simon Hart, representing Lovell Stone Group Ltd.

Mr Stephen Ainsworth, Development & Safety Manager, Lovell Stone Group Ltd.

Mr Damion Selim, a local resident

The following people spoke in support of the application

Mr Michael Walker, Technical Director, Wardell Armstrong LLP
Mr Rod Lafargue, representing Hanson UK, the applicant

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application. He also reported receipt of late representations from the Wiltshire Council Ecologist, Natural England and the National Planning Casework Unit all of whom raised no objection to the development. However, the National Planning Casework Unit did point out that it was possible that the Secretary of State might require that an environmental impact assessment was required before planning permission was could be granted.

Members had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above expressing their views regarding the planning application.

Members then heard the views of Cllr Dick Tonge, the local Member, in which he explained that he had called in the application for determination by this Committee for the following reasons:-

- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Design – bulk, height, general appearance

Cllr Tonge also sought confirmation that the application was really for a second mine entrance rather than for a second mine.

Cllr Tony Deane explained that an adjoining mine owner, Lovell Stone Group Ltd operated a mine at Chicksgrove Quarry, which was in his Division in the south of Wiltshire. This mine owner had expressed concern that the approval of this application could jeopardise the safety of his employees in the adjoining mine due to possible flooding.

The Case Officer confirmed that the application was for an additional mine entrance and that all health and safety issues, including the potential for inrush of water, was the responsibility of the Health and Safety Executive.

After discussion,

Resolved:

Subject to the Secretary of State confirming that environment impact assessment is not required, to delegate to the Area Development Manager authority to grant planning permission, subject to the following conditions, and additional conditions to secure a dust management scheme and to prohibit the processing/cutting of stone at the site:-

1. The development hereby permitted shall begin no later than three years from the date of this permission.

Reason: In accordance with Section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. The development authorised by this permission shall be for a limited period, expiring on 21 February 2042 or at such time as extraction of stone from the underground stone mine permitted by planning permission N/98/01945/WCM ceases (whichever is the earlier). At such time the site shall be restored within a period of 12 months in accordance with the details shown on drawing ST13466-111 – Restoration Proposals.

Reason: To secure what was applied for the avoidance of doubt.

3. The development hereby permitted shall be carried out in accordance with the following approved plans, unless modified by conditions contained within this schedule:

Plan ref: ST13466-113 – Site Plan, dated 06/11/14

Plan ref: ST13466-115 Revision B – Site Layout, dated 01/12/14

Plan ref: ST13466-116 Revision B – Indicative Surface Water Strategy, dated 03/12/14

Plan ref: ST13466-117 Revision B – Elevation on Proposed Site, dated 11/12/14

Plan ref: ST13466-018 Revision C – General Adit Roof Support Layout, dated 05/11/13

Plan ref: ST13466-021 Revision B – Proposed Elevation on Office Building, dated 29/10/14

Plan ref: ST13466-022 Revision B – Proposed Elevations on Workshop, dated 29/10/14

Plan ref: ST13466-023 Revision B – Proposed Elevations on Storage Shed, dated 29/10/14

Plan ref: ST13466-C3D024 Revision B – Visibility Splays at Site Access off Bradford Road, dated 31/10/14

Plan ref: ST13466-118 – Indicative Sections Through Bradford Road Boundary, dated 08/07/15

Plan ref: ST13466-110 Revision B – Landscape Plan, dated 20/02/14

Reason: For the avoidance of doubt and in the interests of proper planning.

4. No development shall be undertaken onsite unless a detailed scheme for the suppression of dust has been submitted to and approved in writing by the Mineral Planning Authority. The scheme

shall include details of dust mitigation measures to be adopted during the construction and operational phases of the development. The scheme shall be carried out in accordance with the approved details.

Reason: In the interests of amenity.

5. Notwithstanding the approved landscaping scheme, within 3 months of the date of this permission, a detailed planting layout and specification shall be submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include details of planting locations, planting centres and type of tree/plant/shrub to be used. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: In the interests of landscape character and to preserve the amenity of the area.

6. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Waste Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

7. The development hereby permitted shall be carried out in accordance with the recommendations of the submitted Ecological Appraisal, undertaken by Wardell Armstrong and dated November 2013.

Reason: In the interests of safeguarding protected species and enhancing the existing habitat

8. The development hereby permitted shall be carried out in accordance with the details contained within the Mitigation Proposals Management Plan, prepared by Wardell Armstrong and dated November 2014.

Reason: In the interests of safeguarding the amenities of the area.

9. The development hereby permitted shall be carried out in accordance with the details for surface water management contained within the submitted Flood Risk Assessment, dated November 2014.

Reason: In the interests of protecting the water environment and highway safety.

10. No vehicle shall access the site for the purposes of loading or transportation of stone except between the hours of 0700 – 1700 hours Mondays to Fridays and 0700 – 1300 hours Saturdays. No such activity shall take place on Sundays or Bank or Public Holidays.

Reason: In the interests of amenity.

11. The total number of HGV vehicle movements associated with the development hereby permitted shall not exceed the following limits:

8 movements [4 in and 4 out] per day Monday to Friday

6 movements [3 in and 3 out] per day Saturdays

No HGV movements shall take place outside the hours of operation stated in condition 10 of this permission.

Reason: In the interests of highway safety and residential amenity.

12. A written record shall be maintained at the site office of all movements in and out of the site by HGVs. Such records shall contain the vehicle's registration and operating company's identity and time/date of movement. The records shall be made available for inspection by the Local Planning Authority on request and retained for a duration of not less than three months.

Reason: To enable the Local Planning Authority to monitor the operations and ensure vehicle movements do not exceed that stated in condition 11.

13. No commercial vehicle shall leave the site unless its wheels and underside chassis are clean to prevent materials, including mud and debris, being deposited on the public highway.

Reason: In the interests of preventing material, dust or detritus from affecting public highway safety.

14. No stone originating from sites other than the existing underground working shall be brought to the site.

Reason: In the interests of highway safety.

15. No stockpile of stone within the storage yard/stacking area shall exceed 2 metres in height.

Reason: To safeguard the visual amenities of the local area.

87 Date of the Next Meeting

Resolved:

To note that the next scheduled meeting of the Committee was due to be held on Wednesday 20 January 2016, at County Hall, Trowbridge, starting at 10.30am.

88 Urgent Items

There were no items of urgent business.

(Duration of meeting: 10.30 am - 12.05 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 16 SEPTEMBER 2015 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Mollie Groom, Cllr Chris Hurst, Cllr Mark Packard, Cllr Toby Sturgis, Cllr Chuck Berry, Cllr Terry Chivers, Cllr Howard Greenman, Cllr Jacqui Lay (Substitute) and Cllr Howard Marshall

94 Apologies

Apologies were received from Cllr Christine Crisp and Cllr Sheila Parker.

Cllr Crisp was substituted by Cllr Jacqui Lay.

95 Minutes of the Previous Meeting

The minutes of the meeting held on 26 August 2015 were presented.

Resolved:

To approve as a true and correct record and sign the minutes.

96 Declarations of Interest

There were no declarations of interest.

97 Chairman's Announcements

There were no Chairman's announcements.

98 Public Participation and Councillors' Questions

The Committee noted the rules on public participation.

Sue Webb, on behalf Kington Langley Parish Council, spoke in objection to application 6 b) 15/06571/FUL. The Chair allowed her representation at this stage, as Mrs Webb had indicated that they would not be able to stay later at the meeting.

99 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 6 a) - 15/06571/FUL and 6 b) - 15/05938/FUL as listed in the agenda pack.

100 **15/06571/FUL - Kennet House, Kington Langely, Chippenham**

Public participation:

Keith Bennett and Mark Edwards spoke in support of the application.

The Development Control Team Leader introduced the report, including late observations, which recommended that planning permission be refused.

The Committee then had the opportunity to ask technical questions

Cllr Howard Greenman spoke in his capacity as the local member.

Issues discussed in the course of the debate included: the impact of the proposals on the character of the conservation area and the listed building; the setting of the listed building and the position of neighbouring properties; the impact of the proposals on the space between it and the listed building; the position, size and nature of the existing buildings including a single storey extension the height of the proposed two storey extension and its position in relation to existing buildings; the planning history and the pre-planning application advice given; whether there was any public benefit from the building that could outweigh the impact of the proposals; and the views of the consultees.

Councillor Peter Hutton proposed, subsequently seconded by Councillor Toby Sturgis, that the Committee should refuse the application as per the officer's recommendation detailed in the report.

Having been put to the vote, the meeting;

Resolved

That Planning Permission is REFUSED for the following reason:

The proposal is considered to have an unacceptable detrimental impact to the historic form and character of the setting of the listed building and the surrounding conservation area. The proposal would cause harm to the significance of the designated assets that is not outweighed by any public benefit which is contrary to Section 66(1) & 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to paragraphs 17(10), 131, 132, 134 and 137 of the NPPF, as well as the aims of Core Policy 58 of the Wiltshire Core Strategy.

The proposed development, by reason of its scale, siting and design would result in a cramped and congested plot upon the southern boundary and, therefore, the proposal would have an unacceptable impact on the visual amenities and character of the surrounding area, contrary to Core Policy 57, criteria iii and vi of the Wiltshire Core Strategy and Section 7, paragraph 58 of the National Planning Policy Framework requiring good design.

INFORMATIVE NOTE: The recommendation hereby put forward was made from the following submitted plans: 1166/02B, 1166/05, Scheme 2 upon 1166/04 and 1166/06 dated 03/07/2015.

101 **15/05938/FUL - The Stables, Ashes Lane, Kington Langley, Chippenham**

Public participation:

Mrs Coleman spoke in objection to the application and Gillian Livock spoke in support of her application.

Sue Webb on behalf of Kington Langley Parish Council under the Public Participation item 5 as she had had to leave the meeting earlier.

The Senior Planning Officer introduced the report which recommended that planning permission be granted subject to conditions. The Senior Planning Officer highlighted that an additional condition and informative had been added to officer's recommendation.

The Committee then had the opportunity to ask technical questions

Cllr Howard Greenman spoke in his capacity as the local member.

Issues discussed in the course of the debate included: the planning history of the site and the relevance of previous planning permissions; the changes to the proposal made, and the advice given by the Planning Officers to the applicant; the position of the proposed extension in relation to neighbouring properties and its potential impact; the size and width of the proposals and how they differ to previously permitted applications; how drainage issues on the site would be dealt with by condition and land drainage consent; that conservation area consent is not required; the access to the site; the views of the consultees; the materials proposed to be used; the views of the Highways Officers that they had no objection to the application; the impact of the proposals on the Conservation Area;

Councillor Toby Sturgis proposed, subsequently seconded by Councillor Peter Hutton, that the Committee should refuse the application as per the officer's recommendation detailed in the report and the late observation.

Having been put to the vote, the meeting;

Resolved that planning permission be granted subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

- 3. No external stonework shall be constructed on site, until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 4. No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity.

- 5. Notwithstanding the provisions of the Town and Country Planning**

(General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 6. The development hereby permitted shall be carried out in accordance with the following approved plans: barn proposed elevations (Drwg 3) dated 17th June 2015 and Drwg 2260/08 dated 23rd July 2015 and Drwg 01A proposed layout plan dated 2nd September 2015**

REASON: For the avoidance of doubt and in the interests of proper planning.

- 7. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until the approved scheme has been fully implemented.**

REASON: To ensure the development is adequately drained.

INFORMATIVES TO APPLICANT:

- 8. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.**
- 9. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.**
- 10. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**
- 11. Please note that Council offices do not have the facility to receive materials samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.**

12. It would appear that works to pipe a watercourse have been undertaken and a formal Land Drainage Consent application and approval is required. Application forms and guidance can be found on the Council's website.

102 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 3.52 pm)

The Officer who has produced these minutes is Fiona Rae, of Democratic Services, direct line 01225 712681, e-mail fiona.rae@wiltshire.gov.uk.

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 7 OCTOBER 2015 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Chuck Berry, Cllr Howard Greenman, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, and Cllr Jacqui Lay (Substitute)

Also Present:

Cllr Alan MacRae

103 Apologies

Apologies for absence were received from Cllr Christine Crisp who was substituted by Cllr Jacqui Lay.

104 Minutes of the Previous Meeting

The minutes of the meeting held on 16 September 2015 were presented.

Resolved:

To confirm as a true and correct record the minutes of the meeting held on 16 September 2015.

105 Declarations of Interest

There were no declarations of interest.

106 Chairman's Announcements

The Chairman announced that, following the full Council meeting on 29 September 2015, Cllr Ernie Clark was now a full member of the Committee and Cllr Howard Marshall was no longer a member of the Committee.

107 Public Participation and Councillors' Questions

The Committee noted the rules on public participation.

108 **Planning Applications**

109 **15/07077/FUL - Former Garage Site, To The Rear of No's 41-45 Queens Avenue, Corsham, Wiltshire, SN13 0DX**

Terri Penny spoke in support of the application.
Colin Payne and Jeremy Du Toit spoke in opposition to the application.

The Planning Officer introduced the report which recommended that authority to grant planning permission be delegated to the Area Development Manager, subject to the signing of a Section 106 agreement and conditions. The application was for the erection of six semi-detached dwellings with associated garden, amenity space and parking, following the demolition of existing garages.

The Planning Officer drew attention to late items. Some of the concerns raised related to the ownership of the land. Following clarification with the applicant and the receipt of the title deeds, it was confirmed that the applicant did own the land.

It was explained that the existing garages had, until recently, provided rentable storage for local residents. The proposals were simple but well designed with detailing such as sills and lintels. The proposed materials were of a good quality and the application was to provide 30% affordable housing.

The Committee then had the opportunity to ask technical questions and it was confirmed that it was possible to add details of signage to Condition 4 of the officer recommendation. It was hoped that this would reduce some concern relating to the narrow street entrance. The Planning Officer clarified that any vehicle parking on the site would be at the discretion of the landowner and that any unauthorised parking would be a civil matter. It was explained that the parking provision for the site met Wiltshire Council standards.

Members of the public then addressed the Committee as detailed above.

The Planning Officer responded to comments from the public and confirmed that the Highways Authority had raised no objection to the circulation within the site. It was also confirmed that there were no objections from the Highways Safety Team and that local residents could submit an application for double yellow lines to prevent parking on the bend by approaching their local councillor or town council. It was explained that the Wiltshire Council parking requirements were met and that the applicant had provided evidence to show that a significant number of the rented garages were not in use. As the site was private land, there was no right to park and, as such, no displacement of vehicles in the area.

The Planning Officer also explained that concerns about refuse collection had been raised with the Waste Collection Team. It was noted that the refuse

collection vehicles were not permitted to use the private road and that refuse should be collected from the front of the properties. It was highlighted that an area of hardstanding would be provided by the applicant fronting onto Queen's Avenue for refuse collection and that the Waste Collection Team consider the suggested refuse collection point to be appropriate.

The local member, Cllr Alan MacRae, explained that he had been contacted by a number of local residents regarding the safety of the proposal. It was highlighted that the main access for the estate was located on the A4. This road was a main route to a primary school and the site of a recent road traffic collision. The local member also raised concerns that the provision of hardstanding on Queen's Avenue was insufficient for the number of bins likely to be stored there.

In the debate that followed, the Committee considered issues of highway safety, the existing garages, and the response from the Highway Safety and Waste Collection Teams.

Resolved:

To DELEGATE authority to grant planning permission to the Area Development Manager, subject to the signing of a s106 agreement; and subject to planning conditions, including the addition to Condition 4, as set out below:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. No dwelling shall be occupied until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.**

REASON: In the interests of the character and appearance of the area.

- 3. No railings, fences, gates, walls, bollards and other means of enclosure shall be erected in connection with the development hereby permitted until details of their design, external appearance and height have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.**

REASON: In the interests of visual amenity and the character and appearance of the area.

4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- **location and current canopy spread of all existing trees and hedgerows on the land;**
- **full details of any to be retained, together with measures for their protection in the course of development;**
- **a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
- **all hard and soft surfacing materials;**
- **details of signage;**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6. No development shall commence on site until details of the bricks & roof tiles to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and/or [DELETE as appropriate] the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in

the interests of visual amenity and the character and appearance of the area.

7. No part of the development hereby approved shall be occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

8. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

9. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

10. The dwelling(s) hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate for it has been issued and submitted to, and approved in writing by, the local planning authority certifying that Code Level 4 has been achieved.

REASON: To ensure that the objectives of sustainable development set out Policy CP41 of the Wiltshire Core Strategy are achieved.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C, D & E shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

12. The development hereby permitted shall be carried out in accordance with the following approved plans:

5096 P01 Rev A

P01

P03

P04

P05

Received 17 July 2015

REASON: For the avoidance of doubt and in the interests of proper planning.

13. INFORMATIVE TO APPLICANT: The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

14. INFORMATIVE TO APPLICANT: The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

15. INFORMATIVE TO APPLICANT: Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

110 **15/03266/FUL - Land off Shirehill Lane, West Kington, Chippenham, Wiltshire, SN14 7AR**

David Pearce spoke in support of the application.

Suzanne Holdem spoke in opposition to the application.

Cllr David Kerr, Nettleton Parish Council, spoke in opposition to the application.

The Planning Officer introduced the report which recommended that planning permission be granted subject to conditions. The application was for the erection of a general purpose agricultural building. It was explained that the

Committee had considered the application at the meeting on 5 August 2015 and that it had been deferred in order to obtain further information on highways movements, current and proposed agricultural works, and the cross-section of the bund and height of the building. This information had been provided to officers and there was no objection from Highways Officers at Wiltshire Council or South Gloucestershire Council.

Attention was drawn to the late items and it was also highlighted that the proposed access was considered appropriate by Highways and that there were no objections from the Cotswolds Conservation Board.

The Committee then had the opportunity to ask technical questions. It was noted that the applicant proposed to store grain on nearby land during the harvest period and the exact meaning of 'nearby land' was enquired. The Planning Officer explained that this reference was part of the applicant's submission and was unable to confirm the exact meaning. However, it was clarified that the applicant had provided an idea of the loads and that no objection had been raised by Highways.

Members of the public then addressed the Committee as detailed above.

The Planning Officer responded to comments from the public and it was confirmed that the reference to 'nearby land' could be removed from the officer report. It was highlighted that the Highways Teams from Wiltshire and South Gloucestershire considered the site access to be suitable.

Cllr Toby Sturgis spoke on behalf of the local member, Cllr Baroness Scott of Bybrook OBE, and highlighted that there would be increased traffic in the area during the construction phase. It was suggested that the effect of this traffic could be minimised if the applicant were required to submit a construction method statement. It was also highlighted that local highways issues could also be processed through Area Boards and the Community Area Transport Groups (CATGs). Concern was also expressed regarding the potential planting of silver birch trees in the area as these were not natural to the area. It was suggested that, should the Committee be minded to approve the application, it should encourage a more native tree to be considered by the applicant.

In the debate that followed, the Committee considered the suitability of the road and relevant junctions for agricultural vehicles. An additional condition was proposed and seconded requiring the applicant to submit a Construction Method Statement to the Local Planning Authority. An additional informative was also proposed and seconded to ask the applicant to ensure all employees and contractors using the barn were made aware of the sensitivity of the area and their responsibility to respect local residents and users of the local highway network.

The Committee also addressed the planting proposed on the site and an amendment to Condition 4 was proposed and seconded to require some

planting of native species and evergreen in the scheme of hard and soft landscaping.

Some members also drew attention to need to support the local farming community and hoped that the additional conditions and informatives would mitigate any negative impact on the landscape.

Resolved:

To DELEGATE authority to grant planning permission to the Area Development Manager, subject to the signing of a s106 agreement, and subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 3. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.**

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-**

- location and current canopy spread of all existing trees and hedgerows on the land;**

- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities; Planting shall be native species typical of the area some of which shall be evergreen;
- finished levels and contours;
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6. No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the proper management of the landscaped areas in the interests of visual amenity.

7. The development hereby permitted shall not be first brought into use until the access measuring 5m in width for the first 15m, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). Any gate will be required to be set back 15m and be made to open inwards. The access will be required to drain away from the highway and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

8. No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres to the West and 43 metres to the East from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

9. The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

Application Form
Supporting Statement
LDC.1900_001 Location Plan
LDC.1900_002 Site Plan
LDC.1900_004 Proposed Building Plan
LDC.1900_005 Proposed Elevations
Received on 07/04/2015.

LDC.1900_003A Proposed Site Plan
LDC.1900_006 Section AA & BB
Received on 19/08/2015

REASON: For the avoidance of doubt and in the interests of proper planning.

10. No development shall commence on site, until a Construction Method Statement, which shall include the following:
 - (a) the parking of vehicles of site operatives and visitors;
 - (b) loading and unloading of plant and materials;
 - (c) wheel washing facilities;
 - (d) Construction traffic and construction delivery vehicle and waste removal route;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

11. INFORMATIVE TO APPLICANT: Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

12. INFORMATIVE TO APPLICANT: The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

13. INFORMATIVE TO APPLICANT: Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

14. INFORMATIVE TO APPLICANT: Please note that all active bird nests are protected under the Wildlife and Countryside Act (1981); this permission does not override that legal protection. If vegetation clearance is to be carried out during the breeding bird season (March – August inclusive) it is recommended that the area be carefully checked for active nests prior to commencement of works. In the event that an active nest is identified, vegetation removal should be suspended until such time as the breeding attempt is complete.

15. INFORMATIVE TO APPLICANT: The site owner should ensure that all employees and contractors using the barn are made aware of the

sensitivity of the area and their responsibility to respect local residents and users of the local highway network.

111 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.15 pm)

The Officer who has produced these minutes is Fiona Rae, of Democratic Services, direct line 01225 712681, e-mail fiona.rae@hotmail.co.uk.

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NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 28 OCTOBER 2015 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Chuck Berry, Cllr Terry Chivers, Cllr Ernie Clark and Cllr Howard Greenman

Also Present:

Fiona Rae, Cllr Baroness Scott of Bybrook O.B.E, Lee Burman, Mark Staincliffe, Vicky Roberts and Cllr Bob Jones MBE

112 **Apologies**

Apologies for absence were received from Cllr Chris Hurst.

113 **Minutes of the Previous Meeting**

The minutes of the meeting on 7 October were presented and, subject to the amendment that 'Cllr Howard Marshall was no longer a member of the Committee' at minute no.106, it was:

Resolved:

To confirm as a true and correct record the minutes of the meeting held on 7 October 2015.

114 **Declarations of Interest**

Cllr Bob Jones MBE declared a disclosable pecuniary interest in respect of item 6a 15/07861/FUL - Meadowpark School, The Old School House, High Street, Cricklade, Wiltshire, SN6 6DD. Cllr Bob Jones MBE explained that he supplied services to Meadowpark School and noted that he would not speak as local member or participate in any way.

Cllr Howard Greenman declared a disclosable pecuniary interest in respect of item 6c 15/07510/FUL - Hullavington Garage, The High Street 29A, Hullavington, Chippenham, Wiltshire, SN14 6DP. It was noted that Cllr Howard

Greenman would not participate in the debate or the vote for item 6c and would leave the room when it was considered.

115 **Chairman's Announcements**

There were no Chairman's announcements.

116 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

117 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications *** and *** as listed in the agenda pack.

118 **15/07861/FUL - Meadowpark School, The Old School House, High Street, Cricklade, Wiltshire, SN6 6DD**

Andrew Miles, Rajvinder Kular, and James Averies spoke in support of the application.

Nicholas Rose, Richard Sergeant, and Brian Parrish spoke in opposition to the application.

Cllr John Coole, Cricklade Town Council, spoke in objection to the application.

The Planning Officer drew attention to the late observations and introduced the report which recommended that planning permission be refused. The application was for the erection of a building to provide two classrooms. It was explained that the application also proposed an increase in pupils from 48 to 84. It was commented that the school itself and the neighbouring property were both Grade II Listed buildings and located within a conservation area. The Planning Officer highlighted that a parking plan had been provided by the applicant. There was a gravel parking area with 14 spaces, 9 of which were reserved for staff parking, and a tarmacked area providing an additional 12 spaces for use in pickup and dropoff times; this was also used as a school play area during the day.

The Committee then had the opportunity to ask technical questions and it was confirmed that the parking provision met Wiltshire Council standards. The Highways Officer also noted that individual parking bays could be defined in a gravelled area using a plastic grid and inserts. It was highlighted that the gravelled area was under the control of Meadowpark School and, as such, any irregular parking could likely be monitored and rectified. It was also clarified that the site was considered to have a medium probability of flooding and had been categorised as a flood zone 2 area by the Environment Agency.

The Highways Officer clarified that the proposal complied with Wiltshire Council parking requirements but that it was not possible to force parents to use to allocated dropping off and setting down points. It was also commented that the current Travel Plan required the school gates to be locked during the day but, if the Committee were minded to grant planning permission, a renewed Travel Plan would likely require the gates to be kept open during the day.

The Planning Officer advised that the building in question did not reflect a historic burgage plot, due to its width being wider than a traditional burgage plot. It was advised that there may be the potential to reduce the width to that of a burgage plot.

Members of the public then addressed the Committee as detailed above.

The Highways Officer clarified that some highways concerns raised could be addressed through other enforcement avenues. It was explained that a planning application could only be refused if the effect on the network was severe which was not the case for this application. The Planning Officer also clarified that the scale of the building was roughly twice the size of the existing building in terms of width but similar in terms of height.

Councillor Peter Hutton proposed, subsequently seconded by Councillor Toby Sturgis, that permission be delegated to officers to grant permission. Following advice from the officers, the proposer and seconder agreed that the permission should subject to the agreement of an appropriate Travel Plan.

In the debate that followed, the Committee recognised that Meadowpark, as an Outstanding school, was an asset to the local community area and advocated consultation between the school and town council to address highways issues. Some members commented that highways and parking issues were probably the most contentious issue at most primary schools in the country. The Committee highlighted the importance of an updated Travel Plan and expressed a desire to see a delineation of parking spaces on the gravelled parking provision.

It was noted that issues of sewerage and flooding had been considered acceptable by external consultees. It was also considered that the proposed development would not result in significant harm to the character and appearance of the Cricklade Conservation Area, the setting of the adjacent Listed Buildings, and the open landscape from the River Thames.

The Committee considered the benefits of the development in terms of educational provision compared with the potential harm identified and considered the expansion of the school to be justifiable.

Following a vote, the meeting;

Resolved:

To DELEGATE authority to the Area Development Manager to grant planning permission subject to the agreement of an appropriate Travel Plan and the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan – Received 11 August 2015

Block Plan – LPC,2529,15,01 – Received 11 August 2015

Parking Plan – LPC,2529,15,03 – Received 11 August 2015

Proposed Elevations – LPC,2529,15,02A – Received 9 October 2015

Travel Plan – Reference TBC

REASON: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence on site until details of the external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4. No part of the development shall be brought into use until the water butt shown on plan reference LPC,2529,15,02A has been erected at the site, in accordance with the approved plans. Thereafter, the drainage system shall be maintained to be operational at all times.

REASON: To ensure that the development is provided with a satisfactory means of drainage.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order with or without modification), no foul water drainage systems shall be installed within the building hereby approved without prior written consent by the Local Planning Authority.

REASON: To ensure that the development is provided with a satisfactory means of foul drainage within an area liable to flooding.

6. The operation of the parking and traffic management at the site shall be undertaken strictly in accordance with the details approved in Travel Plan (reference TBC). No alteration to operation of the parking and traffic management at the site shall be undertaken at the site without prior written consent by the Local Planning Authority.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

7. The capacity of the school shall be limited to a maximum of 84 pupils and related staff.

REASON: In the interests of road safety and reducing vehicular traffic to the development

8. No development shall commence on site until details of any required means to access to the building by disabled users have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the building is accessible by all.

119 **15/08926/FUL - The Paddocks, Grittleton, Chippenham, Wiltshire, SN14 6AL**

Simon Chambers spoke in support of the application.

The Planning Officer introduced the report which recommended that planning permission be granted subject to conditions. The application was for the erection of a replacement dwelling. The proposal was to build a replacement dwelling for the existing structure on the site that had been granted a Certificate of Lawfulness for use as a dwelling on 30 June 2015. It was noted that the replacement dwelling was larger but was considered to be a high quality design. The proposal invoked a contemporary approach and used modern materials.

The Committee then had the opportunity to ask technical questions and the Planning Officer explained that the level of amenity space on the site was considered to be acceptable under central government guidance and local polices (Core Policy 57 of the Wiltshire Core Strategy).

It was noted that, under s.191 of the Town and Country Planning Act 1990 and s.4 of the Planning and Compensation Act 1991, any building that has been used as a residential dwelling for an uninterrupted period of four years was immune from enforcement action. It was confirmed that Wiltshire Council's Legal team had been involved in this matter and that, in accordance with the legislation, it was considered that, on the balance of probabilities, the land subject to the Certificate of Lawfulness application had been in residential (C3)

use for an uninterrupted period of four years or more. It was also explained that, the details of the property had been passed on to the Council Tax team who would take further actions as necessary; this was standard procedure on the grant of a Certificate of Lawfulness. It was also clarified that the mobile home identified in pictures of the site constituted operational development and that the Certificate of Lawfulness covered both the log cabin and the mobile home.

The planning officer explained that certificates of lawful existing use were considered on the balance of probabilities on the evidence submitted and the evidence held by the Council. In considering these applications local and national planning policies could not be taken into consideration.

The Planning Officer confirmed that the proposed roof was to be made of zinc which was of a good quality and, with sufficient insulation, would be sufficient to reduce noise caused by rainfall. It was also clarified that the same access served all the buildings on the site and that all land was under the ownership of one individual.

Members of the public then addressed the Committee as detailed above.

The Planning Officer responded to comments from the public.

The local member, Cllr Baroness Jane Scott, OBE, noted that the site in question was located on the edge of two parish council boundaries and expressed concerns about the process of consultation with parish councils for the Certificate of Lawfulness. The local member urged consultation with all proximate parish councils where future proposals were near to parish council boundaries. Concern was also expressed about the design of the proposal and its effect on the Area of Outstanding Natural Beauty (AONB).

The Planning Officer explained that the Localism Act 2011 gave Local Authorities more authority in enforcement terms but it was noted in the case officer report that there was not a clear case for positive deception. It was also explained that if officers identified unlawful developments when visiting a site their colleagues in planning enforcement were notified and formal investigations were undertaken. However, it was noted that all previous applications on this site had occurred in excess of four years' ago and, as such, it had not been apparent that the unlawful development had not been undertaken at this stage.

The Legal Officer clarified that there was no statutory requirement to consult with parish councils for Certificates of Lawfulness, although it may be considered to be reasonable this is set out in Annex 8 to Circular 10/97, as superseded by paragraph 8, Lawful Development Certificates, of the Planning Practice Guidance.

Councillor Terry Chivers proposed, subsequently seconded by Councillor Peter Hutton, that the permission be granted in accordance with the officer's recommendation.

In the debate that followed, the Committee expressed concern about the size of the replacement dwelling. Some members of the Committee also commented that the proposal did little to enhance the Area of Outstanding Natural Beauty (AONB).

The Committee recognised that, in this instance, a Certificate of Lawfulness had been granted and that, although some members expressed concerns about the design of the proposal, the application constituted an improved building and thus conformed with saved policy H4 of the North Wiltshire Local Plan but requested that permitted development rights for further extensions and out buildings was removed. Officers confirmed that the case officer report included such a condition.

Following a vote, the meeting;

Resolved:

To GRANT planning permission, subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:**

Site Location Plan, LPC/3630/EX/1A, LPC/3630/EX/2, LPC/3630/SD1/1A, LPC/3630/SD1/2A and LPC/3630/SD1/3 registered by the LPA on 10 September 2015.

- 3. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without**

modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

6. **INFORMATIVE TO APPLICANT:** Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
7. **INFORMATIVE TO APPLICANT:** The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.
8. **INFORMATIVE TO APPLICANT:** Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

Admin Note: Cllr Howard Greenman left the meeting at this point owing to his disclosable pecuniary interest in item 6c.

120 **15/07510/FUL - Hullavington Garage, The High Street 29A, Hullavington, Chippenham, Wiltshire, SN14 6DP**

John Welch, Andy Rowell, and Dudley Hewitt spoke in support of the application.

Tim Rothwell spoke in opposition to the application.

Cllr Maggie Bawden, Hullavington Parish Council, spoke in relation to the application.

The Planning Officer introduced the report which recommended that planning permission be refused. The application was for ancillary accommodation to a garage, shop, and Post Office. The Planning Officer noted that the site was situated on a corner plot between The High Street and Frog Lane and was not in a conservation area. It was also explained that there were concerns relating to the impact of the proposal on the neighbouring property at No. 29 High Street. It was considered that the proposal would significantly enclose the rear garden of the neighbouring property and result in significant harm to residential amenity from loss of light.

There were no technical questions.

Members of the public then addressed the Committee as detailed above.

The Planning Officer responded to comments from the public and explained that there was no evidence to directly demonstrate that the Post Office would shut unless this accommodation was provided. It was stressed that the current application was to be considered in terms of the impact to neighbouring properties and the streetscene.

The local member, Cllr Baroness Scott, OBE, explained that Hullavington Parish Council had supported the application in principle to protect the local shop and garage but that some concerns remained; these were addressed in the agenda pack. The local member expressed sympathy for the protection of local services but noted that there might be an alternative option for development that had a reduced impact on the neighbouring property.

In the debate that followed, the Committee discussed the impact of the proposal on the amenity space and loss of light to the neighbouring property.

Cllr Toby Sturgis proposed, subsequently seconded by Cllr Peter Hutton, that planning permission be granted subject to standard conditions and an additional condition relating to the materials used on the wall facing the neighbouring property. Having been put to the vote, the motion was not passed.

The Committee considered the proposal to have an unacceptable impact on the light to, and amenity space of, the neighbouring property. It was also suggested that an alternative design might be able to achieve a balance between the community need for local services and the amenity and light to the neighbouring property, No. 29 High Street.

Cllr Terry Chivers proposed, subsequently seconded by Cllr Ernie Clark, that the application be refused in accordance with the officer's recommendation.

Following a vote, the meeting;

Resolved:

To REFUSE planning permission for the following reason:

1. The proposed development would, by reason of its height, length of projection along the rear boundary line of the adjoining dwelling and orientation result in an unacceptable loss of light to the occupiers of the dwelling of No.29 High Street and an unacceptable loss of light, overshadowing and sense of enclosure to the amenity space of the same unit. Therefore, the proposal is contrary to Core Policy 57 vii of the Wiltshire Core Strategy.

121 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 5.25 pm)

The Officer who has produced these minutes is Fiona Rae, of Democratic Services,

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

NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 9 DECEMBER 2015 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Mollie Groom, Cllr Chris Hurst, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Chuck Berry, Cllr Terry Chivers, Cllr Howard Greenman, Cllr Jacqui Lay (Substitute) and Cllr Howard Marshall

122 Apologies

Apologies were received from Cllr Christine Crisp. It was noted that Cllr Crisp would substituted at the meeting by Cllr Jacqui Lay.

It was noted that, following the decision of Council made on the 25th November, Cllr Howard Marshal was now a member of the NAPC, and that Cllr Ernie Clark was now a substitute only.

123 Minutes of the Previous Meeting

The minutes of the meeting held on 28 October 2015 were presented.

Resolved:

That the minutes of the meeting held on the 28 October 2015 be approved as a true and correct record for signing by the Chairman.

124 Declarations of Interest

There were no declarations of interest.

125 Chairman's Announcements

There Chairman drew the meeting's attention to the following matters: The evacuation procedures; the procedure for public participation; and the policy on recording and broadcasting of meetings.

126 Public Participation and Councillors' Questions

The Committee noted the rules on public participation, and that there were no questions submitted.

127 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting, circulated at the meeting and as an agenda supplement, in respect of application 6a – 15/04763/FUL as listed in the agenda pack.

128 **15/04763/FUL - Parsonage Way, Chippenham, Wiltshire**

The Case Officer outlined the report that recommended that the application be approved subject to conditions. The officer made reference to the late observations summarised by the officers, and how the issues raised had been responded to.

Reference was also made to some additional late submissions made by members of the public; the officer noted that he had not had sufficient time to consider the implications of this additional late information.

In the course of his presentation, the officer confirmed: that the proposed Bund would be 3m high; that legal advice had been given confirming the officers recommendation on the Environmental Impact Assessment Screening Opinion requirements, in that the application could be considered independently and therefore did not meet the tests established by case law as to requirements for a screening opinion; and that progress of the Chippenham Sites Development Plan Document did not hinder the consideration of this application.

In response to questions from the Committee, the officer stated: that he did not believe there were any concerns with regard to utilities; and that they had no representation from colleagues in the Property Team with regard to this application.

Edward Barham, Robert Whitrow and Robert Woodward spoke in objection to the application; and Ian Jewson spoke in support of the application. Cllr David Mannering spoke on behalf of Langley Burrell Parish Council.

Cllr Howard Greenman spoke in his capacity as the local member, and also made representations on behalf of Cllr Chris Caswill, the local member for the ward neighbouring the proposal.

Issues discussed in the course of the presentation and debate included: the proposed car park and storage area; the current agricultural use of the land and its position outside the settlement boundary; the vegetation currently on the site; the access arrangements to the site, and the views of the highways officer; the design and operation of the lighting, and the impact of this on the visual aspect; the size, scale and composition of the bund; the changes made at the request of landscape and conservation officers including extension to the length of the bund and the mix of types of trees; the proximity of the proposals to listed buildings and the conservation area; how the potential employment benefits arising from the proposal could be balanced against any possible negative

impacts; the views of the conservation officers; how drainage, ecological and archaeological matters are to be addressed; the potential impact of the proposals on residential amenity, and the distance of the proposals to other properties; how the proposals accord with planning policies including CP34; the proposals to extinguish and divert an existing right of way; the implications of additional industrial noise, and the steps that could be taken to mitigate; the traffic movements and their impact; the operating hours and how these are conditioned; and the consultation undertaken, and the views of local residents and groups.

Cllr Peter Hutton proposed, subsequently seconded by Cllr Toby Sturgis, that the officers recommendation that planning approval be accepted.

Having been put to the vote, the meeting;

Resolved

That planning permission be approved subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:**
 - C14930 - C001 Revision D Surface Water Drainage Strategy**
 - 683-01D Landscape Proposals Received 26/08/15**
 - CHIP PH2/FOOT Footpath Diversion**
 - CHIP PH2/RED Site Location Plan**
 - CHIP PH2/OFF Office and WC Layout**
 - CHIP PH2/TOPO Topographical Survey**
 - 14930/AT01 B Swept Path Analysis Received 20/05/2015**
 - Design and Access Statement**
 - Ecological Survey**
 - Flood Risk Assessment**
 - Ground Investigation Report**
 - Lighting Report**
 - Tree Constraints Report**
 - Archaeology Assessment**
 - Transport Statement Received 20/05/2015**
 - Archaeological Investigation Received 22/10/2015**

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3. Prior to the commencement of the development hereby permitted details of proposed ground levels on the site shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the agreed details. Details can be submitted and approved in phases for identified parts of the site/development hereby permitted.**

REASON: In the interests of visual amenity.

- 4. No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

- 5. The development hereby permitted shall not be first brought into use until the approved [sewage disposal] [drainage] works proposed have been completed in accordance with the submitted and approved details.**

REASON: To ensure that the development is provided with a satisfactory means of drainage.

- 6. The floodlight(s) hereby approved shall not be illuminated outside the hours of 05:00am in the morning and 11pm in the evening from Mondays to Sundays. The floodlights shall not be illuminated at any time on Bank or Public Holidays.**

REASON: To minimise the impact of the floodlight(s) and in the interests of the amenity of the area.

- 7. The B8 Stockyard use hereby permitted (excluding the use of the staff car park) shall only take place between the hours of 05:00am in the morning and 11pm in the evening from Mondays to Sundays. The use shall not take place at any time on Bank or Public Holidays.**

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

8. The site shall be used for B8 Storage and Distribution and for no other purpose (including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

9. No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following: -
 - A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
 - A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2012
 - A schedule of tree works conforming to BS3998.
 - Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
 - Plans and particulars showing the siting of the service and piping infrastructure;
 - A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
 - Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
 - Details of all other activities, which have implications for trees on or adjacent to the site.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

- 10.** No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: In the interests of the amenity of the locality.

- 11.** Prior to the commencement of development submit detailed design proposals for the approval of the LPA for the construction of the eastern road access and culverted watercourse. Submitted information shall include full details of trees and areas of shrub which will require removal; The route alignment and specification of temporary tree protection fencing in relation to retained trees; Details of existing, and proposed levels; Detailed cross sections through the proposed access road embankment and watercourse culvert; Full planting details to include proposed location and specification of; seed mix, shrubs and trees.

REASON: In the interests of the visual amenity of the area.

- 12.** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the land or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, commencing from the date of notified completion of the approved landscaping scheme to the LPA, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the B8 Stockyard development and excluding the car park hereby approved being first brought into use or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 13.** A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP

shall include, but not necessarily be limited to, the following information:

- a) Description and evaluation of features to be managed;
- b) Landscape and ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over an (5) year period;
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures;
- i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

14. Notwithstanding the submitted details the lighting columns and head covers shall be finished in a matt mid grey colour and maintained as such thereafter.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

15. The development hereby permitted shall not be first brought into use until the accesses have been constructed in accordance with details submitted to, and approved in writing by, the Local Planning Authority. The accesses shall be maintained as such thereafter.

REASON: In the interests of highway safety.

16. No development shall commence within the area indicated [top part of the southern field (trenches 5 and 6) Context One Archaeological Field Evaluation Dated 22/10/2015] until:

- a) further archaeological recording (strip, map and record excavation) of this area has taken place and a report of the process and findings has been submitted to and approved by the Local Planning Authority.

REASON: To enable the recording of any matters of archaeological interest.

INFORMATIVES:

WP6 ALTERATIONS TO APPROVED PLANS

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

WP12 DIVERSION OF RIGHTS OF WAY

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact the PROW officer on 01225 713392.

WP13 PUBLIC SEWERS

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

WP17 COST OF BUILDING RECORDING/ARCHAEOLOGICAL WORK

The applicant should note that the costs of carrying out a programme of archaeological investigation and recording will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred.

WP18 PERMISSION NOT AUTHORISING WORK ON LAND OUTSIDE THE APPLICANT'S CONTROL & PARTY WALL ACT

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

WP19 BADGERS ACT

The applicant should note that there may be badger setts in the vicinity of the site, and as a consequence compliance with certain requirements and provisions of the Badgers Act 1991 may be necessary. If this is the case the applicant is advised to contact Natural England who are responsible for issuing licences relating to development on the site of badger setts.

WP20 WILDLIFE AND COUNTRYSIDE ACT

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any **protected species**, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced **ecologist** and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's **website** for further information on protected species.

WP21 WORKS TO HIGHWAY – CONSENT REQUIRED BY HIGHWAY AUTHORITY

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

WP31 MATERIAL SAMPLES

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

There were no urgent items.

(Duration of meeting: 3.00 - 4.01 pm)

The Officer who has produced these minutes is Fiona Rae, of Democratic Services,
direct line , e-mail

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

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 27 JANUARY 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Chuck Berry, Cllr Howard Greenman and Cllr Howard Marshall

1 Apologies

There were no apologies for absence.

2 Minutes of the Previous Meeting

The Chairman presented the minutes of the previous meeting and noted that Cllr Ernie Clark was now a substitute member of the Committee and this would be reflected on future agendas.

Resolved:

To approve as a true and correct record the minutes of the meeting held on 9 December 2015.

3 Declarations of Interest

There were no declarations of interest.

4 Chairman's Announcements

There were no Chairman's announcements.

5 Public Participation and Councillors' Questions

The Committee noted the rules on public participation.

6 Planning Applications

7 **15-05255 109 & Foxlea, Gloucester Road, Malmesbury, Wiltshire, SN16 0BT**

Martin Spooner, John Gundry and Jessica Branton spoke against the application.

Chris Geddes spoke in support of the application.

Cllr Roger Budgen (Malmesbury Town Council) spoke against the application.

The planning officer introduced the report which recommended to delegate authority to the Area Development Manager to grant planning permission subject to the signing of a Section 106 agreement and the conditions and informatives, as amended by the late observations, outlined in the report. The application was for the demolition of existing dwellings and redevelopment to build 26 sheltered apartments for the elderly; photographs of the site and neighbouring buildings were shown. The officer highlighted on the plans that the existing lay-by would be extended as a result of the development and the design was in a contemporary style, as supported by the Conservation Officer. It was noted that concerns had been raised by the public and Town Council in relation to highways matters and drainage, however the Planning Authority's statutory consultees on these matters had raised no concerns, subject to the proposed conditions. Attention was drawn to the late observations which amended proposed condition number 26

The Committee was invited to ask technical questions and it was confirmed that the waiting restrictions from the existing lay-by would continue on the extended lay-by, therefore prohibiting parking. Roger Witt, Senior Highways Engineer, confirmed that he considered the proposed parking onsite to be adequate, since occupants of this type of accommodation were generally aged over 75 and therefore car ownership would be low. Parking had been set aside for electric buggies on site. The Case Officer confirmed that the Environment Agency and other statutory consultees on flooding and drainage had raised no concerns, subject to conditions.

Members of the public were then invited to speak as detailed above.

Local member, Cllr Simon Killane, was not able to attend the meeting, the Chairman raised concerns on his behalf in relation to: highways safety, insufficient resident and visitor parking, flooding and drainage, a design inappropriate to the street scene and the need for a Construction Method Statement.

Following the statements, the planning officer advised that a Construction Method Statement was required by way of condition. The Highways Engineer verified that the extension of the lay-by would not result in a loss of two existing parking spaces and the lay-by would prevent parking by way of double yellow lines, leaving it free for service vehicles. It was explained that the applicant had submitted surveys from similar sites to show that the average demand for parking at this type of dwelling was lower than proposed for this site. Officers highlighted that they did not have concerns over parking provision and that refuse collection and deliveries could be serviced from the layby. The planning officer advised that condition 15 related to floor levels and the building would be above the flood level. A drainage strategy would be required, should permission be granted, this would address issues such as permeable surfaces. It was noted that the Council's open space team considered the amenity space to be adequate. Officers emphasised that the contemporary design was proposed to allow a lower, less bulky site and the Conservation officer was in agreement.

In the debate that followed, many councillors expressed concern that there would be inadequate parking for residents, visitors and service vehicles entering the site as a result of the development. Other members commented that the proposal was not for an Extra-Care facility and therefore would not have many service vehicles visiting. Another point raised was that potential buyers would be aware that parking was at a premium and so would not purchase the properties should they need a parking space. It was explained that neighbour concerns about inappropriate parking on their land was not a planning consideration. Councillors differed in opinion about whether the design of the building was appropriate to the street scene and it was suggested that a more traditional design would be more appropriate. Other members were concerned about an increased flood risk as a result of the development.

The planning officer confirmed that all sites proposed for parking were within the boundary of the applicant's land.

Cllr Hutton, seconded by Cllr Sturgis, moved the officer's recommendation with the addition of an informative recommending that one of the parking spaces provided be allocated for service vehicles only. The motion was put to the vote and failed.

The Committee supported the principle of development on site however some councillors did not consider the proposal before them to be suitable redevelopment. Following a question from the Committee, officers advised that the application should be determined at Committee that day and that refusing the application on the grounds of highways and drainage concerns would not be defensible since the planning authority's consultees on these matters had raised no objections to the development. The size and scale of the development was discussed and it was suggested that the development would be more in-keeping with the locality if the design featured more natural stone in the front elevation. Members acknowledged that further parking could not be required by way of condition and expressed disappointment in the number of parking spaces provided.

Cllr Hutton, seconded by Cllr Sturgis, moved the officer's recommendation with the addition of informatives recommending that one of the parking spaces provided be allocated for service vehicles only and that building materials be adjusted to be more in-keeping with the local area, using Cotswold stone where suitable. The motion was put to the vote and passed.

The Committee requested that the additional informative on building materials be stressed to the applicant.

Resolved:

To delegate authority to the Area Development Manager to grant planning permission subject to the signing of a Section 106 agreement and the following conditions and informatives:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No part of the development hereby permitted shall be occupied until the access, layby, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

3. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4. No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

5. No development shall commence on site (including any works of demolition), until Construction Method Statement, which shall include the following:
 - a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;
 - c) storage of plant and materials used in constructing the development;
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - e) wheel washing facilities;
 - f) measures to control the emission of dust and dirt during construction;
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - h) measures for the protection of the natural environment.
 - i) hours of construction, including deliveries;
 - j) proposals for the demolition of existing buildings on site;has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in

an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

6. No part of the development shall be occupied until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area and neighbouring amenities.

7. No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:
 - a) Risk assessment of potentially damaging construction activities
 - b) Identification of 'biodiversity protection zones'
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d) The location and timing of sensitive works to avoid harm to biodiversity features
 - e) The times during construction when specialists ecologists need to be present on site to oversee works
 - f) Responsible persons and lines of communication
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.The CEMP is also required to demonstrate how the following will be prevented:
 - Pollution and physical damage of the River Avon and its banks
 - Impacts upon protected species including birds, reptiles and water vole

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details. A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

8. Prior to commencement of development including site clearance, a reptile translocation exercise shall be carried out in accordance with the measures set out in the submitted Phase 2 Reptile Survey report (ECOSA,

dated 27th August) unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

9. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-
- indications of all existing trees and hedgerows on the land;
 - details of any to be retained, together with measures for their protection in the course of development;
 - all species, planting sizes and planting densities to be included in a Planting Specification, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
 - finished levels and contours;
 - means of enclosure;
 - car park layouts;
 - other vehicle and pedestrian access and circulation areas;
 - hard surfacing materials;
 - minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
 - proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
 - retained historic landscape features and proposed restoration, where relevant.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

10. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

11. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority: Step (i) A written report has

been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

12. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of the amenities of the area.

13. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: In the interests of the amenities of the area.

14. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

15. Finished floor levels shall be set no lower than 72.23 metres above Ordnance Datum.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

16. The development permitted by this planning permission shall only be carried out in accordance with the Flood Risk Assessment (Mott MacDonald, Rev A, dated 29 May 2015) and the provision of compensatory flood storage at the site (paragraph 5.5.1).

REASON: To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

17. No part of the development shall be occupied until a Flood Warning and Evacuation Plan has been submitted to and approved in writing by the Local Planning Authority.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

18. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable development and climate change adaptation

19. No development shall take place until a scheme for the provision and management of a five metre wide buffer zone alongside the watercourse shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The schemes shall include:

- plans showing the extent and layout of the buffer zone
- details of any proposed planting scheme (for example, native species)
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- details of any proposed footpaths, fencing, lighting etc.

REASON: To protect and enhance the river environment. This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats

Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

20. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

21. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

22. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

23. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

24. No development shall commence on site until a scheme for the provision of flood compensation volume to cater for loss of flood volume from river and ground water levels which the proposed under and above ground development works would cause, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

25. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

26. The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

27. No development shall commence on site until details of recycling facilities (including location and range of facilities) have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved recycling facilities have been completed and made available for use in accordance with the approved details and they shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

28. The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:
Supporting Stakeholder Engagement Statement by Planning Issues Ltd
Design and Access Statement by Planning Issues Ltd
Affordable Housing Statement by Planning Issues Ltd
Arboricultural Impact Appraisal and Method Statement by Barrell Tree Care
Heritage Statement by Ecus Environmental Consultants
Archaeological Desk-based Assessment by CgMs Consulting
Transport Statement by Mott MacDonald
Sequential Test by Planning Issues Ltd
Landscaping Strategy and Image sheets by UBU
Housing Needs Assessment by David Couttie Associates
Phase 1 Habitat Survey by ECOSA
Desk Study Appraisal by Crossfield Consulting
Received on 29/05/2015
Phase 2 Reptile Survey by ECOSA
Received on 27/08/2015
Flood Risk Assessment by Mott MacDonald
Received on 06/07/2015
Ground Floor Plan - 10075MB PL003 Rev B
First Floor Plan - 10075MB PL004 Rev C
Second Floor Plan - 10075MB PL005 Rev B
Roof Plan - 10075MB PL006 Rev B
Front Elevation - 10075MB PL007 Rev D
North Elevation - 10075MB PL008 Rev D
South Elevation - 10075MB PL009 Rev D
Received on 27/08/2015
Site Plan - 10075MB PL002 Rev B
Received on 12/01/2016

REASON: For the avoidance of doubt and in the interests of proper planning.

29. INFORMATIVE TO APPLICANT:

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the XXXX.

30. INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

31. INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

32. INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

33. INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

34. INFORMATIVE TO APPLICANT:

The application involves the creation of a new dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.

35. INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

36. INFORMATIVE TO APPLICANT:

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws the prior written consent (Flood Defence Consent) of the Environment Agency is required for any proposed works (permanent or temporary) or structures in, under, over or within 8 metres of the top of the bank of the Tetbury Avon, designated a 'main' river. The need for this consent is over and above the need for planning consent. The applicant is

advised to contact Daniel Griffin on 01258 483421 to discuss the scope of our controls.

37. INFORMATIVE TO APPLICANT:

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a total usage level of 110 litres per person per day.

38. INFORMATIVE TO APPLICANT:

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- wheel washing and disposal of dirty water
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

39. INFORMATIVE TO APPLICANT:

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

40. INFORMATIVE TO APPLICANT

The applicant should allocate or keep free one parking space for service vehicles.

41. INFORMATIVE TO APPLICANT

When submitting details to discharge planning condition 2 of the permission there is an expectation that natural local stone, which is a characteristic of the conservation area and town, is used in the approved scheme.

8 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.25 pm)

The Officer who has produced these minutes is Libby Beale, of Democratic Services,
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EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 17 SEPTEMBER 2015 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Richard Gamble, Cllr Paul Oatway, Cllr James Sheppard (Substitute) and Cllr Philip Whitehead (Substitute)

68. Apologies for Absence

Apologies were received from:

Cllr Jerry Kunkler
Cllr Stuart Dobson

Cllr Kunkler was substituted by Cllr Philip Whitehead.
Cllr Dobson was substituted by Cllr James Sheppard.

69. Minutes of the Previous Meeting

Resolved

To approve and sign as a true and correct record the minutes of the meeting held on 27 August 2015.

70. Declarations of Interest

Cllr Paul Oatway declared a non-pecuniary interest in item 7a. Cllr Oatway had shot on land owned by the applicant a number of years ago. Cllr Oatway stated that he had not met the applicant for seven years and would consider the report before him with an open mind.

Cllr Nick Fogg declared a non-pecuniary interest in item 7a. Cllr Fogg had met the applicant previously, but had not discussed the application. Cllr Fogg stated that he would consider the application with an open mind.

71. Chairman's Announcements

There were no announcements.

72. **Public Participation and Councillors' Questions**

None.

73. **Planning Appeals**

None.

74. **Planning Applications**

75. **15/01052/OUT - Land off Rabley Wood View, Marlborough: Residential development and associated works (Resubmission of 14/01766/OUT)**

Public Participation

Mrs Jayne Baker spoke in opposition to the application.

Mr David Backer spoke in opposition to the application.

Elizabeth Cooper spoke in opposition to the application.

Mr Richard Cosker spoke in support of the application.

Mr Jeremy Browne spoke in support of the application.

Mr Will Harley spoke in support of the application.

Cllr Justin Cook spoke in opposition to the application on behalf of Marlborough Town Council.

The senior planning officer introduced the report which recommended that the decision to grant outline planning permission be deferred and delegated to the Area Development Manager subject to the favourable outcome of archaeological investigations and completion of the necessary legal agreements (to include the effective variation of the existing two S52 agreements), and subject to conditions.

Key issues for consideration were noted as including the principle of the proposed residential development, visual impact, highway safety, and residential amenity.

There were no late items.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was clarified that Marlborough was close to meeting its housing requirements, but there was a shortfall in the wider community area. It was noted that Thames Water had not objected to the application, but that they had stated they would require conditions should permission be granted. It was explained that a transport statement was not needed for the application, unless stated by the Highways Officer that one was needed for them to make their response. A management company was noted as being set up to maintain the hedge and open spaces if the application was approved. The multiple use games area (MUGA) was clarified as being an enclosed hard surface area for all-year usage.

In regards to the water meadow it was explained that drainage would be improved to create a suitable area for recreation purposes. The change of use for the water meadow would be dealt with as part of the application. Condition 7 was noted as dealing with the allegations of munitions present in the area.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

A debate followed where the drainage policy was considered, with particular note to the existing water meadow area. Worries were expressed regarding the effect of the drainage from the water meadow. Issues of possible flooding resulting from the removal of the water meadows was discussed, and the possible need for them to be preserved.

The differences between the previous application and the current application were discussed; particular attention was given to the MUGA. The quality of grass on the casual play space, and whether it would be available for all-year usage was considered. Paragraph 74 of the NPPF was referenced, noting the need for a replacement provision to be equivalent or better in terms of quality and quantity and in a suitable location. The effect of the application on highways was also discussed.

Resolved

After a resolution to approve the application in line with the recommendation set out in the report was defeated, the Committee resolved to request the Area Development Manager to prepare a report for consideration at the next meeting setting out possible reasons for refusal for their consideration.

76. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 7.30 pm)

The Officer who has produced these minutes is Adam Brown, of Democratic Services, direct line 01225 718038, e-mail adam.brown@wiltshire.gov.uk

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EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 8 OCTOBER 2015 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Richard Gamble, Cllr Paul Oatway and Cllr James Sheppard (Substitute)

77. Apologies for Absence

Apologies were received from:

Cllr Stewart Dobson
Cllr Jerry Kunkler

Cllr Stewart Dobson was substituted by Cllr James Sheppard.

78. Minutes of the Previous Meeting

Resolved

To approve and sign as a true and correct record the minutes of the meeting held on 17 September 2015.

79. Declarations of Interest

None.

80. Chairman's Announcements

None.

81. Public Participation and Councillors' Questions

None.

82. **Planning Appeals**

The appeals update was received. In particular it was noted that the performance in the area covered by the Eastern Area Planning Committee exceeded the national average.

Resolved

To note the 2015 Appeals Performance Report for the area covered by the Eastern Area Planning Committee.

83. **Planning Applications**

84. **15/01052/OUT - Consideration of Refusal Reasons**

Public Participation

Cllr Mervyn Hall spoke in opposition to the application on behalf of Marlborough Town Council

The Area Development Manager introduced the report which detailed possible reasons for refusal as requested at the previous meeting of the Eastern Area Planning Committee on 17 September 2015. Key refusal reasons were landscape impact; replacement of existing open space; and archaeology.

There were no late items.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was clarified that Action River Kennet (ARK) were entitled to make their own representations to any appeal inspector if an appeal was submitted.. ARK would be able to provide evidence on any reasons they wished to pursue and the Planning Inspector would have to take these into account. It was also explained that at an appeal existing representations received by the Council from all third parties would be sent for the Planning Inspector to consider in addition with any new information that may have been submitted.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

A debate followed where the Committee considered the possible reasons for refusal detailed in the report. Possible reasons for refusal from ARK were also considered.

It was discussed whether the application would have a negative effect on wildlife surrounding the River Og. The ecological survey conducted by Thames Water for a pipeline and by the applicant was considered in reference to this issue.

The issue of replacing existing open space with equivalent open space provision was discussed. Consideration was given to the fact that the existing play area was not previously a water meadow. The Committee debated whether

the recreational space offered in the application was acceptable as a replacement to the existing recreational area.

Resolved

To refuse the application for the following reasons:

- 1. The proposed development is located within the North Wessex Downs Area of Outstanding Natural Beauty, at the interface between the built-up area of Marlborough and the countryside beyond. Government policy, as set out in the NPPF (paragraph 115), is that great weight should be given to conserving the landscape and scenic beauty of this area. The proposed development would conflict with this policy and would have a harmful impact on the landscape of this part of the AONB, through the change of use and associated works required to convert that part of the site lying within the water meadows to casual open space, and through the works required to the landscape screen between the water meadows and the proposed equipped play area and MUGA, which would open up the new housing to direct view from nearby rights of way and would reduce the existing screening of the built-up area that currently enhances the setting of the town at this rural/urban interface. This would conflict with Core Policy 51 of the Wiltshire Core Strategy.**
- 2. The proposed development would result in the loss of the main part of the existing and long established open space and recreational area at Rabley Wood. This existing space provides residents of nearby houses with a valued, safe and accessible area that enjoys open and elevated views of the surrounding landscape of the area of outstanding natural beauty and that enjoys a maturing landscaped boundary that provides a natural form of enclosure at the interface with the countryside beyond. The proposed replacement facilities would be less accessible from many of these houses, and in some cases would involve the crossing of a road to serve the new dwellings, making them less safe and given the greater distance involved, the new area would also have less oversight from existing dwellings. The proposal would therefore fail to meet the requirement in NPPF paragraph 74 in that the loss resulting from the proposed development would not be replaced by equivalent or better provision in terms of a suitable location that enjoys the benefits the current location offers. This would conflict with Core Policy 52 of the Wiltshire Core Strategy, which requires replacement green infrastructure to be equal to or above its current value and quality and that maintains the integrity and functionality of the green infrastructure network.**
- 3. The archaeological assessment submitted with the application has indicated some potential for archaeological remains to be impacted by the proposed development. In these circumstances, it is considered necessary for a field evaluation to be carried out to fully**

assess the potential impact on any heritage asset of archaeological interest, in accordance with paragraph 128 of the NPPF.

85. Urgent items

(Duration of meeting: 6.00 - 6.45 pm)

The Officer who has produced these minutes is Adam Brown, of Democratic Services, direct line 01225 718038, e-mail adam.brown@wiltshire.gov.uk

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

EASTERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING
HELD ON 10 DECEMBER 2015 IN THE WESSEX ROOM - THE CORN
EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.**

Present:

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Stewart Dobson, Cllr Peter Evans, Cllr Richard Gamble, Cllr Jerry Kunkler and Cllr Paul Oatway

Also Present:

Cllr Anna Cuthbert

86. Apologies for Absence

Apologies were received from:

Cllr Nick Fogg

87. Minutes of the Previous Meeting

Resolved

To approve and sign as a true and correct record the minutes of the meeting held on 08 October 2015.

88. Declarations of Interest

None.

89. Chairman's Announcements

It was announced that application 15/07022/FUL had been deferred at the request of the applicant and would be considered by the Council at a later date.

90. Public Participation and Councillors' Questions

None.

91. Planning Appeals

None.

92. **Planning Applications**

93. **15/09105/FUL - Land to the South of Silverlands Road, Rowde, Devizes, SN10 2BF**

Public Participation

None.

The Area Development Manager introduced the report which recommended that the application be approved subject to the Council signing a Unilateral Agreement to ensure the dwellings are delivered as affordable units and retained as such.

Key issues were noted as including principle of development; need for affordable housing; loss of agricultural land; design, layout and impact on residential amenity; visual Impact; and the impact on highway safety.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was asked if the dwellings would be built with ramps, wide doors, and other disability features. Specific comments could not be given on the dwelling's specifications, but it was noted that there were grants available to make the homes more accessible if required.

The divisional member, Cllr Anna Cuthbert, spoke in support of the application. Cllr Cuthbert explained that the majority of residents supported the application as an opportunity for Rowde to provide affordable housing for the elderly. It was noted that the development would free up homes for families. Concerns from residents related to potential parking issues with the local school. She was working with the Parish Council and the school to address these.

A debate followed concerning whether potential age limitations should be included in conditions if the application was approved. It was discussed whether this would exclude people outside of the age limits who could otherwise have a genuine need for the dwellings.

Resolved

To grant planning permission subject to the Council signing a Unilateral Agreement to ensure the dwellings are delivered as affordable units and retained as such.

Recommendations:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and

Compulsory Purchase Act 2004 and the imposition of the following conditions:

2 The development hereby permitted shall be carried out in accordance with the following approved document and plans:

- Application Form;
- Existing Site Plan, no.80-01;
- Proposed Context Site Plan, no.90-01;
- Proposed Site Plan, no.90-02;
- Proposed Floor Plans for House 1 and 2, no.20-;
- Proposed Floor Plans for Houses 3 and 4 and House 5 and 6, no.20-02;
- Proposed Typical Front and Side Elevation 1 for Houses 1 and 2, no.20-03;
- Proposed Typical Rear and Side Elevation 2 for House 1 and 2, no.20-04;
- Proposed Typical Front and Side Elevation 1 for Houses 3/4 and 5/6, no.20-05;
- Proposed Typical Rear and Side Elevation 2 for House 3/4 and 5/6, no.20-06;

REASON: For the avoidance of doubt and in the interests of proper planning.

3 No above ground development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

4 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- * a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- * means of enclosure;
- * all hard and soft surfacing materials.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in

accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 6** No above ground development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the proper management of the landscaped areas in the interests of visual amenity.

- 7** No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 8** **INFORMATIVE TO APPLICANT:**
The applicant will be expected to enter into a S38 agreement under the Highways Act 1980 with the Local Highway Authority to enable the roads to be adopted and maintainable at public expense. This is necessary to ensure adequate access for refuse vehicles.

- 9** No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
 - b) the access route to the site of the vehicles of the site operatives and visitors;
 - c) loading and unloading of plant and materials;
 - d) storage of plant and materials used in constructing the development;
 - e) measures to control the emission of dust and dirt during construction;
 - f) measures for the protection of the natural environment.
 - g) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety,

during the construction phase.

- 10** No development shall commence on site until full details of the surface water drainage scheme shown on drawing no.D-01 R4 'Indicative Drainage Layout' has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission. In order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 11** The mitigation measures detailed in section 9 of the approved Ecological Assessment by Ethos Environmental Planning (July 2015) shall be carried out in full prior to the first occupation of the development and/or in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

- 12** The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: in order to ensure the development reduces its impact and contribution to climate change through improved design and construction methods.

- 13** No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;

- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;
- An assessment of the potential risks to:
 - * human health,
 - * property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - * adjoining land,
 - * groundwater and surface waters,
 - * ecological systems,
 - * archaeological sites and ancient monuments;

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report should be submitted to the Local Planning Authority. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the

approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: he matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 14 **INFORMATIVE TO APPLICANT:**
This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the
- 15 **INFORMATIVE TO APPLICANT:**
The attention of the applicant is drawn to the contents of letter from the Wiltshire Fire & Rescue Service dated 18 September 2015 which can be viewed on the Council's website www.wiltshire.gov.uk

94. **15/07022/FUL - The Coach House, Winterbourne Monkton SN4 9NF**

This item had been deferred for consideration by the Council at a later date.

95. **Urgent items**

None.

(Duration of meeting: 6.00 - 6.15 pm)

The Officer who has produced these minutes is Adam Brown, of Democratic Services, direct line 01225 718038, e-mail adam.brown@wiltshire.gov.uk

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EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 28 JANUARY 2016 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Stewart Dobson, Cllr Peter Evans, Cllr Richard Gamble, Cllr Jerry Kunkler and Cllr Paul Oatway

1. Apologies for Absence

An apology for absence was received from Cllr Nick Fogg MBE.

2. Minutes of the Previous Meeting

Resolved:

To approve and sign as a correct record the minutes of the previous meeting held on 10 December 2015.

3. Declarations of Interest

Cllr Stewart Dobson declared a non-pecuniary interest in Application No 15/10410/FUL in Minute No 6.2 below as he held a £1.00 share in Aster Communities, the applicant. He would take part in the debate but would not vote.

4. Chairman's Announcements

It was announced that the following applications had been withdrawn by the applicant:-

- **15/11631/VAR - Brail Vista, 163 Crofton Road, Great Bedwyn, Wiltshire, SN8 3LX - Removal of condition 2 of planning permission K/44735 to allow full time independent residential occupation of the holiday let**
- **15/11632/VAR - Brail Vista, 163 Crofton Road, Great Bedwyn,**

Wiltshire, SN8 3LX - Removal of condition 2 of planning permission E/2012/0670/FUL to allow full time independent residential occupation of the holiday let

5. Public Participation and Councillors' Questions

There were no questions received from members of the Council.

Members of the public addressed the Committee as set out in Minute Nos. 6.1 and 6.2 below.

6. Planning Applications

6.1 15/11169/FUL - Land to the South of Ramsbury Primary School, Back Lane, Ramsbury, Wiltshire, SN8 2QH - Erection of new pre-school building, with outdoor play areas and associated landscaping

The following person spoke against the application

Mr Ron Young, a local resident

The following people spoke in support of the application

Mrs Emma Green, Headteacher of the Pre-School
Mr Mark Pettitt, the agent

The Committee received a presentation from the Area Development Manager which set out the main issues in respect of the application, with a recommendation that planning permission be granted, subject to conditions.

Members had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

After discussion,

Resolved:

To grant planning permission, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application Form received 9th November 2015

Location Plan - 150111-01 received 9th November 2015

Fence and Gate Detail - 150111-03 received 9th November 2015

Arboricultural Impact Assessment by SJ Stephens Associates received 9th November 2015

Design Scheme - 150111-02 Rev A received 7th January 2016

Ramsbury Pre-School Travel Plan received 7th January 2016

REASON: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- a) location and current canopy spread of all existing trees and hedgerows on the land;**
- b) full details of any to be retained, together with measures for their protection in the
 - a. course of development;****
- c) a detailed planting specification showing all plant species, supply and planting sizes**
- d) and planting densities;**
- e) finished levels and contours;**
- f) means of enclosure;**
- g) car park layouts;**
- h) other vehicle and pedestrian access and circulation areas;**
- i) all hard and soft surfacing materials;**
- j) minor artefacts and structures (e.g. furniture, play equipment, refuse and other**
- k) storage units, signs, lighting etc);**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before

development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6.2 15/10410/FUL - Land at the junction of Kennet Road and Chestnut Avenue, Tidworth - Erection of a two storey dwelling

The following person spoke in support of the application

Mr Richard Cosker, the agent

The Committee received a presentation from the Area Development Manager which set out the main issues in respect of the application, with a recommendation that planning permission be granted, subject to conditions.

Members had the opportunity to ask technical questions after which the Committee received a statement from Mr Richard Cosker as listed above, expressing his views regarding the planning application.

Members then heard the views of Cllr Mark Connolly, as local Member, who read a statement received from a neighbour and objected to the proposal on account of:

- The visual impact upon the surrounding area
- The relationship to adjoining properties
- The design – bulk, height and general appearance
- The property would be two storey when all properties in Chestnut Avenue and Hawthorn Road were bungalows. The property would look over 2 Hawthorn Road whereas if it were a bungalow there would be no issue.

- The footpath from Kennet Road to the bottom of Hawthorn Road should be joined.

During discussion, some Members who had visited the site considered that the design fitted into the surrounding area and could be screened from the neighbour. They noted that there existed a substantial hedge to help screen the building and also a certain amount of green space retained.

Resolved:

To grant planning permission, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To secure a harmonious form of development.

3. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- Full details of any trees and landscaping to be retained, together with measures for their protection in the course of development;
- A detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- Finished levels and contours;
- Means of enclosure;

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years,

die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

All hard landscaping, including the erection of the boundary fence, shall also be carried out in accordance with the approved details prior to the occupation of any part of the development.

REASON: To ensure the provision of adequate landscaping, to assimilate the development into its local context, and to protect the amenity of the nearby dwelling.

5. No part of the development hereby approved shall be occupied until a scheme for a safe pedestrian pavement route between Hawthorn Road and Kennet Road has been submitted to and approved in writing by the Local Planning Authority. The pavement shall be provided in accordance with the approved details prior to the first occupation of the dwelling.

REASON: To secure the provision of safe pedestrian access.

6. The development hereby permitted shall not be first occupied until the parking spaces hereby approved have been consolidated and surfaced (not loose stone or gravel) and sustainable drainage has been installed to prevent surface-water runoff onto the highway. The parking spaces shall be kept free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

7. The development shall be constructed in accordance with the submitted drawings:

Location Plan 1537 Plan 1; P1 1537; P2 1537; BDS 10-03-15.

REASON: For the avoidance of doubt.

INFORMATIVE:

Many wildlife species are legally protected. The applicant should be aware that if it becomes apparent that the site is being used or has previously been used by protected species (such as slowworms, badgers, barn owls or bats), work should STOP immediately and Natural England should be contacted at their Devizes office 01380 725344 for advice on how to proceed.

INFORMATIVE:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

6.3 15/11631/VAR - Brail Vista, 163 Crofton Road, Great Bedwyn, Wiltshire, SN8 3LX - Removal of condition 2 of planning permission K/44735 to allow full time independent residential occupation of the holiday let

It was noted that the applicant had withdrawn the application.

6.4 15/11632/VAR - Brail Vista, 163 Crofton Road, Great Bedwyn, Wiltshire, SN8 3LX - Removal of condition 2 of planning permission E/2012/0670/FUL to allow full time independent residential occupation of the holiday let

It was noted that the applicant had withdrawn the application.

7. Urgent items

There were no urgent items of business.

(Duration of meeting: 6.00 - 6.55 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 24 SEPTEMBER 2015 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Christopher Devine (Vice Chairman), Cllr Richard Britton, Cllr Richard Clewer, Cllr Jose Green, Cllr Mike Hewitt, Cllr Ian McLennan, Cllr Ian Tomes, Cllr Ian West, Cllr Peter Edge (Substitute) and Cllr John Smale (Substitute)

Also Present:

Cllr Leo Randall, Cllr Bill Moss

96 Apologies for Absence

Apologies were received from:

- Cllr Fred Westmoreland who was substituted by Cllr John Smale
- Cllr Brian Dalton who was substituted by Cllr Peter Edge
- Cllr George Jeans

Cllr Chris Devine was in the Chair for this meeting.

97 Minutes

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 23 July 2015.

98 Declarations of Interest

There were no declarations of pecuniary interest.

Cllr Clewer noted that the application for the Hotel had been an information item on the agenda of the Salisbury Area Board which he was a member of, and therefore this did not constitute a pecuniary interest.

99 Chairman's Announcements

The Chairman explained the meeting procedure to the members of the public.

100 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

101 **Application to register land as a Town or a Village Green - The Common, Browns Copse Field, Bluebell Wood, Village Hall Field, Winterslow.**

Public Participation

Mrs Patricia Sheppard (Land Owner) spoke in objection to the application.

Mr David Read spoke in objection to the application.

Mr Richard Sheppard (Land Owner) spoke in objection to the application.

Mr Alex Greaves (Barrister) spoke in support of the application.

Mr Glyn Paton spoke in support of the application.

Mr Barry Clark spoke in support of the application.

The Rights of Way Officer explained that the application had been brought back before the Committee to formalise and agree the reasons for the Committee's in principle refusal (on 30 April 2015) of the Inspector's recommendation in relation to the copse, and to reach a decision on the application as a whole.

The Officer then presented a report on the application, which involved three clear areas of land, two owned by Mr and Mrs Sheppard, and one owned by Wiltshire Council, as explained at the meeting.

The decisions open to the Committee as presented in the report were:

(i) To agree the Inspector's recommendation in its entirety and register only the copse, other than the north-west corner owned by Wiltshire Council, based on the available evidence.

(ii) To reject the Inspector's recommendations/findings in part and register all of the land as a town or village green, based on the available evidence.

(iii) To reject the Inspector's recommendations/findings in part and not register any of the land, based on the available evidence.

(iv) To reject the Inspector's recommendations in full and to modify the area of land to be registered (for example only registering the field and/or the land owned by Wiltshire Council), based on the available evidence.

The Committee was advised that if it refused any part of the Inspectors recommendations then clear reasons for refusal would be required.

Members of the Committee had the opportunity to ask technical questions of the Officer. These included queries relating to evidence which showed that the land owner had erected signs on the application land during the last 20 years, notifying the public that it was private land. In response it was stated that the public had always considered that they were allowed to walk through the copse by the landowner. It was also noted that there were far fewer instances of lawful

sports and pastimes being enjoyed in the copse than in the field when the summary of written evidence was reviewed.

Members of the public had the opportunity to present their views to the Committee as detailed above.

The Local Unitary Member Councillor Chris Devine then spoke, explaining that he could see both sides view, and although he would look at any future planning applications with a fresh mind, on this occasion he would abstain from voting.

A debate followed where the Committee decided to consider the Inspectors recommendations for the three individual areas of land separately and analysed the reasoning behind the Inspector's recommendations for the three parcels of land and whether or not they felt the recommendations were appropriate in the context of the evidence available to the Inspector and to the Committee .

Resolved

To APPROVE the Inspector's recommendation that the Field not be registered as a town or village green.

Resolved

To APPROVE the Inspector's recommendation that the section of Brown's Copse owned by Wiltshire Council not be registered as a town or village green.

Resolved

To REFUSE the Inspector's recommendation to register that part of Brown's Copse owned by Mr and Mrs Sheppard as a town or village green.

Reason:

- 1. The Inspector failed to make distinction of what constituted lawful sports and past-times on the field and how that was different to the lawful sports and past-times by reference to use of the Copse. By reference to the Inspector's recommendation the use of the field and the copse had been linked by almost everyone who gave evidence to the inquiry, therefore if the Inspectors' findings on lawful sports and past-times were correct in respect of the field, then it followed that his findings regarding the exercise of the lawful sports and past-times in respect of the use of the copse was not correct.**
- 2. There were references to signs being placed in and around both the land and the copse in the evidence referred to in Inspector's recommendation.**
- 3. Inside the relevant 20 year period the Landowner did take steps to show that the copse (wood) was private property.**

102 **Planning Appeals**

The committee received details of the appeal decisions as detailed in the agenda.

103 **Planning Applications**

104 **14/12175/FUL: Land between the junction of A36 (Southampton Road) and New Petersfinger Road, Salisbury, Wiltshire**

Public Participation

Mr Simon Berry (Agent) spoke in support of the application

Cllr Sven Hocking spoke in support of the application

Cllr John Lindley, representing the view of Salisbury City Council spoke in objection to the application.

The Senior Planning Officer presented a report which recommended approval of the application for a 65 bed hotel with drive thru restaurant with associated parking, access and landscaping, subject to completion of a section 106 obligation and 31 conditions. Key issues included highways impact and surface water schemes.

Members of the Committee had the opportunity to ask technical questions of the Officers. In response it was stated that a Transport Assessment had been carried out which detailed a forecast of predicted additional traffic flow on the A36 and on Millford Mill Road once the development was in place and details were provided on aspects of that assessment.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Unitary Member, Councillor Ian Tomes, then spoke in objection to the application, noting that the main concern was increased traffic on both the A36 and Milford Mill Road, which were already congested and that other sites in the city might be more suitable for the developments.

A debate followed where it was considered that the application would involve an increase to traffic on an already congested road. Members considered if the design of the hotel was favourable the impact on the route into the city along the A36 and if the site was suitable for this scale and type of development.

Resolved

The application be REFUSED for the following reasons:

1) The site is located in an out of town location, and proposes a new hotel use and a fast food drive through restaurant use. 80 car parking spaces are also proposed. The NPPF supports a sequential, town centre first approach, and defines hotels and drive through restaurant uses as main town centre uses. The adopted Wiltshire Core Strategy policies related to retail & tourism provision seek to enhance the vitality and viability of the town centres in Wiltshire through promoting the regeneration of central

areas and delivery of new growth at settlements to support and strengthen the vitality of centres.

Furthermore, the Wiltshire and Swindon Visitor Accommodation Future Study 2014 makes a clear recommendation that further budget hotels in Salisbury should ideally be located within the city centre in order to maximise the contributions that they could make in terms of supporting the development of the city's evening economy through generating business for restaurants and bars, and in terms of minimising unnecessary traffic movement. Salisbury does not currently have any budget hotel provision in the city centre, and it is therefore very important that such provision comes forward in the city centre to support the night time economy. Furthermore, the thrust of National and Local Planning policy is to locate such uses within the centre of settlements in sustainable locations. Based on these requirements, planning permissions for two hotels have been granted in recent years within the heart of the city centre.

Whilst it has been taken into account that the proposal would provide tourism accommodation and employment within the defined Principal Employment Area, the Council remains to be convinced in this instance, based on the information submitted, that the proposed hotel and the separate drive-through restaurant are reliant on one another, and could not be disaggregated. Further, the Council remains to be convinced that the proposed hotel use would not have an adverse impact on the vitality and viability of the city centre, and therefore would be contrary to the aims of paragraph 24, 26 & 27 of the NPPF, which advocates a sequential, town centre first approach to the location of such uses, and the protection and enhancement of town and city centres. The proposal is also therefore contrary to the aims of policies CP21, 38, 39 & 40 of the Wiltshire Core Strategy which reflect the guidance within the NPPF, and which seek to protect the vitality and viability of the city centre, including the planned mixed use development of the Maltings Central Car Park.

2) Wiltshire Core Strategy policy 66 seeks to develop and improve the strategic transport network to support the objectives and policies in the Core Strategy and Local Transport Plan.

Core Strategy policies 60 and 62 require proposals to mitigate the impact of developments on transport users, local communities and the environment at both the construction and operational stages.

Core Strategy policy 64 requires traffic management measures to promote sustainable transport alternatives, reduce reliance on the car and lower the risks of accidents and improve the environment.

The site is located adjacent to the main A36 trunk road, which serves as one of the main arterial routes through the city of Salisbury. The site is also located adjacent to, and would be accessed from, New Petersfinger Road (the access to the Petersfinger Park and Ride to the east) which leads onto the narrow Unclassified Milford Mill Road. This road provides

access to the adjacent settlement of Laverstock, as well as serving as an alternative route to and from the adjacent city centre, and is therefore already in frequent use by vehicular traffic as a so called "rat run".

The applicant's Transport Assessment confirms that the proposals will increase traffic to and around the site. Whilst it is acknowledged that its conclusions are accepted by Highways England and the Council's own Highway officers, such acceptance relies on suggested works to the surrounding highway system, particularly the provision of traffic lights on Milford Mill Road around the existing railway bridge, at a point where the road narrows and where vehicles speeds already slow considerably in both directions due to the lack of forward visibility around the bend.

Furthermore, due to the narrow nature of the road to the immediate north of the railway bridge, it is common practice for vehicles to stop at several points in the carriageway to allow oncoming vehicles to pass, and hence, the existing road is already subject to queuing traffic. It is considered that such bespoke vehicular behaviour is unlikely to have been modelled as part of the applicant's submitted assessment.

Consequently, it is considered that the provision of traffic lights at the railway bridge is likely to exacerbate the existing traffic queues along this road, and that due to the narrow width of the roadway; such queues are likely to further reduce the ability of oncoming vehicles to pass safely. Notwithstanding the above, it is also considered that the proposed additional traffic generated by the proposals would exacerbate the existing traffic congestion along the main A36 road, which has previously been acknowledged by the Highways England as being "at capacity" as part of the Local Development Framework site selection process. Due to existing daily congestion on this trunk road, Milford Mill Road is used as an alternative access route to the city centre and the settlements beyond. It is again considered that such bespoke vehicular behaviour is unlikely to have been modelled as part of the applicant's submitted assessment.

As a result, it is considered that the proposal, even with the suggested mitigation, would be likely to exacerbate the existing traffic congestion which already exists along the A36 and the Milford Mill Road, contrary to adopted Wiltshire Core Strategy policies 60, 62, 64 and 66 including the aims of the Local Transport Plan.

3) The proposal is located on a prominent site at one of the main arterial road entrances serving the historic city of Salisbury. Whilst the visual appearance of this route has a very urban character on the latter section approaching the city, the character of the route up to, and including, the application site still retains some of its softer rural character, due in part to the substantial landscaping associated with the adjacent park and ride site, and the retained and protected landscape features which effectively screening the adjacent commercial buildings along the rear boundary of the site. The open character of the site itself also enhances the rural character of this section of the route, as does the open, unbuilt character

of the landscape to the immediate south of the A36 road, opposite the site, which forms part of the Britford Conservation Area.

Consequently, the development of the site as suggested, due to the combination of the large scale of the proposals; the very urban quality of the design and materials; the prominence of buildings in the street scene; the removal of some existing landscaping features, and the additional artificial lighting the proposal would introduce to this area, is likely to significantly alter the current open and rural characteristics of the site, and have an adverse impact on the visual character and qualities of the surrounding area and the approach to, and general setting of, the historic city. The proposal is therefore considered to be contrary to the aims of adopted Wiltshire Core Strategy policies CP51 & CP57, and the guidance on good design in the NPPF.

105 Urgent Items

There were no urgent items.

However, it was agreed to hold a site visit should app - 15/08251/FUL (Land at Brooklet Farm, Stapleford) come to Committee.

(Duration of meeting: 6.00 - 9.18 pm)

The Officer who has produced these minutes is Lisa Moore, of Democratic Services, direct line (01722) 434560, e-mail lisa.moore@wiltshire.gov.uk

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SOUTHERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING
HELD ON 15 OCTOBER 2015 AT SARUM ACADEMY, WESTWOOD RD,
SALISBURY SP2 9HS.**

Present:

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman),
Cllr Richard Britton, Cllr Richard Clewer, Cllr Brian Dalton, Cllr Jose Green,
Cllr George Jeans, Cllr Ian McLennan, Cllr Ian Tomes, Cllr Ian West and Cllr John Smale
(Substitute)

106 Apologies for Absence

Apologies were received from:

Cllr Mike Hewitt who was substituted by Cllr John Smale.

107 Minutes

Resolved:

**The minutes of the meetings held on 11 June 2015 and 24 September 2015
were approved as a correct record and signed by the Chairman.**

108 Declarations of Interest

There were no declarations of interest.

109 Chairman's Announcements

The Chairman explained the meeting procedure to the members of the public.

110 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

111 **Planning Appeals**

The committee received details of the appeal decisions as detailed in the agenda.

112 **Planning Applications**

113 **15/06930/FUL - From Salisbury Road, Bulford (north of junction with High Street) to Salisbury Road, Amesbury at Folly Bottom (north of junction with A303), Wiltshire, SP4 9DT**

Public Participation

Mrs Beverly Devlin spoke in objection to the application.

Mr Eugene Maidment spoke in objection to the application.

The Senior Planning Officer presented a report which recommended approval of the application for the construction of a shared user path on agricultural land, including a ramp and stairs, to improve accessibility and inclusion.

Late correspondence from Bulford Parish Council stating strong support for the application had been circulated to Committee Members.

Members of the Committee had the opportunity to ask technical questions of the Officers. In response it was stated that only one section of the path, where the land did not adjoin the highway required planning permission. Concerns had been received from residents of number 54 High Street, and that a fence would be erected between that property and the path. The implementation of a crossing would reduce the parking spaces for vehicles on the highway, however there was no right to park on public highway.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Unitary Member, was not in attendance, Councillor Fred Westmoreland spoke in support of the application as Unitary Member for West Amesbury. He noted that a path connecting Bulford to Amesbury had been wanted for more than 10 years. He suggested that the local Member for Bulford work with residents and CATG to alleviate the issues associated with vehicles parking at the bottom of the hill.

A debate followed where it was considered that the application would improve accessibility and inclusion for the local community and would provide a safe place to cross the busy road.

Resolved

To APPROVE planning permission subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) No development shall commence within the area indicated (proposed development site) until:

- A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

- 3) The pathway will be constructed in strict accordance with the recommendations given at Section 5 of the Preliminary Ecological Appraisal Report by Sustrans Ecologist, Hannah Lewis, dated February 2013.

REASON: In the interests of protected species and habitat retention in order to maximise the diversity and value of the path side habitat.

- 4) No external lighting shall be installed until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner in the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 5) No development shall commence on site until a scheme of soft and hard landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities and
- details of the height and design of boundary fence to be erected along the east boundary of No 54 High Street, Bulford, SP4 9DT.

All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

The agreed fencing shall also be carried out in accordance with the approved details and implemented in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features and in the interests of residential amenity.

- 6) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing No: 5139176-ATK-3113-SD-DR-C-002, dated 09/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-SD-DR-C-001, dated 09/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-GA-DR-D-100, dated 03/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-SD-DR-C-003, dated 02/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-SD-DR-C-004, dated 02/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-SD-DR-C-005, dated 03/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-SD-DR-C-006, dated 11/06/2015, received by this office 14/07/2015

Drawing No: 5139176-ATK-3113-GA-DR-D-101, dated 03/06/2015, received by this office 14/7/2015

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES: Archaeology

The applicant should be aware that, if archaeological remains are encountered, this may have an effect on their programme of works. If human remains are encountered during the works, they cannot be removed without the appropriate permissions.

114 **15/07470/VAR - Land at Paddock View, The Street, Teffont, Salisbury, Wiltshire, SP3 5QP**

Public Participation

Tim Peggell spoke in objection of the application.

Dan Roycroft spoke in support to the application.

The Area Team Leader presented a report which recommended approval of the application to vary condition 2 of 14/02238/FUL to amend the plans to replace 2 Velux windows with 2 dormer windows on north elevation, and raise ridge and eaves of new dwelling by 600mm, at Land at Paddock View, The Street, Teffont.

Members of the Committee had the opportunity to ask technical questions of the Officers. In response it was stated that if the new proposal to raise the roof by 600mm went ahead, the roof would not be visible over the existing tree line. The previous extension element of the development had been removed from the application and there were no further applications pending. The roof would be tiled.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

A debate followed where it was considered that the scale of the variation to the application would change the character of the cottage which went against the Inspectors original comments. The original full application had been refused because of the relationship to adjoining properties, visual impact upon the surrounding area and the design including the bulk, height and general appearance. Raising the roof by 600mm would reinforce those concerns.

Resolved

To REFUSE planning permission for the following reasons:

Reason

The proposed increase in roof height would by reason of the scale, height and massing of the resulting dwelling, constitute a development that would be odds with the design of the original cottage style building and at odds with the inspectors appeal decision for planning application 14/02238/ful in which the inspector stated - "its limited footprint and scale would give it a modest appearance, not out of character with properties in the Conservation Area". as such it is considered that the property would be out of character with the surrounding area and the conservation area contrary to policy CP57 and CP58 of the adopted Wiltshire Core Strategy.

115 Urgent Items

There were no urgent items.

The following site visits were requested:

- [15/04529/FUL](#) - Land adjacent to 6 Oderne, The Street, West Knoyle.
- 15/09465/FUL- Old Manor Hospital, Wilton Road, Salisbury.

(Duration of meeting: 6.00pm – 7.08pm)

The Officer who has produced these minutes is Lisa Moore, of Democratic Services, direct line (01722) 434560, e-mail lisa.moore@wiltshire.gov.uk

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SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 26 NOVEMBER 2015 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman), Cllr Richard Britton, Cllr Richard Clewer, Cllr Jose Green, Cllr Mike Hewitt, Cllr Ian McLennan, Cllr Ian West, Cllr Trevor Carbin (Substitute), Cllr John Walsh (Substitute) and Cllr Graham Wright (Substitute)

Also Present:

Cllr Peter Edge

116 Apologies for Absence

Apologies were received from Councillors Brian Dalton, George Jeans and Ian Tomes.

Councillor Dalton was substituted by Councillor Trevor Carbin.

Councillor Jeans was substituted by Councillor Graham Wright.

Councillor Tomes was substituted by Councillor John Walsh.

117 Minutes

The minutes of the meeting held on 15 October 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes.

118 Declarations of Interest

Councillor Ian West declared a non-pecuniary interest in item 15/08539/FUL by virtue of having been a neighbour of the applicant for many years in the past. In the interests of openness and transparency he therefore declared he would not debate or vote on the item.

Councillors Fred Westmoreland, Mike Hewitt, Jose Green, Ian West and Ian McLennan declared a non-pecuniary interest in item 15/09243/FUL by virtue of having been members of Salisbury District Council at the same time as the applicant. They declared they would consider the matter with an open mind and debate and vote on the item.

119 Chairman's Announcements

There were no announcements.

120 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

121 Planning Appeals

The committee received details of the appeal decisions as detailed in the agenda, in particular the unsuccessful appeal of its decision in relation to 14/11591/FUL.

122 Planning Applications

Planning applications were considered as follows:

123 15/05844/OUT: Land East of Pennard, Lower Road, Quidhampton

Public Participation

Mr Chris Miell, agent, spoke in support of the application.

Cllr Caroline Hampson, Quidhampton Parish Council, spoke in objection to the application.

The Senior Planning Officer introduced the application for a new two bed detached dwelling that was recommended for approval. It was noted that the application was outline only, so details on materials and design would follow in a later application if the outline was approved. Key issues were stated to include the principle of the dwelling in the location, scale of the dwelling and access and highways issues. Late correspondence from the Highways officer was discussed and it was confirmed that a condition had been added to the recommendation, as requested by Highways officers, with regard to parking.

Members of the Committee then had the opportunity to ask technical questions of officers.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Unitary Division Member, Councillor Peter Edge, then spoke in objection to the application, stating it to be an overdevelopment of the area with parking concerns.

The Committee discussed the application, noting the character of development in the area which included similar dwellings in similar locations, the conditions which Highways officers felt mitigated any safety or parking concerns, as well as the need for more small housing.

Resolved:

To hereby grant PLANNING PERMISSION for the above development to be carried out in accordance with the application and plans submitted (listed below), subject to compliance with the condition(s) specified hereunder:-

And subject to the following conditions:

- 1. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:**
 - The external appearance of the development;
 - The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

- 2. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

- 3. No development hereby approved shall commence until a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: To secure a harmonious form of development

4. No development shall commence until further details of a consolidated and surfaced vehicle turning space (for a vehicle exiting space no.2) has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until that turning space has been completed in accordance with the approved details. Such turning space shall thereafter be retained and kept clear of obstruction at all times.

REASON: To enable vehicles to enter and leave the site in forward gear in the interests of highway safety.

5. The development hereby permitted shall not be occupied or first brought into use until the entire site frontage has been cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

6. This development shall be in accordance with the submitted drawings - Block Plan 8539/200 rev A, dated June 2015 and received to this office on 12/06/15

REASON: For the avoidance of doubt.

Informative:

Without prejudice to the Council's future consideration of the design, the applicant is recommended to avoid main windows facing the side of the plot, to avoid potentially harmful overlooking. For clarification, this application confirms the scale of the development to be a single storey bungalow.

Informative:

Many wildlife species are legally protected. The applicant should be aware that if it becomes apparent that the site is being used or has previously been used by protected species (such as slowworms, badgers, barn owls or bats), work should STOP immediately and Natural England should be contacted at their Devizes office 01380 725344 for advice on how to proceed.

124 **15/08539/FUL: 19 & 20 Woodstock Road, Salisbury, Wiltshire, SP1 3TJ**

Public Participation

Lynne Robertson, Donald Royle, Phil Clements spoke in objection to the application.

Laura Dennet and Vicky Walker spoke in support of the application.

The Area Team Leader presented the application for change of use for two adjoining properties from residential (C3) to residential care home (C2) for adults of working age with mental health conditions, which was recommended for approval. Key issues were stated to include the principle of the change of use, effect on the character of the area and residential amenity.

Members of the Committee then had the opportunity to ask technical questions of officers. Details were sought on conditions on soundproofing at the properties, level of staff cover proposed for care home residents, and confirmation that the application was partly retrospective and was already in use as a care home facility and was seeking expansion.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

A discussion then arose, where the number of proposed residents within the two properties to be joined was raised and whether it was a suitable number for the scale, and it was confirmed by the Area Team Leader that recent changes to the rules on permitted development meant that each property could be individually converted to a house in multiple occupation for up to six persons without the need for planning permission. There was also discussion on the level of parking provision and the presence of the smoking shelter that was proposed, as well as the concerns of local residents and the need for suitable facilities to provide care to those with mental health issues.

Resolved:

That Planning Permission be Granted, subject to the following conditions

- 1) **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) **The development hereby permitted shall be carried out in accordance with the following approved plans:
Plan Ref: WR/001, Received: 25.08.2015. Existing Floor Plans & Location Plan
Plan Ref: WR/002 A, Received: 05.11.2015. Proposed Floor Plans**

REASON: For the avoidance of doubt and in the interests of proper planning

- 3) **The change of use hereby approved shall not be first implemented until a scheme outlining the proposed noise insulation and attenuation measures along the party wall of 19 and 18 Woodstock Road has been submitted to and approved in writing by the Local Planning Authority. The agreed noise attenuation measures shall be implemented in accordance with the approved details and specification prior to 19 Woodstock Road being first brought into use for C2 purposes and maintained/retained as such in perpetuity.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and is considered to be necessary in the interests of the residential amenities of the area.

Informative:

- 1) **The application involves the existing two dropped kerbs being joined and therefore the footway between the two current dropped kerbs would also require lowering. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352**
- 2) **The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice may be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy**
- 3) **The applicant's attention is drawn to the letter dated 15.09.2015 from Wiltshire Fire & Rescue Service which sets out recommendations for ensuring that the proposals are safe and are able to meet building regulations.**

125 **15/09243/FULL: Heale Farm, Middle Woodford, Salisbury, SP4 6NU**

Public Participation

Allison Whalley, agent, spoke in support of the application.

The Area Team Leader presented the application for the erection of four dwellings which was recommended for refusal. Attention was drawn to the late observations which stated that since the completion of the report the applicant had resolved issues in relation to drainage and ecology, and therefore refusal reasons three and four were withdrawn from the recommendation. Key issues were stated to include the principle of the development and impact on the character of the area, heritage of the buildings on the site and flooding.

Members of the Committee then had the opportunity to ask technical questions of officers. In response to queries it was stated the second reason for refusal in respect of section 106 legal agreement contributions for a footpath was included in the event of an appeal against the principal refusal reason so that an inspector would be able to consider the factor. It was also confirmed that although there were exceptions to permit development in sites otherwise not in accordance with policy to fund the restoration of Grade 1 Listed properties, no such property existed on the site.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Unitary Division Member Councillor Mike Hewitt then spoke in support of the application, stating the current site was unsuitable for modern farming needs and had fallen into an unsightly state, and noted that the parish council were in support and that no objections had been received from the public.

A debate followed, where the character of the area and extent of development to the north and south of the site was raised, as well as the scale of the proposed dwellings and whether the local support for the proposal and cleaning up of the site justified an exception from policy.

At the conclusion of debate, it was,

Resolved:

To delegate to the Area Development Manager to approve planning permission subject to a section 106 legal agreement to secure a contribution for the provision of a public footpath, and subject to the following conditions:

- 1) **WA1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) **WM13 The development hereby permitted shall be carried out in accordance with the following approved plans:**

- Heritage Statement (December 2015)
- Extended Phase 1 Habitat & Bat Survey (September 2014)
- Updated Bat Mitigation Plan. Received – 16/11/2015
- Flood Risk Assessment (September 2015)
- Plan Ref: 432/P.06 E, Site Location Plan. Received – 14/09/2015
- Plan Ref: 432/P.03 D, Proposed Site Plan. Received – 14/09/2015
- Plan Ref: 432/P.56, Proposed Development – Plot 1. Received – 14/09/2015
- Plan Ref: 432/SK, Proposed Development – Plot 2. Received – 14/09/2015
- Plan Ref: 432/P.18 A, Proposed Granary Building – Plot 2. Received – 14/09/2015
- Plan Ref: 432/SK.32 A, Granary Building – Bat Mitigation. Received – 16/11/2015
- Plan Ref: 432/PL.58, Proposed Development – Plots 3&4. Received – 14/09/2015
- Plan Ref: 432/SK.18 B, Site Access Plan. Received – 14/09/2015
- Plan Ref: 432/P.60, Proposed Garage – Plot 1. Received – 14.09.2015
- Plan Ref: 432/P.61, Proposed Garage – Plot 2. Received – 14/09/2015
- Plan Ref: 432/P.62, Proposed Garage – Plot 3. Received – 14/09/2015
- Plan Ref: 432/P.63, Proposed Garage – Plot 4. Received – 14/09/2015
- Plan ref: 432/SK.24 D, Proposed Footpath. Received – 14/09/2015

REASON: For the avoidance of doubt and in the interests of proper planning

- 3) **WB1** No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs of all buildings, including render colour and timber stain, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 4) **WB13 No flint block will be used in the construction of the buildings hereby approved. No flint work shall be constructed to any buildings or walls on site until a sample panel of the brick/flint work, not less than 1 metre square, constructed using flints hand laid in a random pattern (with no preformed panels to be used), has been erected on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample panel, using flints hand laid in a random pattern with no preformed panels.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 5) **WB9 No external stonework shall be constructed on site, until details and samples of the external stonework, including type, dressing, coursing and bedding of the natural stone, type of pointing and mortar mix, have been submitted to and approved in writing by the Local Planning Authority. The external stonework shall constructed in accordance with the approved details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 6) **WB14 No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 7) **NTS** No development shall commence on site until a method statement, demonstrating how the existing Cobb Wall along the western edge of the site is to be retained, maintained, incorporated into the development and protected during the construction process, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and the wall maintained as such in perpetuity.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 8) **WC1** No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 9) **WC2** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard

landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 10) **WE1** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-G shall take place on the dwelling houses hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area; to reduce the potential impact of flooding; and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 11) **WJ3A** The Former Granary Building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, on Plot 2 and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

- 12) **WE15** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages/stores hereby permitted shall not be converted into habitable accommodation.

REASON: to reduce the potential impact of flooding and to secure the retention of adequate parking provision, in the interests of highway safety, in the interests of highway safety.

- 13) **NTS** The works hereby approved to the Former Granary Building will be undertaken in accordance with the Updated Bat Mitigation Plan for Heale Farm, Middle Woodford, and Bat Mitigation drawing No 432/SK.32 Rev A, prepared by Michael Lyons Architecture and emailed to the Council on 16 November 2015. The roost thus created will be retained for the lifetime of the development.

REASON: to ensure ongoing provision is made for bats roosting in the Granary

- 14) **WG2** No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 15) **WG3** No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

- 16) **NTS** The development hereby permitted shall not be first occupied until the first five metres of the site access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 17) **NTS** No part of the development shall be first occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 1.0m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

- 18) **NTS** No development shall commence on site until details of the new footways have been submitted to and approved in writing by the local planning authority. The development shall not be first occupied until the new footways have been constructed in accordance with the approved details.

REASON: To ensure that the new footways are laid out and constructed in a satisfactory manner

- 19) **WA12** No dwelling hereby approved shall be occupied until all the existing buildings on site shown to be removed on the approved plans have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area

- 20) **NTS** The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

Informatives:

- 1) The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice may be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy
- 2) The applicant's attention is drawn to the letter dated 01.10.2015 from Wiltshire Fire & Rescue Service which sets out recommendations for ensuring that the proposals are safe and are able to meet building regulations.
- 3) The consent hereby permitted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from the local highway authority before any

works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the Council's Vehicle Crossing team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.

- 4) The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm bats or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to bats or the need to obtain a licence from Natural England before works commence where a breach of the Regulations may occur. Please visit the following websites for more information:
- <http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>
 - <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>
- 5) This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT]
- 6) Please note that land drainage consent will be required for the garage location with revised clearance and no loss in flood area; the removal of existing outfall; the new outfall; and any other work on, over near to the ordinary watercourse.

Councillor Christopher Devine requested his vote in objection to granting permission be recorded.

126 Urgent Items

Site visits were requested for applications at The Old Manor Hospital, Rose Farm, Hurdcott Lane and 3 Candown Road.

(Duration of meeting: 6.00 - 8.00 pm)

The Officer who has produced these minutes is Lisa Moore, of Democratic Services, direct line (01722) 434560, e-mail lisa.moore@wiltshire.gov.uk

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

SOUTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 17 DECEMBER 2015 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman), Cllr Richard Britton, Cllr Richard Clewer, Cllr Brian Dalton, Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Ian Tomes and Cllr Ian West

Also Present:

127 Apologies for Absence

There were no apologies for absence.

128 Minutes

The minutes of the meeting held on Thursday 26 November 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes.

129 Declarations of Interest

The following declarations were received:

Item 7f - 5/09554/VAR - Five Rivers Leisure Centre

Cllr Devine declared that as he was the Chairman of Wiltshire and Swindon conjoined Fire Authority, as this was a Pecuniary Interest, he would not take part in the discussion or vote on this item and left the room.

Cllr Clewer noted that he was the Salisbury Area Board representative for the Five Rivers Campus, and had been a shadow COB member, however as this did not constitute an interest he took part in the discussion and vote.

130 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

The Chairman explained that he had accepted an item of urgent business as detailed at minute no 138. This would be taken under both Parts 1 and II of the meeting as part of the information included exempt information.

131 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

132 **Planning Appeals**

The committee received details of the appeal decisions as detailed in the agenda.

133 **Planning Applications**

133: 15/08673/FUL - The Coach House, 63 A Castle Road, Salisbury, Wiltshire, SP1 3RN

Public Participation

Paul Stephens (Architect) spoke in support of the application.

The Area Team Leader noted that a copy of an email detailing objections had been circulated as late correspondence. He introduced the application for an increase to the eaves/ridge height by approx 1.1m to facilitate additional head height at first floor level. To address the objections, the north facing roof had changed that day, with the removal of a roof light and the French doors had been changed to large windows. The application was recommended for Approval, subject to conditions.

Members of the Committee then had the opportunity to ask technical questions of Officers.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Committee discussed the application, noting that it was a modest proposal which with the amendments made that day would not impose on neighbouring amenity.

Resolved:

To hereby grant **PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below), subject to compliance with the condition(s) specified hereunder:-

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Number 660/02 Revision D dated 08/2015 as deposited with the local planning authority on 06.11.15, and
Drawing number 660/03 Revision A dated 04.11.15., as deposited with the local planning authority on 17.12.15.

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any revoking or re-enacting or amending that Order with or without modification), the internal garage space hereby permitted shall be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provisions in the interests of highway safety.

1331 15/09990/OUT - Rose Farm, Hurdcott Lane, Winterbourne Earls

Public Participation

Robyn Harper (Agent) spoke in support of the application.

Geoff Goddard (Applicants Son) spoke in support of the application.

Gaenor Nokes spoke in objection to the application.

David Baker (Winterbourne Parish Council) spoke in support of the application.

The Senior Planning Officer introduced the application for the erection of 2 x four bedroom detached houses with access taken from the A338 within the 30mph speed limit zone. A shared parking/turning space to be provided for 2 cars per property, with new garden areas sited to the rear and to the sides. The application was recommended for refusal. It was noted that the application site was outside of the established housing site of the village,

and that Highways had advised that the current plans were not suitable on grounds of visibility.

Members of the Committee then had the opportunity to ask technical questions of Officers. Details were sought on whether the village had produced a Neighbourhood Plan (NHP).

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Unitary Division Member, Councillor Hewitt, then spoke in support of the application, stating that the emerging NHP supported the villages request for new housing, and felt that it would be difficult to achieve the 34 new houses within the settlement boundary in the village over the next 10 years as indicated in the Core Strategy. The parish council was behind the application and the applicant was willing to put 106 funds and contribute towards footpath improvements, he felt it was an ideal position for 2 new houses.

The Committee discussed the application, noting that the NHP had not yet been consulted on or adopted. There were Highways concerns associated with the scheme, and the development did not offer any affordable housing.

Resolved:

That planning permission be REFUSED for the following reasons:

- 1. The creation of new dwellings in this location outside of the defined settlement boundaries, without a proven agricultural or affordable housing need, would be contrary to the key sustainability aims of Local and National Planning Policy. The development would therefore be contrary to Wiltshire Core Strategy Core Policy 2, and the advice and guidance in regard to sustainable development contained within the NPPF.**
- 2. Insufficient evidence has been submitted to demonstrate that there will be sufficient visibility for cars leaving the site to ensure that highway safety will not be adversely affected by the new development. The scheme is therefore considered to have an adverse impact on highway safety, contrary to Core Policy 57 (ix) of the Wiltshire Core Strategy.**

134 **15/06068/FUL - 23, Milford Street, Salisbury**

Public Participation

Stuart Garnett (Agent) spoke in support of the application.

Mark Timbrell (Salisbury City Council) spoke in objection to the application.

The Senior Planning Officer made a joint presentation for this item and the associated next item, for an application for Change of use of site from public house and adult entertainment venue to form two commercial units and 10 apartments including conversion, demolition and erection of buildings. The application was recommended for approval.

Members of the Committee then had the opportunity to ask technical questions of Officers. It was noted that the access path, which would be closed off in the evening, was pedestrian only and that waste would be stored within the site and brought out on collection day. An affordable housing contribution was not required due to the type of scheme. The site was within the localised flooding maps for the area.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Committee discussed the application, noting that introducing residential development on this site could impact on license holders around the site, in terms of noise complaints. Flooding on this site was an issue and would need to be addressed. The Committee supported development of the currently neglected site, however it was felt that a commercial or retail development would be more suited.

Resolved:

That planning permission be REFUSED for the following reasons:

- 1. The proposed design, by reason of its cramped and congested layout in relation to the residential elements, will result in 10 flats being accessed by a restricted courtyard area, which would have no private amenity space. Due to a combination of the close proximity of the flats to each other, the orientation of the new windows, and the scale of the new three-storey elements of the development within this narrow site, the proposal would be likely to result in a significantly reduced level of amenity for future occupiers in terms of privacy, and would represent an overdevelopment of the site. The scheme as currently designed would therefore be contrary to the design criteria of Core Policy 57 and Core Policy 58 of the Wiltshire Core Strategy, and design guidance in the NPPF.**
- 2. The site is located in a locally designated ground-water flood risk zone, and the immediate area has been prone to ground-water flooding in recent years. Insufficient information has been provided to demonstrate that surface/waste water from the site can be adequately removed from the site to avoid flood risk to the new development and nearby properties. The scheme is therefore considered to be contrary to Core Policy 3, Core Policy 57, Core Policy 67 and Strategic objective 6 of the Wiltshire Core Strategy.**

3. **Insufficient information has been provided to demonstrate that waste storage/ collection from the rear of the site will be achievable, as no collection point or placement/removal times have been submitted. Without providing this information prior to determination, it remains unclear to the Council whether a workable waste management plan can be achieved that would satisfy the Council's collection requirements and preserve residential amenity. Therefore the proposal would be contrary to Core Policy 3, Core Policy 57 and Strategic objective 6 of the Wiltshire Core Strategy.**
4. **The site is located within a commercial area of the city which makes a significant contribution to the night time economy, and where premises operate until the early hours of the morning. Notwithstanding the submission of amended plans and details, the Council remains to be convinced that sufficient information has been provided to demonstrate that the adjacent night time uses would not have an adverse impact on future occupants of the proposed flats, particularly flat 6 and flat 10. It is therefore considered that based on existing details, the creation of residential flats as proposed would have the potential to expose future occupiers of the site to unacceptable levels of noise and disturbance at unsocial hours, which would be seriously detrimental to residential amenity, and prejudice the operation of adjacent commercial uses. The scheme is therefore considered to be contrary to Core Policy 57 of the Wiltshire Core Strategy.**

135 **15/06160/LBC - 23 Milford Street, Salisbury**

The presentation of this item was covered as part of the previous associated application by the Senior Planning Officer.

Resolved:

That Listed Building Consent be APPROVED for the following reasons:

1. **The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason (1) To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 (4) of the Planning and Compulsory Purchase Act 2004. .0006 AMENDED

2. **No development shall commence on site until finer details, and where so appropriate materials, of all external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: The application contained insufficient information to enable the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in

an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

3. No development shall commence on site until details of all eaves, verges, windows and doors (including head, sill and window reveal details), rainwater goods, rooflights and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4. This development shall be in accordance with the submitted drawings:

- Site Plan P14-001-02-02-001

Proposed Ground Floor P14-001-02-03-001C Received 27th November

Proposed First Floor P14-001-02-03-002A rec. 7th October

Proposed Second Floor P14-001-02-03-003A

Proposed Roof Plan P14-001-02-03-004A

Demolition on Ground Floor P14-001-02-03-011A

Demolition First Floor P14-001-02-03-012A

Demolition Second Floor P14-001-02-03-013A

Proposed Section 03 P14-001-02-04-001A

Proposed Section 04 P14-001-02-04-002A

Wall Detail Key P14-001-02-04-005A

Wall Types 1 & 2 P14-001-02-04-006

Wall Types 3 & 4 P14-001-02-04-007

Wall Types 5 & 6 P14-001-02-04-008

Wall Build Up P14-001-02-04-010

Elevation 01 P14-001-02-05-001B rec. 27th November 2015

Elevation 02 P14-001-02-05-002A rec. 7th October

Elevation 03 & 04 P14-001-02-05-003A

Elevation 05 P14-001-02-05-004B rec. 7th October

Elevation 06, 07 & 08 P14-001-02-05-005A

Elevation 09 P14-001-02-05-006B rec. 7th October

Elevation 10 P14-001-02-05-007A

Demolition Elevation on 01 P14-001-02-05-011A

Demolition Elevation 02 P14-001-02-05-012B rec. 7th October

Demolition Elevation 03 & 04 P14-001-02-05-013A

Demolition Elevation 05 P14-001-02-05-014A

Demolition Elevation 06,07 & 08 P14-001-02-05-015A

REASON: For the avoidance of doubt.

INFORMATIVE:

Many wildlife species are legally protected. The applicant should be aware that if it becomes apparent that the site is being used or has previously been used by protected species (such as slowworms, badgers, barn owls or bats), work should STOP immediately and Natural England should be contacted at their Devizes office 01380 725344 for advice on how to proceed.

136 **15/10185/FUL - The Field House, Barbers Lane, Swallowcliffe, SP3 5PQ**

Public Participation

David John Bright (Applicant) spoke in support of the application.

Nigel Lilley (Agent) spoke in support of the application.

Stephen Bands (Swallowcliffe Parish Council) spoke in support of the application.

The Area Team Leader introduced the application for Change of Use of existing agricultural merchants barn and land to mixed residential and business use and conversion of part of barn to new dwelling. The application was recommended for refusal.

Members of the Committee then had the opportunity to ask technical questions of Officers.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Unitary Division Member, Councillor Green, then spoke in support of the application, stating that it complied with CP48 and CP51 and was not visible from the surrounding area.

The Committee discussed the application, noting that the site was within the AONB which had strict criteria for development. The application was for a barn to be turned into a dwelling which went against planning policy.

Resolved:

The application be REFUSED for the following reasons:

- 1. Core Policy 1 of the Wiltshire Core Strategy set out the ‘Settlement Strategy’ for the County, and identifies four tiers of settlement – Principle Settlements, Market Towns, Local Service Centres and Large and Small Villages. The application site is located outside of any settlement boundary and is identified as countryside. This application proposes to create a dwelling house within an agricultural barn which is associated with a rural business known as Bright Seeds. This application has not demonstrated any functional or financial evidence to convince Officers that the**

proposed creation of a residential unit is expressly needed to support the function or viability of the rural enterprise. This application has also failed to undertake any critical assessment over the reuse of the building for any other uses other than that of the existing agricultural use. The proposal is contrary to the Wiltshire Core Strategy, Core Strategy 48 and saved policy H28 as contained in Appendix D of the Wiltshire Core Strategy (Jan 2015).

2. The proposal, located remote from a range of services is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys. The proposal is contrary to the Wiltshire Core Strategy, Core Policy 60 and Core Policy 61.

137 **15/09554/VAR - Five Rivers Leisure Centre, Hulse Road, Salisbury, SP1 3NR**

Councillor Devine did not take part in the discussion or vote on this item and left the room, as he had declared an interest.

Public Participation

There were no speakers.

The Senior Planning Officer introduced the application for Variation of condition 8 to application 13/02254/FUL to allow 28 additional car parking spaces as required by the Fire Service. The application was recommended for approval.

Members of the Committee then had the opportunity to ask technical questions of Officers. It was noted that some trees would be removed to make way for the additional car parking spaces, but that replacement trees would be planted on other areas of the site. The Fire Service did not have a travel plan.

Although Cllr Douglas was the local Unitary Member, Councillor Clewer spoke in support of the application as the access roads for the site were all in his division. He supported the additional spaces, but asked that all of the 8 trees to be removed were then replaced elsewhere.

The Committee discussed the application, noting that the Fire Brigade had not submitted a travel plan, providing evidence that the spaces were needed. However the site had always been restricted and it was felt that additional spaces would help to alleviate this issue for other users at the site.

Resolved:

The application be APPROVED with the following conditions:

- 1 In complete accordance with the submitted details, use of the all weather pitch, including operation of the associated floodlighting, shall cease at 22:00hrs each day and shall not resume use and operation until the following day at 08:30hrs, unless otherwise agreed with the Local Planning Authority in the form of a new and separate planning permission in that regard.

Reason: So as to avoid unnecessary and unacceptable noise and disturbance from the use and operation of the all-weather pitch.

- 2 The development shall be carried out as specified in the approved Arboricultural Method Statement (AMS), and shall be supervised by an arboricultural consultant.

Reason: To prevent trees on site from being damaged during construction works.

- 3 No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity.

- 4 **The development hereby permitted shall be carried out in accordance with the following approved plans:**
- Location Plan no 2904(L) 001**
 - Existing Site photographs no 2904(L)005**
 - Existing site plan no 2904(L)010**
 - Proposed site plan no 2904(L)011 rev K**
 - External Works plan no 2904(L)012 rev D**
 - Proposed All Weather pitch plan 2904(L)020 rev B**
 - Existing Basement floor plan 2904(L)040**
 - Existing Ground Floor Plan 2904(L)041**
 - Existing first floor plan 2904(L)042**
 - Existing Roof Plan 2904(L)043**
 - Proposed ground floor plan 2904(L)050**
 - Proposed first floor plan 2904(L)051**
 - Proposed Roof plan 2904(L)052**
 - Existing South Elevation 1 plan 2904(L)101**
 - Existing South Elevation 2 plan 2904(L)102**
 - Existing North Elevation 1 plan 2904(L)103**
 - Existing North Elevation 2 plan 2904(L)104**
 - Existing West and East elevations plan no 2904(L)105**
 - Existing Minor elevations 2904(L)106**
 - Proposed 3D views plan no 2904(L)110**
 - Proposed elevations plan no 2904(L)111**
 - Proposed elevation 1 plan no 2904(L)112**
 - Proposed elevation 2 plan no 2904(L)113**
 - Proposed elevation 3 Plan no 2904(L)114**
 - Proposed elevations 4,5 and 6 plan no 2904(L)115**
 - Police compound fencing detail plan no 2904(L)116**
 - Bin Store detail plan no 2904(L)117**
 - Screen entrance wall plan no 2904(L)118**
 - Cycle shelter details plan no 2904(L)119**
 - Existing site sections plan no 2904(A)170**
 - Proposed site sections plan no 2904(A)171**
- 473477/P003 - Revision P2 : External Lux Levels for Planning - Football Pitch**
- 2904_L_017 Parking Extension Plan**
- All plans are revision A unless stated.**

Additional documents

- Flood risk assessment by Hydrock dated May 2013**
- Noise and Acoustic report reference 5520/DO/pw dated July 2013 by Acoustic consultants Ltd**
- Transport assessment by Key transport consultants Ltd dated July 2013 including appendices**
- Design and Access statement by the Bush Consultancy dated 23rd July**

2013

External Lighting statement by Halcrow dated 22nd July 2013

Preliminary ecological appraisal by Alec French architects dated September 2012

Biodiversity Enhancement Strategy dated October 2013 by the landmark practice

Construction Working Method statement dated October 2013 by the landmark practice

REASON: For the avoidance of doubt and in the interests of proper planning

- 5 The development hereby approved shall be carried out in accordance with the details and recommendations of the biodiversity Enhancement Strategy and Construction Method statement dated October 2013 and produced by the landmark practice.**

Reason: In order to protect wildlife within the vicinity of the site

- 6 Prior to the occupation of any of the new buildings, the subject of this application, a car parking management plan shall be submitted to and approved by the local planning authority. The plan shall set out measures for ensuring that long stay parking on the site does not arise, as well as measures for dealing with offenders. The car parking shall at all times be managed in accordance with the approved plan.**

REASON: To ensure that adequate parking provision exists on the site to accommodate forecast demand.

- 7 All 373 parking bays on the site, as indicated on the approved drawings, with the exception of the 50 space overspill parking area on the proposed reinforced grass area, shall be clearly permanently marked for each parking bay, before the beneficial use of any of the additional uses proposed on the site. All car parking spaces shall be provided before the beneficial use of any of the additional uses proposed on the site.**

REASON: To ensure that individual parking bays can be readily identified, and in the interest of efficient use of sufficient parking provision.

- 8 56 cycle parking spaces shall be provided in accordance with the approved drawings before the beneficial use of any of the additional uses proposed on the site.**

REASON: In the interests of encouraging sustainable transport to the site

- 9** Prior to the occupation of any of the new buildings, the subject of this application, details of the provision of the proposed community bus, its funding arrangements and its proposed route and timetabling shall be submitted to and approved in writing by the local planning authority. The Community bus shall be operated in accordance with the agreed routeing and timetabling, unless alternative arrangements are agreed by the local planning authority.

REASON; In the interests of encouraging use of sustainable transport modes to access the site.

- 10** No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

- 11** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

Notwithstanding the details shown on drawing no's 2904_L-011 and 2904_L_017. Prior to first use of the car park extension shown on those plans a further landscaping scheme shall be submitted to and approved in writing by the local authority. Such a landscaping scheme shall show the replacement of the existing trees in the car park extension area with at least an equivalent number of trees and these trees shall be placed to

the immediate north of the car park area and not interspersed around the car parking spaces. Any such landscaping scheme as is approved shall be carried out within 12 months of the date of first use of the car park extension.

REASON: In order to ensure adequate landscaping exists in the interests of amenity.

137: 15/06846/DP3 - Bulford Kiwi School, Hubert Hamilton Road, Bulford Camp, Wiltshire, SP4 9JY

Public Participation

There were no speakers for this application.

The Army Basing Planning Officer introduced the application for Extension of existing Kiwi Primary School (new block) with associated works including new access. The application was recommended for Approval with conditions, including prohibition on phase 2 until further car parking spaces were found.

Members of the Committee then had the opportunity to ask technical questions of Officers. It was noted that concerns detailed in the objection around Hartington Drive, were relating to parents using the road at drop off and collections times. There was right of access for the school to make use of the road, but not to park there. Although the school had an existing travel plan, a new plan should be produced which took in to account the new pupils.

The Committee discussed the application, noting that an alternative site should be found for the Children's Centre prior to it being removed.

Resolved:

The application be APPROVED with the following conditions:

1.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

**Site Location Plan SK19-C (received 23/10/15)
Site Plan SK-20 rev.C (received 23/10/15)
Site Plan Phase 2 SK03 rev.E (received 23/10/15)
Ground Floor Plan – Phase 2 SK-04 Rev.H
First Floor Plan – Phase 2 SK05 rev.I
North and South Elevations SK09 rev.D**

**East and West Elevations SK10 rev.D
Ground Floor Plan Phase 3 SK11 rev.F
First Floor Plan Phase 3 SK12 rev.F
Sprinkler Tank and Refuse Store SK13 rev.D (received 23/10/15)
Site Plan Phase 3 SK14 rev.E (received 23/10/15)
Pedestrian gate Modifications SK-16 rev.C
Foul and Surface Water Drainage Layout KW-D-001 rev.P1**

**Landscape Plan Phase 2 SK21 rev.A (received 23/10/15)
Landscape Plan Overall Strategy SK22 rev.B (received 23/10/15)
Hubert Hamilton Road Junction SK29 rev.A (received 23/10/15)
Kiwi Pedestrian Desire Lines (received 23/10/15)
Design and Access Statement
Arboricultural Impact Assessment
Flood Risk Statement
Archaeological Desk Based Assessment
Interpretive Report on Site Investigation
Noise Assessment
Transport Statement
All date stamped 24th July 2015, unless otherwise stated.**

REASON: For the avoidance of doubt and in the interests of proper planning.

Ecological Survey Report, prepared by RSK Environment (dated May 2015).

3. No part of the development hereby permitted shall be occupied until a School Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and in the interests of sustainable transport to and from the development.

4. Prior to the commencement of the development a Construction Traffic Management Plan shall be submitted to and agreed by the Local Planning Authority. The Plan shall include, inter alia, details of how and when modular units will be delivered to the site, proposals to protect existing highway from damage, a timescale for repairing damage caused to the highway, and arrangements for construction personnel vehicle parking. I shall also include the following:

- i. Loading and unloading of equipment and materials**
- ii. Storage of plant and materials used in constructing the development**
- iii. Wheel washing and vehicle wash down facilities**
- iv. Measures to control the emission of dust and dirt during demolition and construction**
- v. A scheme for recycling/disposing of waste resulting from demolition and construction works**
- vi. The movement of construction vehicles**
- vii. The cutting or other processing of building materials on site**
- viii. The location and use of generators and temporary site accommodation**
- ix. Pile driving (if it is to be within 200m of residential properties)**

5. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: So as to ensure the amenity of local residents are protected during construction and operational phase of development.

6. The development shall be carried out in complete accordance with the recommendations and conclusions contained within the Ecological Survey Report, prepared by RSK Environment (dated May 2015).

REASON: So as to ensure that the construction and operational phase does not adversely impact upon the ecological value of the locality.

7. No development shall commence on site until a scheme for protecting the nearby residential properties against noise from ventilation and extraction equipment has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in full before the use commences and maintained at all

times thereafter.

In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with BS4142:2014 (or any subsequent version) and demonstrate that the rating noise level is at least 5dB below the background noise level.

REASON: To ensure the development does not result in an unacceptable impact upon the living conditions of nearby residents.

8. No development shall commence on site until a scheme for the discharge of foul water from the site, including confirmation of connection levels to confirm that a gravity system is appropriate, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

9. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

10. Prior to its construction, details of the proposed sprinkler and bin store shall have been submitted to and agreed in writing by the Local Planning Authority. The store building shall be constructed in complete accordance with those approved details.

REASON: So as to secure a suitably designed store building that does detrimentally impact upon parking provision across the site.

11. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the

Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

12. Prior to the commencement of development, details of the proposed external materials to be used in the construction of the development shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with those details so agreed.

REASON: To ensure a form of development that respects the character and appearance of its locality.

13. Prior to the commencement of the development a scheme for the improvement of pedestrian facilities at the junction of Marlborough Road/Hubert Hamilton Road and Horne Road shall be submitted to and approved by the Local Planning Authority . The scheme shall ensure that dropped kerb crossings are provided at all crossing desire lines to facilitate movement by pedestrians. The scheme shall be fully implemented prior to the first occupation of the development hereby permitted.

REASON: In the interests of highway safety and to help facilitate sustainable transport to and from the site mvmt1173.doc

14. Prior to the commencement of the development a scheme for the collection of waste from the site (which do not require bins to be temporarily stored on the footway), shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of the development hereby permitted.

REASON: In the interests of users of the footway on Hubert Hamilton Road

15. No part of the development hereby permitted shall be first brought into use until the access, turning area and all necessary parking spaces have been completed in accordance with the details to be submitted to and approved by the Local Planning Authority. Those details shall include the commitment to provision of 53 car parking spaces (as demonstrated on plan SK03 rev.E). The accesses to the site shall include the vehicular access and two pedestrian accesses from Hubert Hamilton Road, and the pedestrian accesses from Marlborough Road and Harrington Drive. No part of the development hereby permitted shall be occupied until the accesses and car parking areas shown on submitted drawing SK-021 have been completed. In accordance with the details agreed, the parking areas shall be maintained for those purposes only at all times thereafter.

REASON: It is expected that the details submitted will ensure the provision of all necessary parking spaces shown on the submitted plans prior to the first use of the new buildings, in the interests of highway safety, to meet the policy requirements in relation to school car parking requirements and to ensure that car parking places are not unduly obstructed by users.

16. No part of the development hereby permitted shall be commenced until an On-site Car Parking Management Plan shall have been submitted to and approved in writing by the local planning authority. The car parking at the site shall be managed in complete accordance with the approved Plan thereafter.

REASON: To ensure that the double banked parking spaces of the proposed parking area are managed in an appropriate manner, which does not unnecessarily impede use by defined users.

17. No part of the Phase 3 development (as defined within the submitted plans and documents) shall take place until a Car Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of

additional on and off-site parking spaces to be provided, and the legal arrangements in place to assure their availability at school start and finish times. Thereafter the car parking arrangements shall be operated in complete accordance with the approved Plan.

REASON: To ensure that an additional supply of parking is provided (over and above that to be constructed as part of the first phase of development) in accordance with the requirements of the adopted Wiltshire LTP3 Car Parking Strategy. To also ensure that any off-site provision is suitably located and so as to ensure the development does not cause unacceptable congestion and parking problems in the future.

18. Prior to the first occupation of the development hereby permitted at least 15 covered cycle parking spaces shall be provided in accordance with a plan, the details of which shall first have been submitted to and approved by the Local Planning Authority.

REASON: In the interests of sustainable transport to and from the site. mvmt1173.doc

19. Prior to the demolition of the Bulford Children's Centre buildings, a scheme for the re-provision of nursery places, at least equal to that number to be lost at the Bulford Children's Centre, shall have been submitted to and agreed in writing by the Local Planning Authority. Such a scheme shall include the timing of such re-provision and shall be implemented in accordance with the details so agreed.

REASON: So as to secure adequate and accessible local nursery provision.

138 **Urgent Items - Commons Act 2006 - Section 15(1) And (3) Application To Register Land As A Town Or Village Green - The Common / Browns Copse Field / Bluebell Wood Field / Village Hall Field / The Field, Winterslow**

In accordance with Section 100 B 4 (b) of the Local Government Act 1972, the Chairman approved consideration of the above item as urgent business as a decision was required before 24 December 2015 which was prior to the next scheduled meeting.

Public Participation

Mr Michael Morgan-Jones attended the meeting for this item and explained his attendance was to hear first hand the Committee's views. The Chairman gave

him an opportunity to express any views and explained that the substance of the debate would be held under Part II of the meeting.

Ian Gibbons, Associate Director for Legal and Governance and Solicitor to the Council presented a report which explained that further to the Committee's decision on 24 September 2015 to refuse to register land known as 'Brown's Copse' in Winterslow as a village green, a pre-action protocol letter dated 23 November 2015 had now been received from the applicant Winterslow Opposed to Over-development ('WOOD').

The letter challenged the lawfulness of the Committee's decision and notified the Council of the applicant's intention to issue proceedings for judicial review in the High Court to set aside the decision.

By way of background information, the report and associated appendices previously considered by the Committee at its meetings on 24 September and 30 April 2015 were presented together with the corresponding minutes.

The report also referred to the non-statutory public inquiry held into the matter and the Inspector's recommendations.

If legal proceedings were to be issued the Solicitor to the Council was authorised under the Constitution to institute, defend, settle or participate in any legal proceedings in any case where such action is necessary either to give effect to decisions of the Council or in any case where the Solicitor to the Council considers that such action is necessary to protect the Council's interests.

Noting that further information would be considered in Part II as detailed in minute no. 140 below, the Committee;

Resolved:

- (a) to note that the applicant is now expected to issue judicial review proceedings before 24 December 2015 in order to challenge the Council's decision to refuse to register Brown's Copse as a village green.**
- (b) To consider the Council's response to the proposed proceedings under a separate Part 2 report.**

139 Exclusion of the Press and Public

Resolved:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in minute number 140 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 5 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Paragraph 5 referred to above, relates to information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

140 Commons Act 2006 - Section 15(1) And (3) Application To Register Land As A Town Or Village Green - The Common / Browns Copse Field / Bluebell Wood Field / Village Hall Field / The Field, Winterslow

Following on from the above item at minute no. 138, Ian Gibbons, Associate Director for Legal and Governance and Solicitor to the Council drew the Committee's attention to the Pre-action Letter and legal advice from Counsel in response to it as presented.

The Committee was asked to note the action which the Associate Director proposed to take in his capacity as Solicitor to the Council in the light of the legal advice received.

Resolved:

That the Committee notes the proposed legal challenge which the applicant intends to make in respect of the Committee's decision of 24 September 2015 and the action to be taken by the Solicitor to the Council as set out at paragraph 9 of the report presented.

(Duration of meeting: 6.00pm – 9.34pm)

The Officer who has produced these minutes is Lisa Moore, of Democratic Services, direct line (01722) 434560, e-mail lisa.moore@wiltshire.gov.uk

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

SOUTHERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING
HELD ON 14 JANUARY 2016 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE
LANE, SALISBURY, SP2 7TU.**

Present:

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman),
Cllr Richard Britton, Cllr Richard Clewer, Cllr Jose Green, Cllr Mike Hewitt,
Cllr George Jeans, Cllr Ian McLennan, Cllr Ian Tomes, Cllr Ian West and Cllr Peter Edge
(Substitute)

Also Present:

Cllr Bill Moss & Cllr Atiqul Hoque

1 Apologies for Absence

The following apologies were received:

- Cllr Brian Dalton – who was substituted by Cllr Peter Edge.

2 Minutes

The minutes of the meeting held on Thursday 17 December 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes of the 17 December 2015.

3 Declarations of Interest

The following declarations of interest were received:

- Application 15/10290/FUL – Communication Bunker
Cllr Clewer and Cllr Tomes both declared a non-pecuniary interest, as members of the Salisbury Area Board which had previously considered the Community Asset Transfer of the Bunker in Harnham, on 16 July 2015. They would look at this application with an open mind.

- Application 15/1114/FUL – Land at Rear of Bedwin Street & Belle Vue Road
Cllr Peter Edge declared a non-pecuniary interest, as had previously been an acquaintance of the applicant. He agreed to look at this application with an open mind.

4 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

5 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

6 **Planning Appeals**

The committee received details of the appeal decisions as detailed in the agenda.

The Chairman also updated regarding the application to register land as a town or village green in Winterslow, which had been discussed under Urgent Business at the previous meeting.

Proceedings had been filed on 23 December and issued by the Court (Royal Courts of Justice, London) on 30 December 2015. The Council filed the judicial review acknowledgement of service confirming the Council would not be contesting the claim on 13 January 2016. An order from the court quashing the decision made 24 September 2015 was expecting to be received in 3 – 4 weeks.

7 **Planning Applications**

7a **15/10290/FUL - Communications Bunker, Old Blandford Road, Salisbury, SP2 8DG**

Public Participation

Paul Lord spoke in objection to the application.

Geoff Kennedy spoke in objection to the application.

Cllr John Collier spoke (as a member of the public) in objection to the application.

James Jordan spoke in support of the application.

Ross Sanderson (Applicant) spoke in support of the application.

Katie Jeffcoate spoke in support of the application.

Cllr Tom Corbin spoke on behalf of Salisbury City Council (SCC) in support of the application.

The Senior Planning Officer drew attention to the late correspondence circulated at the meeting and introduced the application for a proposed change of use from communications bunker into a youth music and education facility. The application was recommended for approval with conditions. It was noted that the application would provide a youth facility within the city of Salisbury and Officers considered that the impact to the amenity of neighbouring dwellings or any other site constraint would not be unduly harmful.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that there was an existing phone mast at the site, however this was not connected to application.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Unitary Division Member, Councillor Dalton then spoke on the application, adding that he could see two sides to the application. He noted that some information which had been circulated by members of the public had contained incorrect information, misinforming the public. He asked that if the application was supported then the concerns of the residents in Grasmere Close around noise, parking and lighting, could be addressed.

The Committee discussed the application, noting that the site was an ideal location for young people to play music, due to the depth and thickness of the walls, it was felt that there would be little noise impact on the surrounding amenities.

Resolved

The application be APPROVED subject to conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No works shall commence on site until an appropriate programme of building recording has been carried out in respect of the structure concerned. This record shall be carried out by an archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority. The recording shall be carried out in accordance with a written specification, and presented in a form and to a timetable, which has first been agreed in writing with the Local Planning Authority.

REASON: To secure the proper recording of the building.

3. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being brought into use.

REASON: In the interests of visual amenity and the character and appearance of the area.

4. The footpath hereby approved shall be constructed prior to the development being brought into use and shall be maintained in perpetuity.

REASON: To ensure that the development is served by an adequate means of access.

5. No part of the development shall be brought into use until details of secure covered cycle parking and has been submitted to and approved in writing by the Local Planning Authority, and; such facilities have been provided in accordance with the approved details. Such facilities shall be maintained thereafter.

REASON: In pursuit of sustainable transport objectives.

6. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site.

REASON: In the interests of the appearance of the site and the amenities of the area.

7. The use hereby permitted shall only take place between the hours of 08.30 in the morning and 21.30 in the evening from Mondays to Fridays and between 09:30 in the morning and 21.30 in the evening on Saturdays. The use shall not take place at any time on Sundays and Bank or Public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

8. No part of the development shall be brought into use until a

scheme for external lighting of the path and external areas has been submitted. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

9. The external lighting hereby approved as part of condition 8, shall not be illuminated outside the hours of 08.30 and 21.30 from Mondays to Fridays and between 09.30 and 21.30 on Saturdays at no time on Sundays and Bank or Public Holidays.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

10. No sound-amplifying equipment, loudspeaker, or public address system shall be installed / operated or music played within the external curtilage of the development hereby approved.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

11. The development hereby permitted shall not be brought into use until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse storage shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of public health and safety.

12. Before development commences, details of the proposed two sets of sound proof doors in the passage way together with details of the proposed sound traps and reflection filters within the ventilation systems shall be submitted to and approved in writing by the Local Planning Authority. The approved noise attenuation scheme (including, but not limited to, the agreed details for the additional passage doors

and ventilation sound traps) as detailed in the submitted addendum document to the Noise Management Plan (08/12/2015) shall be fully implemented before the development hereby permitted is first brought into use. The measures approved and implemented as part of the approved scheme shall be maintained in perpetuity.

REASON: In the interest of neighbouring amenity.

13. The development hereby permitted shall be carried out in accordance with the following approved plans:

DRG No. AD(0)001 - Proposed location plan	22/10/2015
DRG No. AD(0)100 - Proposed site plan	22/10/2015
DRG No. AD(0)060 - Proposed floor layout	18/11/2015
DRG No. AD(0)150 - Proposed path & retained barrier	18/11/2015

Addendum to the Noise Management Plan	08/12/2015
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REASON: For the avoidance of doubt and in the interests of proper planning

INFORMATIVES

1. **Further Recommendations:** The work should be conducted by a professional recognised contractor in accordance with the written scheme of investigation agreed by this office and there will be a financial implication for the applicant.

2. The applicant should note that the works hereby approved involve the removal and disposal of asbestos cement roofing. Should only be removed by a licenced contractor Asbestos waste is classified as 'special waste' and as such, can only be disposed of at a site licensed by the Environment Agency. Any contractor used must also be licensed to carry 'special waste'.

7b 15/1114/FUL - Land to the rear of 33 Bedwin St & Belle Vue Road, Salisbury, SP1 3YF

Public Participation

Ken Edwards spoke in objection to the application.

Peter Harwood spoke in objection to the application.

Tony Allen (Agent) spoke in support of the application.

Martin Quigley spoke in support of the application.

Cllr Tom Corbin spoke on behalf of Salisbury City Council, in support of the application.

The Senior Planning Officer drew attention to the late correspondence and introduced the application for the proposed erection of three dwellings, with associated car parking and landscaping. The application was recommended for approval with conditions. It was noted that a five dwelling scheme had previously been to committee and was refused, with one of the reasons being that the site was in a medieval chequer. Natural England had since confirmed that the site was not in one of the chequers, however it was in a conservation area.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that revised plans submitted by the applicant had met the concerns of the Conservation Officer. There were no trees on the site worthy of a preservation order.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Committee discussed the application, noting that the application had addressed the problems associated with the previous application. Despite the size of the site it was felt that it was almost invisible, due to the existing surrounding buildings.

Resolved:

That the application be APPROVED subject to conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing number 0157/PL/01 Rev.A dated 06.11.15, as deposited with the local planning authority on 06.11.15, and Drawing number 0157/PL/02 Rev.A dated 06.11.15, as deposited with the local planning authority on 06.11.15, and Drawing number 0157/PL/03 Rev.A dated 06.11.15, as deposited with the local planning authority on 06.11.15, and Drawing number 0157/PL/04 Rev.C dated 11.12.15, as deposited with the local planning authority on 14.12.15, and Drawing number 0157/PL/05 Rev.A dated 06.11.15, as deposited with the local planning authority on 06.11.15, and

Drawing number 0157/PL/06 Rev.A dated 11.12.15, as deposited with the local planning authority on 14.12.15.

REASON: For the avoidance of doubt and in the interests of proper planning.

2. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- * full details of trees to be retained, together with measures for their protection in the course of development;**
- * means of enclosure;**
- * all hard and soft surfacing materials;**
- * retained historic landscape features and proposed restoration, where relevant.**
- * details of proposed trees of a size and species and in a location to be agreed in writing with the Local Planning Authority, which shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

3. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

4. No part of the development hereby approved shall be first occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

5. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

6. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details and any diversion of the existing storm sewer (if necessary) which currently crosses the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

7. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until:

a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.

b) If, during development, any evidence of historic contamination or likely contamination is found, the developer

shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.

In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

Reason: In the interests of public health and safety

8. No construction or demolition shall take place on Sundays or Public Holidays or outside the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays.

Reason: In the interests of amenity

9. No burning of waste shall take place on the site during the demolition and construction phase of the development

Reason: In the interests of amenity

10. No development shall commence within the area indicated (proposed development site) until:

- i. A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**
- ii. The approved programme of archaeological work has been carried out in accordance with the approved details.**

REASON: To enable the recording of any matters of archaeological interest.

Further Recommendations: The work should be conducted by a professionally recognised archaeological contractor in accordance with a written scheme of investigation approved by this office and there will be a financial implication for the applicant.

INFORMATIVES:

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

The applicant's/landowners' attention is directed to the advice contained in the letter provided by Wessex Water dated 4th November 2014.

7c 15/09583/VAR - Clover Farm, Brickworth Road, Whiteparish, SP5 2QG

Public Participation

Richard Bagnall (Agent) spoke in support of the application.

Cllr John Herrett, spoke on behalf of Whiteparish Parish Council in objection to the application.

The Senior Planning Officer drew attention to the late correspondence and introduced the application to vary conditions 4 and 7 of S/2007/0596 to allow B8 use and external storage up to 2m high, no storage container to exceed 2.4m in height and no stacking of containers. The application was recommended for approval subject to conditions.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the site was in a Special Landscape Area (SLA).

Members of the Public then had the opportunity to present their views to the Committee, as detailed above.

The Unitary Division Member, Cllr Britton then spoke in objection to the application, stating that although he had no objection to seeing a wider range of goods being stored at the site, the request to permit storage containers on the site was a significant change and had all the makings of a distribution centre, which was not suitable in open countryside.

The Committee discussed the application, noting that the storage of 2.4m high containers on a SLA site would not be suitable.

Resolved:

The application be REFUSED for the following reasons:

The Council fully supports the enhancement of rural employment opportunities, and has made every effort to seek a compromise regards adjusting the conditions. However, the proposed variation of Conditions requested by the applicant would result in an uncontrolled/open B8 storage and distribution use in the open countryside that would be detrimental in terms of visual amenity and would have an adverse impact on the character of the surrounding designated Special Landscape Area. In these respects the proposal is considered discordant with Core Policies CP34, CP35, CP48 & CP51 of the adopted Wiltshire Core Strategy, and contrary to saved local plan policies C6 & E19 and the guidance contained within the NPPF in general and in particular the guidance set out at paragraph 28.

7d 15/09395/FUL - The Pheasantry, London Road, Winterslow, Wiltshire, SP5 1BN

Public Participation

No speakers registered.

It was noted that the application had been called in by Cllr Moss, who was not the Ward Member for the area. Following discussion the Committee decided to consider the application, as members of the public were in attendance for the decision.

The Legal Officer agreed to produce and circulate a briefing paper to clarify the procedure for calling in applications.

The Senior Planning Officer introduced the application for the conversion of an existing barn to a 2 bed dwelling. The application was recommended for approval.

Members of the Committee then had the opportunity to ask technical questions of the Officers.

There were no public speakers.

The Unitary Division Member Cllr Devine spoke in support of the application.

The Committee discussed the application.

Resolved:

The application be **APPROVED** subject to conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing number 1190.P7.A3 dated Sept 15, as deposited with the local planning authority on 21.09.15, and
Drawing number 1190.P4.A3 dated Sept 15, as deposited with the local planning authority on 21.09.15, and
Drawing number 1190.P6.A3 dated Sept 15, as deposited with the local planning authority on 21.09.15, and
Drawing number 1190.P3.A3 dated Sept 15, as deposited with the local planning authority on 21.09.15.

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall commence on site until details of the roof tiles to be used on the development, together with details of the proposed bricks (including details of bond), any replacement timber cladding, and capping for the replacement wall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

- 4 Before works commence a report shall be submitted for Planning Authority approval containing details and results of all necessary surveys to confirm the presence, and as appropriate, the status of bats in the barn. The report will contain details of all necessary measures that

will be carried out to ensure compliance with the Habitats Regulations 2010 (as amended). The works will be undertaken in accordance with the measures contained in the approved report.

Reason: To ensure adequate mitigation is made for protected species.

- 5** No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays. No burning of waste shall take place on the site during the construction phase of the development.

REASON: In the interests of neighbouring amenities

6. Before the dwelling hereby approved is first occupied, full details of the intended boundary between the approved dwelling and the adjacent existing dwelling (No.1 The Pheasantry) as shown on the submitted plan reference 1190.P7.A3, shall have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be erected before the dwelling hereby approved is first occupied.

REASON: In order to limit the impact of the works on adjacent amenity

Informatives:

Protected species

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm bats, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to bats. In the event that your proposals could potentially affect bats you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please visit the following websites for more information:

<http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>

<https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

Rights of way

There is a byway open to all traffic (WSLO6) running adjacent to the site on the route shown in brown below. This section of the byway has a width of 12 feet and extends to the boundary of the site shown in red adjacent to number 3. Access to the full width of the byway should be available at all times.

8 Urgent Items

There were no urgent items

(Duration of meeting: 6.00 - 8.28 pm)

The Officer who has produced these minutes is Lisa Moore, of Democratic Services, direct line (01722) 434560, e-mail lisa.moore@wiltshire.gov.uk

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

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WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 14 OCTOBER 2015 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice-Chair), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Magnus Macdonald, Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While.

86 Apologies for Absence

Apologies for absence were received from Committee Members Cllr Horace Prickett and Cllr Dennis Drewett.

The meeting also noted the Cllr Jon Hubbard had stated that he was unable to attend as a local member, due to another Council Commitment.

87 Minutes of the Previous Meeting

The minutes of the meeting held on 12 August 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 12 August 2015.

88 Chairman's Announcements

The Chairman gave details of the exits to be used in the event of an emergency.

89 Declarations of Interest

Councillor Magnus MacDonald, in relation to application 6 d – 15/05061/FUL, that as had known the objectors to the application for a long time, he would speak as the local member to the application but would not take part in the debate or vote.

90 Public Participation and Councillors' Questions

The Committee noted that a question regarding fracking had been submitted by Cllr Trevor Carbin had been submitted, but that the response had not yet been finalised.

The Chairman apologised for the delay and asked that officers circulate the question and response once it had been circulated.

The Chairman then welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

91 **Planning Applications**

The Committee considered the following applications:

92 **15/05186/FUL - The Long Barn, Cumberwell**

The Committee noted that the application had been withdrawn and therefore would not be considered at this meeting.

In response to a question raised by Cllr Trevor Carbin, the Area Team Leader stated that he understood that the applicant planned to resubmit an application; however, in recognition that the application was retrospective, officers shall keep the local ward member fully informed after further liaison with the Council's enforcement planning team and the applicant.

93 **15/05079/FUL - Withleigh, Melksham**

The Senior Planning Officer outlined the report that recommended that the application be approved with conditions.

Brian Inns and Doug Tuckerman spoke in objection to the application; and David William spoke in support of the application.

Cllr Jonathon Seed spoke on behalf of the local member Cllr Jon Hubbard.

Issues discussed in the course of the presentation and debate included: the location of the proposed development and the size and elevation of the proposed building; the setting of the proposal and its proximity to the conservation area and other listed buildings; the impact of the proposals on the trees and landscaping on the site; the impact of the proposals on the neighbouring properties, and the distance of the proposals from neighbouring properties; the car parking spaces proposed and the views of the highway officers.

In questioning the Senior Planning Officer, the Committee sought clarity on the proposed allocation of funding arising from the draft s106 agreement, the impact of the cost of the new crossing on the affordable housing contribution; and the officer's view that a condition on the permission may not be considered reasonable.

Having been put to the vote, the meeting;

Resolved that the Area Development Manager be authorised to grant planning permission, subject to the conditions set out below, on prior completion of a

Section 106 legal agreement for bus stops, a pedestrian crossing and off site affordable housing contribution.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until:
 - a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.****

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

- 3 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:**

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and

risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

- 4** No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the drainage details have been constructed in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner.

- 5** No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.

Should the submitted storm water drainage system, include a connection to the main sewer, and thus incorporating the use of

a pumped system the application will need to include details of the pumping station and storage system, details of ownership, future maintenance liability and maintenance regime and standby power arrangements

The development shall not be occupied until the surface water drainage details have been constructed in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner.

- 6** No development shall commence on site until a noise and dust management plan for both the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner.

- 7** No development shall commence on site until details of the provision of bat roosting features into the new buildings, including integral boxes/bricks/tubes and access into parts of the roof space, and bat boxes in trees, including the Ash tree in the south-eastern corner of the site, and nesting opportunities for House martin, House sparrow, Starling and Swift and a plan showing the locations and types of all bat and bird features has been submitted to and approved in writing by the local planning authority. including a plan showing the locations and types of all bat and bird features. The approved details shall be implemented before the building hereby approved is first occupied.

REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act 2006.

- 8** No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

- 9** No part of the development hereby approved shall be occupied until details of the obscure glazing used in the windows shown on the approved plans has been submitted to and approved in writing by the Local Planning Authority, and; the obscure glazing has been installed in accordance with the approved details. The obscure glazing shall be maintained in accordance with the approved details in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 10** Unit 2 shall not be occupied until the side windows serving the living room and bedroom 1 have been glazed with obscure glass to the level agreed in condition 9. The windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 11** The windows serving the refuse room shown on drawing annotated as proposed ground floor plan shall be fixed shut and shall remain as such in perpetuity.

REASON: In the interest of neighbouring amenity.

- 12** No part of the development hereby approved shall be occupied until details of external lighting within the site have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: In the interest of amenity and neighbouring amenity.

- 13** No part of the development hereby permitted shall be occupied until the access, turning area, visibility splay and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 14** No dwelling shall be occupied, until details of the privacy screen walls detailed on the approved plans and for units 14, 17, 19, 22,

24, 25 & 30 have been submitted to and approved in writing by the Local Planning Authority, and; the privacy screen walls in respect of each dwelling have been erected in accordance approved details. The approved screen walls shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property

- 15 All soft landscaping comprised in the approved plans shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.**

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 16 Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.**

REASON: In the interest of neighbouring amenity

- 17 No burning of waste or other material shall take place on the site**

REASON: In the interest of neighbouring amenity

- 18 The dwellings hereby approved shall achieve at least Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 as a minimum has been achieved.**

REASON: In the interest of Sustainable Construction

- 19 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan, Proposed Roof Plan, Tree Protection Plan, Landscape**

**Strategy Plan, Planning Drainage Strategy, Proposed Elevations 2 of 2, Proposed Ground Floor Plan, Proposed First Floor Plan, Proposed Second Floor Plan, received 26th May 2015
Proposed Elevations 1 of 2 received 26th June 2015**

REASON: For the avoidance of doubt and in the interests of proper planning.

- 1 INFORMATIVE TO APPLICANT:**
This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 (dated TBC).
- 2** The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy
- 3 INFORMATIVE TO APPLICANT:**
Please note that this consent does not override the statutory protection afforded to any protected species. All British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. If bats are discovered, all works should stop immediately and a licensed bat worker should be contacted for advice on any special precautions before continuing (including the need for a derogation licence from Natural England).

The applicant is also advised works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists.

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

Admin Note: Councillor Ernie Clark voted against the proposals.

94 **15/06732/FUL - 63 Shaw Road, Melksham**

The Senior Planning Officer outlined the report that recommended that the application be approved with conditions.

Jon Newsam spoke in objection to the application; and Mark Hallett spoke in support of the application.

Issues discussed in the course of the presentation and debate included: the access to the site for development, and the views of the highways officer; the planning history and the previously approved applications; the materials of the scheme; the elevation of the proposals; the similarities and difference between the approved scheme and the proposals; the impact of the proposals on the landscaping; the views of the neighbours; and the impact of the ownership of the lane on potential and proposed conditions.

Cllr Trevor Carbin proposed, subsequently seconded by Cllr Andrew Davis, that the Committee should approve the application as per the officer's recommendation detailed in the report.

In questioning the Legal Services representative, the Committee sought clarity on the relevance of recent case law regarding planning permissions and the Council's duty of care.

Having been put to the vote, the meeting;

Resolved, unanimously, to grant permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 All soft landscaping shown on Drawing Numbers A26 and TS1/A28 received by the Local Planning Authority on 8th July 2015 shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by**

vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with Drawing Numbers A26 and TS1/A28 received by the Local Planning Authority on 8th July 2015 prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 3** No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until the tree protection barrier shown on drawing TS1/A28 received by the Local Planning Authority on 8th July 2015 has been erected. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained trees shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 4** No part of the development hereby permitted shall be brought into occupation until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 5** No development shall commence on site until the widening of the access road to 5.8 metres has been completed as shown on drawing number A20 received by the Local Planning Authority on 8th July 2015.

REASON: In the interest of highway safety

- 6** No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure sufficient water drainage is provided on site.

- 7** The dwellings hereby permitted shall not be occupied until the alterations to the access serving them are completed in accordance with the Road Layout Plan (Drawing Number A20) received by the Local Planning Authority on 8th July 2015, including a visibility splay to the west of the eastern access to the rear of the access lane based on co-ordinates of 3m x 3m. The splays shall be kept free of obstruction above a height of 900mm at all times.

REASON: In the interest of highway safety

- 8** The dwellings hereby approved shall achieve Level 4 (in full) of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.

REASON: In the interest of sustainable construction and low carbon energy.

- 9** The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan, Drawing Numbers: A01, A02, A04, A20, A22, A23, A24, A26, TS1/A28, A29 received on 8th July 2015 and Drawing Number A21 received on 27th August 2015.

REASON: For the avoidance of doubt and in the interests of proper planning.

- 10** The applicant is advised that the development hereby approved represents chargeable development under the Community

Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website
www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

95 **15/05061/FUL - 209 Conkwell**

The Senior Planning Officer outlined the report that recommended that the application be approved with conditions.

Stephanie Laslett spoke in objection to the application; and Martin Hunn, Richard Wheeler and Rebecca Wheeler spoke in support of the application.

Councillor Magnus MacDonald spoke as the local member.

Issues discussed in the course of the presentation and debate included: the views of the Parish Council; the position of the neighbours window in relation to the proposals; and the layout of the site and the position of the building to the streetscene.

Cllr Andrew Davis proposed, subsequently seconded by Cllr Roy While that the Committee should approve the application as per the officer's recommendation detailed in the report.

Having been put to the vote, the meeting;

Resolved, to grant permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby approved shall be carried out in accordance with the materials submitted in section 10 of the application form received 22.05.2015.**

REASON: In the interest of preserving the character and appearance of the area.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:
Drg. No 101 Rev A received 29.05.2015 and Drg. No 201 Rev**

C received 29.05.2015

REASON: For the avoidance of doubt and in the interests of proper planning.

Admin Note: In accordance with his interest declared earlier in the meeting, Cllr Magnus MacDonald spoke as the local member, but did not take part in the debate or vote on the matter.

96 Planning Appeals Update Report

The Area Team Leader presented the Planning Appeals Update Report.

Issues discussed in the course of the debate included: whether more information should be required; the impact of such requests on officer's workloads; and how the report could be used to inform future consideration of applications.

Resolved

- 1. To note the Planning Appeals Update Report; and**
- 2. Requested that future updates be presented quarterly with additional information to enable the Committee to see the original date of the application decision; what the officer's recommendation was; to include a section on any costs being applied for or being awarded; and to provide a summary of lessons learnt and also cover any Judicial Reviews in that period.**

97 Urgent Items

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.43 pm)

The Officer who has produced these minutes is Will Oulton, of Democratic Services, direct line 01225 718089, e-mail <mailto:Shirley.Agyeman@wiltshire.gov.uk>

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WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 25 NOVEMBER 2015 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Magnus Macdonald, Cllr Pip Ridout, Cllr Jonathon Seed, Cllr Roy While and Cllr Jerry Wickham (Substitute)

Also Present:

Cllr Jon Hubbard and Cllr Ian Thorn

98 Apologies for Absence

Apologies for absence were received from Cllr Horace Prickett (replaced only for this meeting by Cllr Jerry Wickham)

99 Minutes of the Previous Meeting

The minutes of the meeting held on 14 October 2015 were presented. The Democratic Services manager drew the committee's attention to the following amendment required to the minutes from those published with the agenda

Minute No. 93 – 15/05079/FUL - Withleigh, Melksham

To insert the following at the start of the resolution which had been inadvertently missed off:

‘Resolved that the Area Development Manager be authorised to grant planning permission, subject to the conditions set out below, on prior completion of a Section 106 legal agreement for bus stops, a pedestrian crossing and off site affordable housing contribution’.

And after discussion the chairman proposed the deletion of the following paragraph::

‘Cllr Jonathon Seed proposed, subsequently seconded by Cllr Pip Ridout, that the Committee should approve the application as per the officer’s recommendation detailed in the report, with the request from the Committee that a signal controlled crossing point between the new development at

Witleigh and the existing Wharf Court on the other side of the road’.

The above mentioned amendment having been moved and seconded, it was

Resolved:

To approve the minutes of the meeting held on 14 October 2015 as a correct record subject to the amendments detailed above.

100 Chairman's Announcements

There were no announcements.

101 Declarations of Interest

Although not a disclosable pecuniary interest, Councillor Jonathon Seed wished it to be known that he knew the applicant’s late husband and therefore knew the applicant by association, in relation to application 6c 15/05656/FUL - Brook Hall Farm, Wood Road, North Bradley, although it was noted that he had not seen the applicant for some 5 years.

102 Public Participation and Councillors' Questions

No questions had been received from councillors or members of the public.

The Chairman welcomed all those present. He then explained the rules of public participation and the procedure to be followed at the meeting.

Councillor Jon Hubbard explained that for the committee’s consideration of application referenced 15/05079/FUL, at its meeting on 14 October, 2015, he had provided a written submission to Democratic Services for onward circulation to the Committee. He wished to record that he was extremely concerned and disappointed that his request had not been actioned. The Democratic Governance Manager apologised to Councillor Hubbard for this omission.

103 Planning Applications

The Committee considered the following applications:

104 15/05079/FUL - Witleigh, Melksham

The Planning Team Leader outlined the report that recommended that the application be approved with conditions.

Mr. Doug Tuckerman spoke in objection to the application and Mr. David William spoke in support of the application as the agent for the applicant.

Cllr Jon Hubbard spoke as the local member.

Issues discussed in the course of the presentation and debate included: the size and scale of the development with particular reference to the 3 storey building and whether a 2 storey would be more acceptable; the location of walls within the proposed development and their potential impact on neighbours; vehicular access to the site and the provision of parking spaces; the options for traffic calming and layout to have a positive impact on road safety.

Cllr While proposed that planning permission be approved in accordance with the Officer's recommendation subject to an additional requirement for the widening of the central splitter for which an additional financial contribution of £6,000 towards the costs would be required in the section 106 agreement and this was duly seconded by Cllr Pip Ridout.

In questioning the Team Leader, the committee sought clarification on why the application had been brought back to the committee. The Highway Officer was also called in to explain the basis on which the requirement of 50 pedestrians per hour over a peak period of 4 hours was arrived at as a criterion for setting up a pedestrian crossing. He explained in detail how putting a pedestrian crossing in the area under discussion would not be in line with Wiltshire Council policy and was not achievable.

Having been put to the vote, the meeting;

Resolved

That the Area Development Manager be authorised to grant planning permission, subject to the conditions set out below, on prior completion of a Section 106 legal agreement for bus stops and off site affordable housing contribution.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until:**
 - a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**
 - b) The approved programme of archaeological work has been**

carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and

the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

3

No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning

Authority.

- 4** No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the drainage details have been constructed in accordance with the approved details.
REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner.
- 5** No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.
Should the submitted storm water drainage system, include a connection to the main sewer, and thus incorporating the use of a pumped system the application will need to include details of the pumping station and storage system, details of ownership, future maintenance liability and maintenance regime and standby power arrangements
The development shall not be occupied until the surface water drainage details have been constructed in accordance with the approved details.
REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner.
- 6** No development shall commence on site until a noise and dust management plan for both the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.
REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner.
- 7** No development shall commence on site until details of the provision of bat roosting features into the new buildings,

including integral boxes/bricks/tubes and access into parts of the roof space, and bat boxes in trees, including the Ash tree in the south-eastern corner of the site, and nesting opportunities for House martin, House sparrow, Starling and Swift and a plan showing the locations and types of all bat and bird features has been submitted to and approved in writing by the local planning authority. including a plan showing the locations and types of all bat and bird features. The approved details shall be implemented before the building hereby approved is first occupied.

REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act 2006.

- 8** No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

- 9** No part of the development hereby approved shall be occupied until details of the obscure glazing used in the windows shown on the approved plans has been submitted to and approved in writing by the Local Planning Authority, and; the obscure glazing has been installed in accordance with the approved details. The obscure glazing shall be maintained in accordance with the approved details in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 10** Unit 2 shall not be occupied until the side windows serving the living room and bedroom 1 have been glazed with obscure glass to the level agreed in condition 9. The windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 11** The windows serving the refuse room shown on drawing annotated as proposed ground floor plan shall be fixed shut and shall remain as such in perpetuity.

REASON: In the interest of neighbouring amenity.

- 12 No part of the development hereby approved shall be occupied until details of external lighting within the site have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.**

REASON: In the interest of amenity and neighbouring amenity.

- 13 No part of the development hereby permitted shall be occupied until the access, turning area, visibility splay and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.**

REASON: In the interests of highway safety.

- 14 No dwelling shall be occupied, until details of the privacy screen walls detailed on the approved plans and for units 14, 17, 19, 22, 24, 25 & 30 have been submitted to and approved in writing by the Local Planning Authority, and; the privacy screen walls in respect of each dwelling have been erected in accordance approved details. The approved screen walls shall be retained and maintained as such at all times thereafter.**

REASON: To prevent overlooking & loss of privacy to neighbouring property

- 15 All soft landscaping comprised in the approved plans shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.**

All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 16 Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.**

REASON: In the interest of neighbouring amenity

- 17 **No burning of waste or other material shall take place on the site**
REASON: In the interest of neighbouring amenity
- 18 **The dwellings hereby permitted shall meet the relevant requirements of energy performance equivalent to Level 4 of the Code for Sustainable Homes. The development shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 or its equivalent has been achieved.**

REASON: In the interest of Sustainable Construction

- 19 **The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Plan, Proposed Roof Plan, Tree Protection Plan, Landscape Strategy Plan, Planning Drainage Strategy, Proposed Elevations 2 of 2, Proposed Ground Floor Plan, Proposed First Floor Plan, Proposed Second Floor Plan, received 26th May 2015
Proposed Elevations 1 of 2 received 26th June 2015
REASON: For the avoidance of doubt and in the interests of proper planning.**

- 1 **INFORMATIVE TO APPLICANT:
This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated TBC**
- 2 **The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy**
- 3 **INFORMATIVE TO APPLICANT:
Please note that this consent does not override the statutory protection afforded to any protected species. All British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. If bats are discovered, all works should stop immediately and a licensed bat worker should be contacted for**

- 4 **advice on any special precautions before continuing (including the need for a derogation licence from Natural England). The applicant is also advised works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists. Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.**

105 **15/09226/FUL - 30 Palairet Close Bradford-on-Avon**

The Planning Team Leader outlined the report that recommended that the application be approved with conditions.

Mrs. Esther Harris, Mr. Mike Wilson, Mr. John Grose and Cllr Gwen Allison from Bradford on Avon Town Council spoke in objection. Ms. Liz Dawe, the applicant, spoke in support of the application.

Cllr Ian Thorn spoke as the local member.

Issues discussed in the course of the presentation and debate included: The relevance of land covenants to planning applications. The Legal Officer explained that the discharge of private covenants were outside of the planning process.

Cllr Pip Ridout moved that planning permission be granted in accordance with the Officer's recommendation and this was duly seconded by Cllr Ernie Clark.

In questioning the Planning Team Leader, the committee requested that future reports on planning applications include information on whether or not the Council was party to any relevant covenants. Whilst accepting that covenants were outside the planning process, it would enable the Committee to ensure the appropriate Council department was made aware to carry out any necessary follow up action.

The Chairman requested that clarification concerning the covenant attached to the dwelling the subject of this planning application be circulated to all members, substitute members and local member.

Having been put to the vote, the meeting

Resolved to grant permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 Pile and beam foundations should be used for the foundations of the proposed wall to prevent future pressure on the wall. Details of which should be submitted to the Local Planning Authority in writing prior to any works commencing on site.**

REASON: To prevent future pressure on the wall

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 4 No root pruning shall be carried out until a site meeting has been arranged and has arranged by the applicant, their appointed arboricultural consultant and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and that meeting has taken place with the Local Planning Authority in attendance. Any approved works shall subsequently be carried out under strict supervision by the LPA immediately following that approval.**

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged and to ensure that as far as possible the work is carried out in accordance with current best practice

- 5 The applicant should note that the work hereby permitted should be carried out in accordance with good practice as set out in the "British Standard Tree Work - Recommendation for**

Tree Work", BS 3998: 2010 or arboricultural techniques where it can be demonstrated to be in the interests of good arboricultural practice.

- 6 A suitable root barrier should be installed at 0.5 mm from the wall to guide extended root growth away from the wall.**

REASON: To ensure the future stability of the wall.

- 7 The development hereby permitted shall be carried out in accordance with the following approved plans:**

Proposed ground floor plan received 16.09.2015

Existing floor plan received 16.09.2015

Location Plan received 16.09.2015

First Floor Plan received 16.09.2015

Existing elevations received 16.09.2015

Proposed elevations received 16.09.2015

REASON: For the avoidance of doubt and in the interests of proper planning.

106 15/05656/FUL - Brook Hall Farm, Wood Road, North Bradley

The Senior Planning Officer outlined the report that recommended that the application be approved with conditions.

Mr Chris Bale, the applicant spoke in support of the application.

Cllr Francis Morland of Heywood Parish Council and Mr Evans spoke in objection to the application.

Cllr Jerry Wickham spoke as the local member.

Issues discussed in the course of the presentation and debate included: noting that the whole size of the development had been significantly scaled down in response to initial concerns raised; identifying the need to have a written update on solar developments in West Wiltshire and a request for the information to be circulated among members. A query was raised about the use of diesel generators on solar developments and whether this was allowed. A view of the full landscape of the area was discussed with comment on the relevant impact on the surrounding area and how the quality of the soil was very poor to support any feasible agricultural development.

Cllr Jonathon Seed moved that planning permission be granted subject to an amendment to condition 3 to insert the same term as used in condition 2 'the installation hereby approved' and to add to condition 4 the requirement for the

development to be in accordance with paragraph 3.8 of the Design and access statement BHF/RPT/001 and this was duly seconded by Cllr Trevor Carbin.

Reference was made to previously circulated details of solar schemes for which planning permission had been granted. The Chairman requested that an update be circulated to members of the Committee indicating those schemes which had built or proceeded with.

On being put to the vote, it was

Resolved

To grant permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The Local Planning Authority shall be notified in writing within one month of the event that the solar array hereby approved has started to feed electricity to the Grid. The installation hereby approved shall be permanently removed from the site and the land reinstated within 25 years and six months of the date that the solar farm starts feeding electricity into the grid, in accordance with a scheme for the decommissioning and restoration of the development which shall have been submitted to and approved in writing by the Local Planning Authority 6 months prior to decommissioning. The Local Planning Authority shall be notified in writing of that removal within one month of the event.**

REASON: In the interests of amenity and the finite operation of this type of development.

- 3 In the event that the development ceases to be operational for the generation of energy before the end of the period defined in condition 2 then the installation hereby approved shall be removed from the site and the land returned to its former condition in accordance a Decommissioning Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning, and within six months of the cessation**

of the generation of energy from the site.

REASON: In the interests of amenity and the circumstances of the use.

- 4** The development hereby permitted as well as all associated development shall be carried out in accordance with the following approved plans:

Plan EDP H3: received on 5 November 2015;

BH00104-00-000 REV R06 received on 1 October 2015

BH00104-15-001 REV R03 received on 1 October 2015

BH00104-16-001 REV R02 received on 25 June 2015 insofar as the plan relates to additional hedge planting only; and

Read in conjunction with details for Mounting

Arrangements, Inverter and Transformer Housing, SSE

Substation, Cable Trench Arrangements and Security

Cameras as contained in the document "Equipment

Appearance and Technical Details" and Paragraph 3.8 of the

"Design and Access" Statement BHF/RPT/001 received on 9 June 2015.

REASON: For the avoidance of doubt and in the interests of proper planning.

- 5** The development hereby approved shall be carried out in accordance with the Construction and Traffic Management Plan Ref. BHF/RPT/011 dated May 2015 and details of the signage scheme proposed in Paragraph 4.2 of that document shall be submitted for approval to the Local Planning Authority prior to the commencement of development, including the delivery of any materials to the site.

REASON: In the interests of highway safety and amenity.

- 6** No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0730 - 1800 Monday to Fridays and 0800 - 1300 on Saturdays.

REASON: In the interests of amenity.

- 7** The development hereby approved shall be carried out in accordance with the recommendations made in section 5 of the Ecological Appraisal and Mitigation Strategy report dated April 2015 prepared by AD Ecology Ltd, including the implementation of defined working areas, as already submitted with the planning application and agreed in principle with the local planning authority before determination.

REASON: To ensure adequate protection and mitigation for protected species / priority species / priority habitats

through the implementation of detailed mitigation measures that were prepared and submitted with the application before determination.

- 8** Prior to any site preparation works or the commencement of development, an amended Habitat Management Plan shall be prepared and submitted to the local planning authority for approval to include the location of badger access points through the perimeter security fence and the management of the ecological mitigation area in field F3. The development site shall be managed and maintained in accordance with the measures set out in the approved plan in perpetuity unless otherwise agreed in writing with the local planning authority.
REASON: To ensure the appropriate management of priority habitats and mitigation for protected species.
- 9** Prior to any site preparation works or the commencement of development, a Landscape Strategy shall be prepared and submitted to the local planning authority for approval, including, but not necessarily limited to, the following:
- an extension to the new hedgerow from field F2, around the badger exclusion area to link up with the section of new hedgerow in field F5 (with a gap for the internal access track)
 - a native, locally characteristic species-rich hedgerow planting specification (minimum of 6 woody species)
 - an ecological enhancement plan for field F3 (habitat creation details)
- wildflower seed mix and farmland bird crop mix details
- preparation and establishment methodology for wildflower meadows and farmland bird crop areas
- All newly created habitats shall comprise native species of British origin and local provenance. The approved Landscape Strategy shall be carried out in the first planting and seeding season following the completion of the development. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock (if necessary). Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.
REASON: To ensure the proper implementation of a landscape strategy, in the interests of biodiversity.

- 10** Other than the development and use hereby approved no materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site between the times of completion of development and commencement of decommissioning.
REASON: In the interests of the appearance of the site and the amenities of the area.
- 11** No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
REASON: To minimise the effects of light pollution on the surrounding area
- 12** **INFORMATIVES: Drainage:** In relation to Council drainage by laws and the Land Drainage Act (LDC) and works on/over/to or within 8m of the top of non-main river watercourses (including outfalls) will require formal LDC consent which is totally separate process to planning. As part of the LDC there will be a requirement of no structure (including panels) to be sited within the 8m margin - this would have an impact on the submitted planning site layout Any works within 8m of Main River will require similar approval from the Environment Agency.
The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please visit the following websites for more information:
<http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>
<https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>
The Protection of Badgers Act 1992 protects badgers from

cruel ill-treatment, including damage or destruction of their setts, or disturbance whilst a sett is in occupation. This Act makes it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to development, and if evidence of badger activity is found, (such as foraging routes, snuffle holes, latrines or established setts), then work must stop immediately while a professional ecologist is contacted for advice. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about badgers and licensing can be found at <https://www.gov.uk/badgers-protection-surveys-and-licences>

Pollution Prevention During Construction: Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover: - the use of plant and machinery - oils/chemicals and materials - the use and routing of heavy plant and vehicles - the location and form of work and storage areas and compounds - the control and removal of spoil and wastes. The applicant should refer to the Environment Agency's Pollution Prevention Guidelines
The applicant is advised to contact National Grid (plantprotection@nationalgrid.com or +44 (0)800 688588) prior to the commencement of development with regard to protection of infrastructure.

107 **15/09014/FUL - 4 Brampton Court, Bowerhill**

The Senior Planning Officer outlined the report which recommended that the application be approved with conditions.

Mr. Simon Chambers, the applicant's agent, spoke in support of the application.

It was noted that this was a revised application.

Cllr Roy While moved that planning permission be granted as recommended and this was duly seconded by Cllr Trevor Carbin.

On being put to the vote, the meeting;

Resolved

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 15/103/1 Rev B received on 2 October 2015; 15/103/2 Rev A received on 2 October 2015; 15/103/3 Rev B received on 2 October 2015.

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

REASON: In the interests of visual amenity and the character and appearance of the area.

4. The internal alterations as detailed by drawing no: 15/103/3 Rev B (in relation to the removal of stud walls and blocking up internal doorways) shall be carried out prior to the first occupation of either dwelling. Thereafter, the resultant layout shall remain in perpetuity.

REASON: In order to define the terms of this permission and to ensure the development satisfies the minimum residential parking standards as set out by policy CP64 of the Wiltshire Core Strategy and Policy PS6 of the LTP3 Car Parking Strategy.

5. The external works as detailed by drawing no: 15/103/1 Rev B (in relation to parking and access to provide 4 car parking spaces) shall be carried out prior to the first occupation of either dwelling. Thereafter, the resultant layout shall remain in perpetuity.

REASON: In order to define the terms of this permission and ensure a development satisfies the minimum residential parking standards as set out under policy CP64 of the Wiltshire Core Strategy and Policy PS6 of the LTP3 Car Parking Strategy.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-H shall take place to the dwelling houses hereby permitted or within their curtilages.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

PLANNING INFORMATIVES:

1. In accordance with Policy CP41 the applicant is encouraged to incorporate design measures to reduce energy demand within the development initially through energy efficiency enhancement to reduce energy consumption and then the use of renewable technologies.
2. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website:

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

108 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 – 6.20 p.m.)

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WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 16 DECEMBER 2015 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice-Chair), Cllr Trevor Carbin,
Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Magnus Macdonald,
Cllr Pip Ridout, Cllr Jonathon Seed, Cllr Roy While and Cllr Jerry Wickham

109 Apologies for Absence

Apologies for absence were received from Cllr Horace Prickett who was substituted by Cllr Jerry Wickham for this meeting only.

110 Minutes of the Previous Meeting

The minutes of the meeting held on 25 November 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 25 November 2015.

111 Chairman's Announcements

The Chairman gave details of the exits to be used in the event of an emergency.

112 Declarations of Interest

Cllr Pip Ridout and Cllr Jonathan Seed both stated that they were acquainted with Col Linge, a speaker on item 8 – Footpath Diversion, but that this did not preclude them from participating in the consideration of the matter, and that they would do so with an open mind.

113 Public Participation and Councillors' Questions

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

114 **Planning Applications**

The Committee considered the following applications:

115 **14/01659/FUL - Haygrove Farm, Lower Westwood**

The Area Planning Team Leader outlined the report and recommended that the application be approved with conditions with no legal agreement and requested that members consider revising the committee resolution agreed at the area committee on 12 August 2015.

There were no speakers in the public forum.

Cllr Magnus MacDonald spoke as the local member.

Issues discussed in the course of the presentation and debate included: The officer describing the location and topography of the application site in relation to the settlement boundary; the green belt and conservation area status, the size of the proposed replacement building compared to the old agricultural buildings which would be demolished and the planning history of the site.

The officer reminded members that the committee resolution which was made in August was to grant permission subject to a s106 agreement; and the officer presentation largely focused on the use of planning conditions and the statutory tests which must be satisfied. The officer informed members that the s106 could not be fulfilled since officers had received confirmation from the applicant's mortgage lender that they would not be an agreeable party to such an agreement. Members were informed that the mortgage lender had a clear financial and legal stake in the property and that they would need to be party to any legal tie. Without their signature, the s106 could not be fulfilled. Members were reminded of the statutory tests to which all s106s must accord with. The officer informed members of the content of para 203 of the NPPF which directed decision makers to use planning conditions rather than legal agreements (where it is necessary to make developments acceptable). Reference was also made to updated government planning practice guidance.

The officer referenced the conditions which would restrict future occupancy in this case and cited two recent appeal decisions which the Council had successfully defended for cases which centred on the robustness of planning conditions restricting holiday let occupancy. Members were advised that, in officer's opinion, this case did not merit a legal agreement as planning conditions would robustly serve the function of restricting future occupancy, and that maintaining a requirement for a s106 could place the Council at risk for unreasonable behaviour, a likely non determination appeal and potential costs application.

Cllr Magnus MacDonald moved, subsequently seconded by Cllr Roy While, that planning permission be granted in accordance with the Officer's recommendations as outlined in the report.

In questioning the Area Team Leader, the committee clarified that the mortgage lender was content with conditions to tie the property to a holiday let, but would not enter into any legal agreement; that there was evidence across the County where similar planning conditions had been used to restrict holiday let occupancy which had been challenged and successfully defended at appeal and that the recommended conditions are fully enforceable; and, to avoid an appeal in this case, and potential costs application, the committee were asked to determine the application for approval without a legal agreement.

Having been put to the vote, the meeting:

Resolved to grant permission (without a legal agreement) but subject to the following conditions as recommended:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall take place until samples/details of the materials to be used in the construction of all the external surfaces of the development hereby permitted (including the exact type and colour and manufacturer of the solar PV panels) have been made available to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

REASON: To ensure that the development harmonises with its historic setting and protected surroundings.

- 3 No building works pursuant to the construction of the holiday let accommodation shall commence until all three existing structures identified for demolition on the site have been permanently demolished and all the debris has been removed from the site/landholding.**

REASON: In order to define the terms of this permission and to ensure the site is redeveloped in an appropriate manner respectful to the protected surroundings and neighbours.

- 4 No person/s shall occupy the holiday accommodation for a continuous period of more than 1 month in any calendar year and**

it shall not be re-occupied by the same person/s within 28 days following the end of that period.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

- 5** Notwithstanding Class C3 of the Schedule to the Town and Country (Use Classes) Order 1987 (as amended) (or any order which revokes and re-enacts that Order with or without modification), the accommodation hereby permitted shall be used to provide holiday accommodation only, which shall not be occupied as permanent, unrestricted accommodation or as a primary place of residence. In addition, an up to date register of names and main home addresses of all occupiers shall be maintained and shall be made available at all reasonable times to the Local Planning Authority.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

- 6** No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 7** All demolition/construction operations on site shall be restricted to the following hours:
Monday-Friday 08:00-18:00, Saturdays 08:00-13:00 and not at all on Sundays and/or bank Holidays.

REASON: In the interests of safeguarding local and residential amenity.

- 8** Should the solar PV panels become obsolete, they shall be removed from the property within 3 months from the date they cease to be used or function for the purposes of providing renewable energy; and that the roof shall be clad in material to match the northern roof plan hereby approved.

REASON: In order to define the terms of this permission.

INFORMATIVES TO APPLICANT:

- 1. The applicant/developer is advised to duly note that bats and their roosts are protected at all times by the Conservation of Habitats and Species Regulations 2010. Planning permission for any development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact Natural England's Bat line on 0845 1300 228**
- 2. The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. The season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.**
- 3. The applicant/developer is encouraged to contact Wessex Water to agree connections to the water supply and mains sewer infrastructure.**
- 4. The applicant/developer is advised to contact the Wiltshire Fire & Rescue Service and to consider the installation / provision of residential sprinklers inside the new property. More information can be obtained from the Fire Authority through contacting them on tel. no: 01225 756500 or via email: planning@wiltsfire.gov.uk**
- 5. The applicant is encouraged to arrange for appropriate literature to be provided to all future visitors to the holiday let accommodation to advise upon the directions to the site and also to raise awareness of the localised highway constraints and limited visibility.**
- 6. The applicant is advised that the development hereby approved is chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website: www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy**

116 **15/09224/FUL - 212 The Common, Holt**

The Senior Planning Officer outlined the report recommending that the application be approved with conditions.

Peter Auburn, Alexander Venables and Fiona Drysdale spoke in objection to the application. Dermot Tully, the applicant, and Peter Grist, the agent, spoke in support of the application.

Cllr Trevor Carbin spoke as the local member.

Issues discussed in the course of the presentation and debate included: The officer describing the location of the site and its relationship with neighbouring properties; the orientation of the properties and gardens; the footprint of the existing property in relation to the proposals; the vegetation existing on the site; the views of the neighbours; the size and scale of the proposals in relation to the existing and neighbouring buildings; the topography of the site; the size, location and glazing of the windows in the proposal; the materials proposed to be used; the view of the highways officer; how the proposal compared with other extended properties nearby; as well as outlining the potential impact of the proposals on the amenity of neighbours.

Cllr Trevor Carbin moved, subsequently seconded by Cllr Ernie Clark that consideration of the application be deferred to enable a site visit to take place.

Having been put to the vote, the meeting;

Resolved

To defer the consideration of the application to enable a site visit to take place.

117 **15/04674/FUL - Station Approach, Bradford-on-Avon**

The Senior Planning Officer outlined the report recommending that the application be approved with conditions. The officer also drew the meetings attention to a colour copy of a photomontage produced by the applicant to assist members, but advised that he had not been afforded the opportunity to check the veracity of the image. The officer also drew the member's attention to plans of previously approved proposals on the site.

Janet Repton and Martin Newman spoke in objection to the application. Warren Jones, the applicant, spoke in support of the application. Cllr Gwen Allison spoke on behalf of Bradford-on-Avon Town Council

Issues discussed in the course of the presentation and debate included: The officer describing the location of the site within Bradford on Avon's town centre

and conservation area and its relationship with listed buildings nearby, as well as identifying the size, scale and height of the proposed development. The officer also referenced the extant approved development for the site and drew members attention to some comparisons in terms of building size, scale and design; the planning history on the site was outlined, with particular attention drawn to the reasons for refusing the most recent application for 4 x 3-bed dwellinghouses; the officer outlined the differences between the current proposal compared to the previous applications; the materials proposed for the development; the amount of amenity land to be provided on the site as well as referencing the amount of communal amenity space afforded to a flatted development located nearby; the views of the highways officer and the issues of car parking; the impact of the proposals on the conservation area; the views of the Historic England and the Council's conservation officer; the viability of the site and the proposals; the access of the location to services and public transport; and the applicability of the current core strategy were also all discussed.

In questioning the Senior Planning Officer, the committee sought some clarification regarding the highways officer's reasoning for their views on the parking provision and specifically about their non-objection to a 4 house development having no parking provision; and that, in their opinion, it would be preferable for a Highway Officer to be present to explain their reasoning. Members also sought clarity on the height of the proposed new building in comparison to the extant and previous permissions; some discussion was also held about the loss of the taxi rank from the site, as well as seeking confirmation from officers that the associated noise impacts from the railway line and the nearby pub had been considered.

Members expressed great concern about the lack of parking for a 4 house development, the design of the building and the overdevelopment of the site.

Cllr Magnus MacDonald proposed, subsequently seconded by Cllr Jonathan Seed, that planning permission be refused.

Having been put to the vote, the meeting;

Resolved

That planning permission should be refused for the following reasons:

- 1. The proposal fails to provide adequate standards of amenity for its future occupiers contrary to Core Policy 57 of the adopted Wiltshire Core Strategy and Paragraph 17 of the NPPF.**
- 2. The proposal fails to provide adequate parking provision for the size and number of residential units proposed which would result in unacceptable parking pressure on the surrounding streets contrary to Core Policy 64 of the Wiltshire Core Strategy.**

3. **The proposed design/detailing fails to respect the established architectural character of the Bradford-on-Avon Conservation Area, and the setting of the GWR railway station contrary to Core Policy 57 and 58 of the adopted Wiltshire Core Strategy and paragraph 132 of the NPPF.**
4. **The proposal represents an inappropriate overdevelopment of the site which would not be in keeping with its immediate environs contrary to Core Policy CP57 of the adopted Wiltshire Core Strategy which requires development to create a strong sense of place which is complementary to the locality.**

118 Norton Bavant Path No.4 (Part) Diversion Order and Definitive Map; and Statement Modification Order 2015

The Rights of Way Officer presented the report which outlined the recommendation.

Francis Morland spoke in objection to the order. Col Nigel Linge, Graham Bennett, James Nevitt and Brian Micklam spoke in support of the recommendation.

Issues discussed in the course of the debate included: the location of the diversion, and its relationship to a scheduled ancient monument and site of scientific interest; the current use and access to the land; that a creation order has no objections to it but the diversion order did; the views of those making representations; the impact of the diversion on those using the existing paths; the views of Historic England; the relationship of the proposals to other roads; the topography of the site; the requirements for improved access and gating; the historical evidence of the access; the location of MOD property and ranges; and the impact of the existing route and the proposals on the current land.

In questioning the officer, the committee clarified; that the process for considering a representation as a formal objection was prescribed by regulation and strictly adhered to; the extent to which the current obstruction had affected access, that only one complaint had been received, and that officers had given this a low priority in relation to addressing obstructions in better used locations; the liability for maintenance of a footpath; that it was not within the scope of s.119 of the Highways Act 1980 to retain footpath rights over part of the bridleway route, but that there were other possible options for this subject to the agreement of both the landowner and Wiltshire Council; and what corrections had been brought to the officer's attention by the objector.

Cllr Newbury expressed concern as to whether the regulations with regard to considering a representation as a formal objection where being too rigorously applied.

Cllr Christopher Newbury proposed, subsequently seconded by Cllr Pip Ridout, that the officer's recommendation as set out in the report be approved with the additional recommendation that Mr Wright's representation be considered as a formal objection.

Having been put to the vote, the meeting unanimously:

Resolved

That The Wiltshire Council Parish of Norton Bavant Path No. 4 (part) Diversion Order and Definitive Map and Statement Modification Order 2015 be forwarded to the Secretary of State for Environment, Food and Rural Affairs with the recommendation that it be confirmed with the following modifications:

- (i) In paragraph 2 where referring to the rights of Scottish and Southern Energy replace the word "footpath" for "bridleway".**
- (ii) In Part 3 of the Schedule amend the width to read "4 metres from OS Grid ref. ST 90853 44042 to ST 91694 43539 the remainder to be 3.5 metres". Amend approximate length to be "1600 metres".**
- (iii) In the event that Order is confirmed, The Wiltshire Council Norton Bavant 10 (part) Creation and Definitive Map and Statement Modification Order, which has attracted no objections or representations, be confirmed.**
- (iv) That the representation of Mr A Wright be considered as a duly made objection.**

Reason for Decision:

Despite the objection received it is considered, for the reasons given in paragraphs 50 to 58 of the Decision report (please see Appendix D) that "The Wiltshire Council Parish of Norton Bavant Path No. 4 (part) Diversion Order and Definitive Map and Statement Modification Order 2015" continues to meet the legal tests for the making of a Diversion Order under Section 119 of the Highways Act 1980.

Additionally, the legal tests for the confirmation of a Public Path Diversion Order, as set out under Section 119 of the Highways Act 1980, appear capable of being satisfied and no new evidence has been submitted during the formal objection period which would lead Wiltshire Council to no longer support the making of the Order.

Minor errors in the Order may be corrected by the Secretary of State as modifications.

119 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 5.45 pm)

The Officer who has produced these minutes is Will Oulton, of Democratic Services, direct line 01225 718089, e-mail <mailto:Shirley.Agyeman@wiltshire.gov.uk>

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WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 3 FEBRUARY 2016 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Magnus Macdonald, Cllr Jerry Wickham (Substitute), Cllr Roy While and Cllr Philip Whitehead (Substitute)

1 Apologies for Absence

Apologies for absence were received from Cllr Horace Prickett, substituted at the meeting by Cllr Philip Whitehead; Cllr Jonathon Seed, substituted at the meeting by Cllr Jerry Wickham; and from Cllr Pip Ridout.

2 Minutes of the Previous Meeting

The minutes of the meeting held on 16 December 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 16 December 2015.

3 Chairman's Announcements

The Chairman gave details of the exits to be used in the event of an emergency.

4 Declarations of Interest

Cllr Ernie Clark declared, in relation to item 6b - 15/11119/FUL , that he chaired the parish council planning meeting where the matter was discussed, but that he abstained from the vote and confirmed that he would consider it with an open mind.

Cllr Philip Whitehead declared, in relation to item 6b - 15/11119/FUL , that although he was the Cabinet Member for Highways, and that there was an car parking issue to be determined in the Hilperton area, he did not think this would prevent him from considering the application with an open mind.

5 Public Participation and Councillors' Questions

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

6 Planning Applications

The Committee considered the following applications:

7 15/09224/FUL - 212 The Common, Holt

The Senior Planning Officer, Jonathon James, outlined the report that recommended that the application be approved with conditions. It was noted that the Committee had previously received a presentation at the previous committee meeting, and that the members of the Committee had had the opportunity to visit the site following a deferral.

Peter Auburn, Alexander Venables and Elsa Joyce spoke in objection to the application. Dermot Tully, the applicant, and Peter Grist, the agent, spoke in support of the application.

Cllr Trevor Carbin spoke as the local member.

Issues discussed in the course of the presentation and debate included: the location of the site and its relationship with neighbouring properties; the orientation of the properties and gardens; the footprint of the existing property in relation to the proposals; the impact of the application on the amount of natural light received by neighbouring properties; the concerns of the neighbours, particularly with regard to privacy; the size and scale of the proposals in relation to the existing and neighbouring buildings; the topography of the site; the size, location and glazing of the windows in the proposal; the materials proposed to be used; how the proposal accords with other extended properties nearby; and the potential impact of the proposals on the amenity of neighbours.

Cllr Trevor Carbin moved that the application be refused as, by reason of the bulk, size and height of the extension, the proposal was contrary to core policy 57.

There being no seconder to this proposal, the proposal was not successful.

In response to a question from Cllr Clark, it was clarified that the proposed windows to be formed in the rear elevation would have Juliette balconies that would not extend out from the exterior wall.

In response to a question from Cllr Davis, the planning officer advised that condition 4 should remain and that a condition removing more extensive

permitted development rights to restrict further extensions and additions to the property could be included.

Cllr Andrew Davis, subsequently seconded by Cllr Tony Knight, proposed that permission should be granted subject to the inclusion of an additional condition removing permitted development rights for any further extensions or additions.

Having been put to the vote, the meeting;

Resolved

That the application be approved subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

- 3 No paint or stain finish shall be applied to the external timber cladding unless otherwise agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details and maintained as such in perpetuity.**

REASON: In the interests of visual amenity and the character and appearance of the dwelling and the area.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or roof light, other than those shown on the approved plans, shall be inserted in the side elevations and roof slope(s) of the development hereby permitted.**

REASON: In the interests of residential amenity and privacy.

- 5** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A and D shall take place on the dwellinghouse the subject of this application.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 6** The window(s) in the side elevation(s) serving en-suite bathrooms shall be glazed with obscure glass only to an obscurity level of no less than level 4 and fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted and shall be permanently maintained as such in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 7** The development hereby permitted shall be carried out in accordance with the application form and the following approved plans/drawings: Existing site plan, elevations and floor plans and Proposed site plan, elevations and floor plans all received on 16 September 2015

REASON: For the avoidance of doubt and in the interests of proper planning.

Planning Informatives:

- 1.** There is a risk that bats may be present at the development site. The Council considers it would be unreasonable to require the applicant to submit a bat survey because this could be considered disproportionate to the scale of development. Furthermore, given the particular proposals for the site, the Council considers that if bats were found, mitigation would probably not require further planning permission and a Natural England Licence would be forthcoming. Nevertheless, anyone undertaking this development should be aware that bats and their roosting places are protected at all times by the Conservation of Habitats and Species Regulations 2010. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. Consideration should be given to obtaining a survey from a professional ecologist before commencing

work (e.g. a building assessment to search for evidence of roosting bats internally and externally, which can be carried out any time of year, and inform the need for further bat emergence / re-entry activity surveys). If bats or evidence of bats is found at any stage of development, the applicant is advised to follow the advice of a professional ecologist or to contact the UK Bat Helpline on 0345 1300 228 (homeowners and churches) or visit http://www.bats.org.uk/pages/natural_england_roost_visits.html for more information

- 2. Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.**

8 15/11119/FUL - 221 Church Street, Hilperton

The Development Control Team Leader, Kenny Green, outlined the report that recommended that the application be refused. The Senior Highways Engineer, Roger Witt, was invited to outline his views that had informed the recommendation.

In response to a question from Cllr MacDonald, officers confirmed that the paved hardstanding had a drain installed at the site frontage which was considered sufficient to trap surface water run-off from entering the public highway.

Heidi Hart, the applicant, spoke in support of the application.

Cllr Ernie Clark spoke as the local member.

Issues highlighted in the course of the presentation and discussion included: the retrospective nature of the application; the restricted visibility of the access especially with respect to oncoming traffic from a northern direction; and the potential highway and pedestrian conflicts; consideration was also given to the provision of parking within the vicinity; the location of the development in relation to the host dwelling and its immediate surroundings; due regard was also given to number of a number of referenced similar accesses with sub-standard visibility locally; consideration was also given to the impact of vehicles parked on the road; and the number of recorded accidents (with injuries recorded) in the area.

Due regard was also given to the recent opening up of the Hilperton Relief Road and consequential re-classification of Church Street.

Due consideration was also given to Church Street experiencing a reduced volume of traffic. Officers and Members also discussed the potential merits of having a mirror installed to aid visibility. On this point, officers recommended

that members did not seek to condition any approval requesting the installation of a mirror as it would be placed on third party lane; and therefore beyond the scope of a planning condition.

In response to a statement made by the senior highways officer, Members were keen to obtain some legal advice on whether the Council could be placed at risk of legal action should the application be approved and following an accident where the sub-standard access was found to be the cause. The Committee was adjourned to seek advice from legal officers.

Following a short adjournment, the Senior Democratic Services Officer, Will Oulton, informed the Committee that Legal Services were unable to provide a definitive opinion, and that it would be for the Committee to decide if they felt they had sufficient information to reach a decision.

Cllr Jerry Wickham, subsequently seconded by Cllr Roy While, proposed that further consideration of the application be deferred to allow for definitive legal advice to be sought.

Having been put the vote, the motion was not carried.

Cllr Ernie Clark moved, subsequently seconded by Cllr Magnus MacDonald that the application be permitted subject to the following condition.

1. *The development hereby permitted shall be maintained in accordance with the following approved plans: location plan, site plan 1, site plan 2a and site plan 2b received 12 November 2015.*

REASON: For the avoidance of doubt and in the interests of proper planning

Cllr Clark, in presenting his proposal, stated that whilst he appreciated the officer recommendation which was founded by the legislation and guidance, it was for the Committee to consider, on balance, how this should apply in local circumstances and taking into account local knowledge. Cllr Clark furthermore argued that the flow of traffic had significantly decreased since the opening up of the relief road, and that he was not aware of any serious accidents taking place in the area. Therefore, in his opinion, the risks as expressed by officers were not as high and that there was not sufficient justification to refuse the application.

It was also noted respecting the partial retrospective nature of the application, that an informative should be included to any grant of permission to inform the applicant of the need to apply for separate dropped curb consent from the local highway authority.

Cllr Whitehead highlighted that concerns about potential accidents was one of the main subjects of correspondence with the public and that he remained concerned over safety for pedestrians and other users of the pavement.

The Chair noted that most Councillors had taken up the opportunity to visit the site prior to the committee meeting

Having been put to the vote, the meeting;

Resolved

That the application be permitted subject to the following condition.

- 1. The development hereby permitted shall be maintained in accordance with the following approved plans: location plan, site plan 1, site plan 2a and site plan 2b received 12 November 2015.**

Planning Informative:

- 1. The applicant is hereby advised of the need to apply separately for a drop kerb consent from the local highway authority.**

9 Future reports on Appeal Decisions

The Development Control Team Leader, Kenny Green, outlined a proposed new approach to inform and update members regarding appeals which would consist of all four area planning committees receiving monthly updates tabulating all scheduled upcoming appeal inquiries and hearings; all live appeals currently in the system and all determined appeals. The Committee was informed that the data would be generated by the area technical support manager prior to each committee and would be sent to the democratic services team to include within each committee agenda; and for it to be an item for discussion with the chair at the pre-committee briefing.

The Chair stated that he considered the outlined new approach would be an improvement, and that he and other Councillors could request (prior to the committee meeting taking place) further details for specific appeals to be included by the lead planning officer presiding at each committee within their verbal update.

Having been put to the vote, the meeting;

Resolved

To note the update.

10 Urgent Items

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.24 pm)

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LICENSING COMMITTEE

DRAFT MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 21 SEPTEMBER 2015 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Pip Ridout (Chairman), Cllr Desna Allen (Vice Chairman), Cllr Allison Bucknell, Cllr Dennis Drewett, Cllr Sue Evans, Cllr Jose Green and Cllr Peter Evans (Substitute)

Also Present:

Linda Holland (Public Protection Team Leader – Licensing), Jemma Price (Public Protection Officer), Lisa Pullin (Democratic Services Officer), Gemma Sadd (Fleet Compliance Team Leader), Andrew Saxton (Fleet Services Manager), Paul Taylor, (Senior Solicitor), and Ceri Williams (Head of Prevention of Harm)

11 Apologies and Substitutions

Apologies were received from Councillors Blakemore, Davis, Hewitt, Jacobs, Jeans and Randall. Councillor Peter Evans was substitute for Councillor Hewitt.

12 Minutes

The minutes of the meeting held on 27 April 2015 were presented to the Committee.

Resolved:

That the minutes of the meeting held on 27 April 2015 be approved and signed as a correct record.

13 Chairman's Announcements

There were no Chairman's announcements.

14 Declarations of Interest

There were no declarations of interest.

15 **Public Participation**

No questions had been submitted from the public prior to the meeting and there were no members of the public present at the meeting.

16 **Minutes of the Licensing Sub Committees**

The draft minutes of the following Sub Committees were presented for consideration:

Southern Area

11/03/15 Application by Trading Standards for a Review of a Premises Licence – The Polish Shop, 62 Winchester Street, Salisbury

Western Area

09/04/15 Application for a Premises Licence in respect of Thoulstone Park, Thoulstone, Chapmanslade, BA13 4AQ.

17/06/15 Application for a Premises License made by Mr Pawel Pastusiak in respect of Naan Kebab, 11 The Halve, Trowbridge.

17/06/15 Application for a Premises Licence in respect of Field Trip Festival, Grange Farm, Bratton Road, West Ashton, Trowbridge.

06/08/15 Application by Punch Taverns PLC for a Variation of a Premises Licence at The Pear Tree, Top Lane, Whitley, Melksham.

Resolved:

That the minutes of the meetings detailed above be approved and signed as correct records.

17 **Statement of Gambling Principles**

Linda Holland (Public Protection Team Leader) presented a report which asked the Committee to note the consultation undertaken and subsequent proposed amendments made to the Council's draft Statement of Gambling Principles.

She highlighted the following:

- Three responses were received from the public consultation; one from a Responsible Authority (Children's Services, Wiltshire Council); one from a consultee (Coral Racing) and one from Power Leisure Bookmakers Limited;

- There has been very little increase in the number of gambling permits or licences issued by Wiltshire Council in the last three years. They are currently 421 gambling premises in Wiltshire, 36 of which are betting shops, 2 are bingo halls and 271 are pubs with gaming machines;
- To date Wiltshire Council has not been required to hold a hearing to consider a gambling premises application and there had only been one complaint in relation to a gambling premise in the last 5 years, and
- Proposals to amend the wording of the Statement in light of the comments were detailed in a table (attached as Appendix 4) for the Committee to consider; and
- Following the responses it was confirmed that each application would be considered on a case by case basis, and local risk assessments for premises are due to come into effect from April 2016. The Council would seek to add an appendix to its new Statement once the finalised guidelines are published but believe the Statement addresses most of the requirements within the new statement of Gambling Principles.

Councillor Peter Hutton, Portfolio Holder wished to express his thanks to the Officers for their work in preparing the statement and carrying out the consultation.

Resolved:

That the Licensing Committee notes the amendments made to the Statement of Gambling Principles (as shown in red on the Statement attached as Appendix 5) and commends the final draft to Council for approval and adoption at its meeting on 29 September 2015.

18 **De-regulation Act 2015 and Changes to Licensing Fees for Hackney Carriage/Private Hire Driver and Operator Licences**

Gemma Sadd (Fleet Compliance Team Leader) presented a report which sought to update the Committee on the changes to fees as a result of the De-Regulation Act 2015 and agree new fees to apply and to come into effect from 1 October 2015.

She highlighted the following:

- In line with the De-Regulation Act 2015 it would now be a requirement that driver renewals fees are set for 3 years and operator licences for 5 years instead of the annual renewals as at present. Less officer time would be spent on renewal appointments in future and this would allow them to undertake a more planned approach to enforcement;

- Since the agenda papers were published, the Fleet Compliance Team had had further discussions with the Finance Team who were recommending an increase be added to the fees for inflation from 1 April 2016;
- This would mean that the fees between 1 October 2015 and 31 March 2016 would be as follows:
 - £213 - Driver renewal (three year licence)
 - £233 – Driver initial licence
 - £430 - Operator renewal (five year licence)
 - £430 – Operator initial licence
- The fees from 1 April 2016 (with increase for inflation would be)
 - £220 - Driver renewal (three year licence)
 - £241 – Driver initial licence
 - £445 - Operator renewal (five year licence)
 - £445 – Operator initial licence.
- The proposed changes would be subject to a consultation period by public notice for 28 days and then consideration to any objections would be given;
- Approval was also being sought to introduce a cancellation and missed appointment charge to drivers who fail to attend a variety of pre-booked appointments such as vehicle inspections, renewals of licences and knowledge checks. This would hopefully discourage missed appointments which is a waste of Officer time.
- The proposed changes had been circulated to the drivers/operators through the trade meetings and in their newsletters.

Councillor Peter Hutton, Portfolio Holder reported that they had started work to improve the connections with the trade last year to enhance the lines of communications and would continue to make any improvements necessary.

Resolved:

1. **That the Licensing Committee agree the revision of renewal fees for hackney carriage and private hire driver and operator licences changes from as follows:**

From 1 October 2015 to 31 March 2016:

£213 - Driver renewal (three year licence)
£233 – Driver initial licence
£430 - Operator renewal (five year licence)
£430 – Operator initial licence

From 1 April 2016

£220 - Driver renewal (three year licence)

£241 – Driver initial licence

£445 - Operator renewal (five year licence)

£445 – Operator initial licence.

2. **Officers be authorised to carry out the necessary public consultation in relation to the fee changes and to implement the new fees in the event that no significant comments arise from that consultation.**
3. **That a cancellation charge be introduced for missed and cancelled appointments with less than 24 hours notice to be set at £25.**

19 **Update on Wiltshire Alcohol Strategy 2014 - 2018 and Licensing Response**

Ceri Williams introduced himself as the new Head of Prevention of Harm in which he had commenced in the role on 21 September 2015. His job would be to pull together an Action Plan from the objectives and priorities set out in the Wiltshire Alcohol Strategy 2014-18 which had been approved by Cabinet in April 2015.

He confirmed that he would provide an update on the progress to the Licensing Committee at their meeting on 14 March 2016.

Linda Holland (Public Protection Team Leader) presented the Licensing Service response to the Alcohol Strategy and confirmed that Licensing would be:

- Carrying out visits to licensed premises to ensure age verification checks were being carried out;
- Participating and assisting with three community engagement events linked to “The big Drink Debate model. (One of the events would be held in the north of the County in Spring 2016 and Officers would be able to give an update to the Committee at their meeting in March 2016);
- Holding a forum with multiagency participation, to engage with a variety of operators from the licensed industry on a number of relevant topics;
- Improving intelligence pathways to aid information transference and collection to assist with safety guarding of vulnerable individuals/groups.

Linda reported that the biggest growing trend in alcohol consumption was in the over 55's.

Councillor Peter Hutton, Portfolio Holder welcomed Ceri to his new role and reported that he would look forward to the teams working together and sharing information.

It was queried whether the “Sparksite” website mentioned with the support organisations at the back of the Strategy was still live. Ceri would provide an update on this when he reports back in March 2016.

Resolved:

That the update be noted.

20 **Update on Premises Licence Annual Fees/Licensing Act 2003/The Police Reform and Social Responsibilities Act 2011**

Linda Holland (Public Protection Team Leader) wished the Committee to note the progress regarding annual fees relating to licensed premises and the implementation of a new process which enabled the Licensing Team to suspend licences for non payment where necessary due to the information being more readily accessible.

Every Licensed Premise within Wiltshire is required to pay an annual fee and these are due on the anniversary of the licence. Historically the licensing department has requested an invoice for each fee to be sent out by the finance department. If the annual fee remained unpaid 28 days of the date of the invoice (irrespective of the date of the licence) it became the responsibility of the finance department to chase the debt. The licensing department had no authority to suspend licences for non-payment of fees. As a result, many invoices remained unpaid and the licensing department accrued a debt of £80k.

After liaising with the Finance Team they had moved away from SAP to use the in house M3 Software system which has proven to make the process leaner with better outcomes and ensuring that the team are more customer focused.

The debt had now considerably reduced (with some 5 year old debt being written off) and now that the threat of suspension can be highlighted to licence holders, they are paying much more promptly.

Licensing would offer this approach to other teams who have a fee collection system as a better way of running the service.

Councillor Desna Allen wished for it to be noted that she congratulated the team and commends them for taking this role back in house which had saved money for the Council.

Resolved:

That the Committee note the update.

21 **Dates of Future Committee Meetings**

Members noted the dates of future meetings of Licensing Committee as detailed below, all to start at 10.30am:

7 December 2015
14 March 2016
13 June 2016
19 September 2016
5 December 2016
13 March 2017.

22 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 – 11.25)

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AUDIT

DRAFT MINUTES OF THE AUDIT MEETING HELD ON 27 OCTOBER 2015 AT SALISBURY ROOM - COUNTY HALL, TROWBRIDGE.

Present:

Cllr Richard Britton (Vice Chairman), Cllr Tony Deane (Chairman), Cllr Stewart Dobson, Cllr Mike Hewitt (Substitute), Cllr Julian Johnson, Cllr Stephen Oldrieve, Cllr Sheila Parker, Cllr David Pollitt and Cllr Baroness Scott of Bybook O.B.E

44 Apologies.

Apologies were received from Cllr Jeff Osborne, Cllr Rosemary Brown, Cllr Linda Packard and Cllr James Sheppard (substituted by Cllr Mike Hewitt).

It was noted that Cllr Simon Killane, Chair of Overview & Scrutiny Committee, who now had a standing invitation to attend the Audit Committee, was unable to make this meeting.

45 Chairman's Announcements

The Chairman thanked Cllr Richard Britton for attending the recent training event at the Haines Motor Museum.

The Chairman also highlighted that he wished to raise the issue of the lessons learnt from the operation and ending of the BBLP contract.

46 Minutes of the Previous Meeting

The minutes of the meeting held on 29 July 2015 were presented.

Resolved:

To approve as correct record and sign the minutes of the meeting held on 29 July 2015.

47 Members' Interests

There were no declarations of interest made.

48 **Public Participation and Committee Members' Questions**

There were no questions from the public or members of the Committee under this item.

49 **Internal Audit 2015/16 Second Quarter Update Report**

Michael Hudson, Wiltshire Council, and Dave Hill, SWAP, presented the report which provided an update regarding the performance of the Internal Audit (IA) Section for the first quarter of 2015/16.

Issues highlighted in the course of the presentation and discussion included:

- The outcomes of audits completed during the period;
- That this is a period of transition from the old to the new-style of Internal Audit.
- That the results of some of the individual service review reports would be available in the new year;
- How lessons could be learnt from the letting of contracts;
- The results and outcomes of follow-up reviews carried out during the period, to assess the extent and adequacy of management action taken in response to audit reports from the previous year;
- The update on the delivery of the 2015/16 IA Plan, including audits in-progress which should be finalised and reported to the next Committee meeting and any deferred audits;
- The progress that had been made in relation to the Business Continuity Plan;
- That IA and the Council would be working more closely on counter-fraud work;
- The quality of the reporting and the performance of the Internal Audit service;
- The status of the audits planned for the year, and additional work that could be scheduled;
- How risk is identified and reported as part of the work;
- That a new assurance framework has been established in relation to the procurement of consultants;

- That some previous recommendations have been reviewed, with some archived, and which recommendations remain to be implemented;
- The support offered to IA by the senior management of the organisation; and
- What the key strengths are and what areas require further review.

Dave Hill stated, in response to a question from the Chairman, that SWAP would consider customer feedback and complaints as part of the review of specific service areas. Additionally, in response to an issue raised with regard to delays in Land Searches, Dave Hill and Michael Hudson stated that SWAP would focus on systemic issues and that it was general performance was a matter for the Council's Management.

Michael Hudson stated, in reply to an issue raised by Cllr Sheila Parker, that where service weakness are identified then it was the responsibility of the Management Team to address; where there were more systemic/major problems then IA could do more specific work.

Maggie Rae, Corporate Director, stated, in response to an issue raised by Cllr Steve Oldrieve, that action had been taken to improve procurement issues identified by IA, and that a formal report would now be considered by Cabinet at their meeting in December.

Dave Hill stated, in response to a question from the Vice-Chairman, that further detail would be provided in IA's Q3 report as to how the number of projects was reduced.

Michael Hudson stated, in reply to an issue raised by the Vice-Chairman, that nine key areas of work were still reported on, but that this would be amalgamated into one report that looks at the whole financial system and gives one opinion on it. In his view, putting the reports together was good practice and gives a better overview.

Dave Hill stated, in response to a question from the Vice-Chairman, that the fact that there are no recommendations arising from the work on Trust Funds may be anomalous due to the nature of funds, but that he would check and cover the matter in his next report.

Dave Hill stated, in response to a question from the Vice-Chairman, that a new assurance framework had been created for the Local Enterprise Partnership and procurement team are working with them on this. Additionally, The Baroness Jane Scott, commended the work of the IA which had helped improve the culture and processes of the LEP in this regard. Ian Gibbons stated that the assurance framework had been agreed with Swindon Borough Council to ensure openness and transparency in the LEP dealings.

Michael Hudson stated, in reply to an issue raised by the Vice-Chairman, that the review of the Financial Regulations would be considered by the Standards Committee, Audit Committee, Cabinet and then the full meeting of Council. The report should be ready for consideration by the Standards Committee in November 2015.

Dave Hill stated, in response to a question from the Vice-Chairman, that the when findings are summarised in reports they do aim for balance; specific reports, with graphical representations of matters, should make it clearer.

Following an issue raised by the Cllr Richard Britton, and considering the advice of the Monitoring and s151 officers, the Committee agreed that the Internal Audit Plan, with a provision for urgent amendments, should continue to be agreed by the Committee and that amendments should also be agreed formally. It was noted that the number of amendments to the plan made this year had been exceptional, due to the changes to the Internal Audit system.

Resolved

- 1. To note the findings from the Internal Audits to date;**
- 2. To agree that the Internal Audit Plan should continue to be approved by the Audit Committee and any ordinary amendments to the plan;**
- 3. That, to retain Management flexibility, the Associate Director for Finance should be given authority to amend the plan in consultation with Chair and the Vice Chairman of the Audit Committee, where the matter could not wait until the next meeting of the Audit Committee; and**
- 4. That any such urgent changes to the Internal Audit Plan be subsequently report to the next meeting of the Audit Committee.**

50 Information Governance

Ian Gibbons presented the report which provided an update on the improvement programme which had been developed to address the findings identified by the voluntary audit undertaken by the Information Commissioner's Office (ICO) in March 2015 on the Council's information governance arrangements in the areas of records management, subject access requests and data sharing.

Issues highlighted in the course of the presentation and discussion included:

- That the report to the Audit Committee built on the information already considered as part of the Annual Governance Statement;

- That the matter is being considered seriously as it cuts across all areas of the council's business;
- How any serious breaches of data protection are identified and dealt with;
- That some areas of good practice identified, but that there is scope for improvement;
- The areas identified in the report for action included the establishment of Information Governance Board, chaired by a Corporate Director, that will implement actions arising from the ICO's report and had a wider remit to continue to improve the area of Information Governance;
- The need to enact cultural change to ensure individuals take responsibility for ensuring good information governance;
- That improvements have already been made, including in the area of record management;
- That a review of the suite of policies on information governance would be undertaken, in accordance with a good practice framework;
- That a comprehensive training programme will ensure all staff are trained appropriately;
- That the Information Governance team is being restructured and will now sit within the Corporate Service, bringing together the key officers and improving management's overview of the issue;
- How having clear accountability for Information Governance will be addressed and how information asset owners are identified;
- That inviting the ICO in had shown that Council takes the area seriously; and
- That Cllr Stuart Wheeler was the Cabinet Member responsible for this area.

Ian Gibbons stated, in response to an issue raised by Cllr David Pollitt, that training would involve key Councillors and that all members would be included, as appropriate, in further training; and that the ICO would review the progress made by the Council but would only return to visit if they felt there were concerns.

Ian Gibbons stated, in response to an issue raised by Cllr Stewart Dobson, that £50,000 had been identified, as a discrete cost, to resource the implementation of the programme arising from the review; and that further work, including the restructure of the Information Governance team, should be managed within existing budgets.

Ian Gibbons stated, in response to an issue raised by Cllr Steve Oldrieve, that a risk management approach would be taken to enable the Council to prioritise actions.

Ian Gibbons stated, in response to an issue raised by the Vice-Chairman, that whilst the Council had already been in contact with the ICO around some issues, it was optional for the Council to invite the ICO in to do a full review.

Ian Gibbons stated, in response to an issue raised by Cllr Mike Hewitt, that whilst Council did give some informal advice to Parish and Town Councils, they were their own legal entities and thus responsible for their own information governance issues. Additionally, The Baroness Jane Scott stated that Parish and Town Councils should look to WALC and NALC for formal advice in this matter.

Resolved

- 1. To note the outcome of the ICO's audit;**
- 2. To note the progress of the improvement programme that has been set up to address the findings identified by the ICO; and**
- 3. To receive a further report at the meeting on the 26 January 2016.**

51 **Date of next meeting**

It was noted that the next meeting would take place on the 26 January 2016.

52 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 12.13 pm)

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HEALTH AND WELLBEING BOARD

DRAFT MINUTES OF THE HEALTH AND WELLBEING BOARD MEETING HELD ON 24 SEPTEMBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Jane Scott OBE (Chairman and Leader of the Council, Christina Button (NHS England), Dr Toby Davies (Chair of SARUM Clinical Commissioning Group), Christine Graves (Healthwatch), Cllr Keith Humphries (Cabinet Member, Wiltshire Council), Angus Macpherson (Wiltshire Police and Crime Commissioner), Cllr Laura Mayes (Cabinet Member, Wiltshire Council), Cllr Ian Thorn (Opposition Group Representative).

Non-Voting Members: Carolyn Godfrey (Corporate Director, Wiltshire Council), Maggie Rae (Corporate Director, Wiltshire Council), Deborah Fielding (Chief Officer CCG) and Toby Sutcliffe (Avon and Wiltshire Mental Health Partnership (AWP)).

67 Chairman's Welcome and Introduction

Cllr Jane Scott, in the Chair, welcomed all to the meeting and asked the Board to introduce themselves.

68 Apologies for Absence

Apologies were received from Nikki Luffingham from NHS England, represented by Christina Button; Police Chief Constable Mike Veale; Peter Hill from Salisbury, today represented by Dr Nick Marsden; Nerissa Vaughan from GWH, due to an imminent CQC inspection next week; and from Ken Wenman, from SWAST.

69 Minutes of the Previous Meeting

The minutes of the previous meeting were considered.

Resolved

That the minutes of the previous meeting held on 16 July 2015 be approved as a correct record.

70 Declarations of Interest

There were no declarations interest made.

71 **Chairman's Announcements**

a) Care Act update on implementation

The Chair drew the meeting's attention to the details of the announcement, made on Friday the 17th July by the Department of Health, that the phase two implementation of the Care Act (2014) would be postponed until 2020.

b) Refugee Programme Board

The Chair stated that, following a meeting of partners, plans had been drawn up to enable Wiltshire to participate in the relocation of Syrian Refugees. A detailed offer would be made to the Government.

72 **Public Participation**

There no questions or statements from any members of the public.

73 **Children and Adolescent Mental Health Services Transformation Plan**

Debbie Fielding presented the report which asked the Board to agree the Transformation Plan for additional Children and Adolescents Metal Health Services (CAMHS) funding.

Issues highlighted in the course of the presentation and discussion included: that the plan had been approved by the Wiltshire CCG Board; that GPs are supportive of the increased funding to CAMHS; how best to recognise the work already going on from young people; that some of the specific proposals had come from young people; how best to work with schools on promoting resilience amongst children and young people; and how the plan can bring the whole system together and improve the focus on prevention work.

Cllr Jane Scott commended the plan, and asked that officers let the young people who had fed into the plan know exactly how they had influenced the document.

Resolved

- i) To endorse Wiltshire CCG's draft transformation plan for children and young people's mental health and wellbeing, including key proposals for change and additional investment;**
- ii) To delegate the authority to the Chair and Vice Chair of the Health and Wellbeing Board to sign off the plan in accordance with NHS Transformation Plan guidance by Friday 16 October 2015. To include**

sign off by the Chief Officer, Wiltshire CCG and Director of Children's Services to reflect the whole system approach to transformation and the focus on early intervention, prevention and important work with primary care and schools; and

- iii) To ensure ongoing accountability and transparency to Health and Wellbeing Board partners by maintaining a clear reporting line on key progress via the Children's Trust multi-agency Emotional Wellbeing and Mental Health Sub Group (to include an update in December 2015).**

74 Wiltshire Children's Safeguarding Board Annual Report

Cliff Turner, Chair of the Children's Safeguarding Board, presented their Annual Report.

Issues highlighted in the course of the presentation and discussion included: that the Board works to bring partners together to make children safe; that a robust use of data is very important; the progress made on CSE; ongoing concerns regarding the impact of neglect on children and young people; that preventative work and building up resilience is key; and that the training programme is developing well.

Cliff Turner, in response to a question from Cllr Mayes, stated that there remained an outstanding issue regarding the appropriate level of funding from individual partners.

Chirstine Graves – Healthwatch Wiltshire, stated that they were pleased to have a representative on the Board, and remained impressed the Board's agenda was about keeping children safe in the widest possible sense. She also commended the number, and range, of partners on the Board.

The Chairman, Cllr Scott, commended the Safeguarding Board for their hard work.

Resolved

To note the content of the report.

75 Ofsted Report

Carolyn Godfrey, Corporate Director – Wiltshire Council, presented the report, which updated the Board on the results of the recent Ofsted inspection undertaken in Wiltshire and the recommendations of the report.

Issues highlighted in the course of the presentation and discussion included: that Ofsted visited the Council for a month over the summer; that the outcome of the inspection matched Wiltshire Council's own self-assessment; that there were a large number of positives, and there were no unexpected issues arising from the inspection; that the inspectors looked at hundreds of case reviews, and that they determined that there were no cases at risk unnecessarily; that inspectors were complimentary about the Multi Agency Safeguarding Hub (MASH), particularly with promptness of the response and decision making; that areas for improvement included providing enough early help before social care threshold was met, and that some partners didn't understand thresholds so some referrals were unnecessary; that further work was needed, in partnership with the Wiltshire Children's Safeguarding Board; the importance of giving care leavers access to health information; the need to continue the awareness work around the issues of Child Sexual Exploitation (CSE); the need to improve the responses rate in relation to missing children return interviews, and whether children are reluctant to speak to Council officials or the police.

Carolyn Godfrey stated, in response to a question from Cllr Thorn, that staff were receiving regular supervision but that there needed to a more consistent approach in allowing staff adequate time to reflect on practise and not just focus on target management.

Cllr Laura Mayes stated that although the Inspector's judgement was that the service requires improvement, that she was pleased that, overall, the report showed that the service was sound, whilst recognising that there was a need to improve consistency across all the teams, with recruitment remaining a major focus. In summing up, she commended the hard work of the officers, and stated that they had reflected back to Ofsted that the intense nature of the review, and the officer time required to respond to the requirements of inspectors, meant that other important work was not able to be completed in that period..

It is recommended that the Board:

- i) Notes the areas of strength and areas for development outlined within the Ofsted inspection report of the Council's services; and**
- ii) Notes the comments on the work of the Wiltshire Safeguarding Children Board**

76 **Review of Better Care Plan performance 15/16 including an update on Payment for performance**

James Roach, Integration Manager, and Simon Truelove presented an update on performance to date against the objectives of the Better Care Plan.

Issues highlighted in the course of the presentation and discussion included: That admissions due to Urinary Tract Infections (UTIs) and Falls had decreased; that there had been an increase in admissions for children and

Gynaecological admissions; that investment was still being made to establish pathways to community care and divert from admission to hospital; that work was ongoing with GPs to identify patients who could be assisted in managing their conditions and health at home, to prevent admission later in the winter; that the Ambulance Service were doing work to encourage the direction of patients to home and primary care; how the CAMHS Strategy would be able to address some of the increase in children's admissions to hospital; the importance of encouraging Ambulance to direct some people to care; work on the capacity management plan; that the report to the Board could be written in a plainer English style to assist the understanding of lay-people; how the workforce is being reprofiled to see patients early enough to enable their referral back to primary or home care; what the funding implications were for performance-by-results projects and how the funding would be used.

In response to a question from the Chairman, it was confirmed that the Better Care Fund Payment for Performance related to reducing all non-elective activity, although the Better Care Plan's agreed focused only on the over 65s. The Chairman expressed concern that this was contrary to the advice previously received from the Department of Health.

Resolved

To note the updates.

Admin Note: A copy of the slides can be found here:

<http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=1163&MId=8862>

77 Healthwatch Wiltshire - Updates

(A) Engagement for the Better Care Plan

Emma Cooper – Healthwatch, presented an update on the engagement work, undertaken by Healthwatch, regarding the Better Care Plan.

Issues highlighted in the course of the presentation and discussion included: that the focus had been on talking to over 65s; that they had attempted to establish the experiences of the people in the system, following them through different pathways; that people were asked their opinion on how joined up services were, how informed they felt and whether they felt included in decision making; that on the whole people are satisfied with their care; and that people are grateful for the services they receive.

(B) Your Care, Your Support portal.

Healthwatch, presented an update on partnership work with Wiltshire Council on developing the Your Care, Your Support Portal.

Issues highlighted in the course of the presentation and discussion included:

How the work would improve the quality and accessibility of care information through a single point of access; how the information had been shared with professional partners; that Healthwatch were invited to take part in early discussion; the importance of acute providers having given access to patients; the statutory duties to provide information; the impact of good quality information on the efficacy of the Health & Wellbeing Board's strategy; how people in Wiltshire have impacted on the development of the website, and that their views would continue as it is developed; that the site had gone live in April 2015, and that all partners were encouraged to give feedback focused on improving it; how the balance of text and images can be used to improve access for those with learning difficulties; that a small number of clicks should get people to the information they require; a recognition that the search function should improved; that the site could be further developed to use blogs, patient stories and video/audio information; that developers would like local organisations to promote their services through the website; that currently there have been 75,000 page views and 10,000 users; and how the site had been promoted through Radio, Area Boards and Libraries, in a soft launch, ahead of its official launch later in the year; and that Healthwatch Wiltshire were in charge of content management with Partners.

The Chairman thanked Healthwatch for the updates.

Admin Note: A copy of the slides can be found here:

<http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=1163&MId=8862>

78 **Operational Resilience and Capacity Planning**

Debbie Fielding and Jo Cullen – Wiltshire CCG, presented the report which provided an update on the work of the systems resilience group and the creation of urgent care networks by NHS England in the context of upcoming winter pressures.

Issues highlighted in the course of the presentation and discussion included: how assurance is provided that measures are in place; that Wiltshire was linked to the urgent and emergency care networks of Bristol and Southampton; how partners worked together to share information; what steps are taken to prepare for Winter pressures; the set of actions taken regarding ambulance performance; that further work on to scrutinise staff rotas would be undertaken; the impact of the busy period over the summer on staff readiness; the impact of staff vacancies and the issues around recruitment; the importance of promoting a message of self-management to the public; that the public are receptive to these messages through their GPs offices; and the need to better engage with Pharmacies.

In response to the issues raised, the Chairman asked that officers prepare a further summary to the next Health & Wellbeing Board meeting; and that officers continue to work together to co-ordinate their Winter Pressures campaign.

Resolved to:

- i) Note the update; and**
- ii) Note the preparation for winter and processes underway to provide assurances for Wiltshire.**

79 **Wiltshire Joint Health and Wellbeing Strategy**

David Bowater, Senior Corporate Support Manager – Wiltshire Council, provided an update on the recent consultation and asked the Board to agree the refreshed Joint Health and Wellbeing Strategy for Wiltshire.

Issues highlighted in the course of the presentation and discussion included: that the draft strategy had been presented to the Board in April following results of previous consultation and focus groups; that the strategy focused on joint activity, and was not a detailed action plan; how the strategy had built on information derived from the Better Care Plan (BCP); how the strategy has been adapted in response to issues raised; and that a phasing plan has been included to link with other strategies that detail specific issues.

In response to issues raised by Partners, the Chairman asked that officers address the following issues: how best to publish measurable outcomes that can be better understood by the public; that hyper-links to the other strategies be incorporated; that the relevance of the 'onion' diagram to different age groups be made explicit; the use of the term Single View of the Customer be checked; and that the Strategy be referred to the relevant partner bodies to ensure that it maintains a high profile with partners and Wiltshire Council members.

Resolved

That the Board approve the final draft of the Joint Health and Wellbeing Strategy for publication.

80 **Housing Peer Challenge**

Maggie Rae, Corporate Director, presented the report which provided an update on the forthcoming housing peer challenge.

Issues highlighted in the course of the presentation and discussion included: the housing stock; the allocations policy; the delivery of new homes; and the need to address housing issues within the context of health issues.

That the Board note the information contained in this report and that the results of the Peer Challenge will be reported back to the Board on completion.

81 **Date of Next Meeting**

The Chairman drew the meeting's attention to the date of the next meeting, Thursday, 26 November at 3:00 pm, in County Hall, Trowbridge; and asked that if partners would like the meeting in a different location that they contact officers to discuss.

82 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 pm)

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HEALTH AND WELLBEING BOARD

MINUTES OF THE HEALTH AND WELLBEING BOARD MEETING HELD ON 26 NOVEMBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Baroness Scott of Bybrook O.B.E (Chairman), Dr Peter Jenkins (Vice Chairman), Dr Simon Burrell, Dr Toby Davies, Dr Richard Sandford-Hill, Christine Graves, Angus Macpherson, Cllr Keith Humphries, Cllr Laura Mayes, Nikki Luffingham, Dr Gareth Bryant, Carolyn Godfrey, Maggie Rae, Cllr Sheila Parker, Chief Executive or Chairman Bath RUH, Deborah Fielding/Simon Truelove and Toby Sutcliffe

83 Chairman's Welcome and Introduction

The Chairman welcomed all to the meeting, and formally introduced Dr Peter Jenkins (Wiltshire CCG) as Vice-Chairman of the Health & Wellbeing Board.

84 Apologies for Absence

The meeting noted the following apologies:

- Chief Constable Mike Veale
- Peter Hill from Salisbury, represented at the meeting by Dr Nick Marsden
- Ken Wenman from SWAST, represented at the meeting by Nick Wilson

85 Minutes of the Previous Meeting

The meeting considered the minutes of the previous meeting.

Resolved

To approve and sign the minutes of the previous meeting held on 24 September 2015.

86 Declarations of Interest

There were no declarations of interest.

87 Chairman's Announcements

(A) Child Adolescent and Mental Health Services Transformation Plan

In addition to the text of the Chairman's announcement in the pack, the meeting noted that a further additional £600m funding for mental health had been announced in the spending review.

This should mean that significantly more people will have access to talking therapies every year by 2020. NHS England's Mental Health Taskforce will report in early 2016 and the government will work with them to set out transformative plans, including for perinatal mental health and coverage of crisis care.

(B) Update on relocation of services from 'the Min' (RNHRD)

The Chairman invited James Scott (Bath RUH) to comment on the plans. It was noted that the changes affected a small number, under 100, from Wiltshire; and that patients had been written to about this change.

88 **Public Participation**

(A) Dementia Care Services

The Chairman drew the meetings attention to a letter she had received from James Gray MP on provision dementia care services in the north of the county.

Cllr Keith Humphries, Cabinet Member for Adult Services, stated that a response had been provided by the NHS and Wiltshire Council. The balance of services across the county had been discussed at the Dementia Delivery Board, who were now looking at how resources could be used best for communities. It was noted that inpatient beds provision had been reviewed.

Chris Graves, Healthwatch, stated that it was important to note that some people don't always want to access day care centres, and that Wiltshire should offer flexible, appropriate services. In these circumstances an enhancement of general services would be preferable.

(B) RUH Hopper Bus

Cllr Jeff Osborn presented an update on the Hopper petition, following the receipt of further signatures. The petition read as follows:

"We, the undersigned, call upon Wiltshire Council to reconsider any changes to the RUH Hopper service and call upon the Council to re-instate the £130,000 that has been cut from the Budget to fund this service. It is understood that Wiltshire Council must seek savings but any change in the way this service is provided would cause hardship for those who rely on this valuable service to the Bath RUH.

At present this service provides a door to door service that is disabled friendly, and it is vital this service is retained in its present form.

We would ask Wiltshire Council to remember Wiltshire is the County, "Where everyone matters".

Cllr Osborn emphasised the strong feeling in the community regarding this matter.

Dr Peter Jenkins, Chair of the Wiltshire CCG, stated that he was aware of the strength of feeling, and would take due account of it when considering the matter.

Cllr Helen Osborn, speaking in support of the petition, stated that removing the service could cost authorities more in the long run if access to services deteriorated.

The Council and CCG gave a commitment to comment further once the consultation period had ended.

89 **Children's Community Health Services**

The Board considered an update on the issues, noting that a bidder had been jointly selected; that officers were working with bidder to start service on the 1st April, which was recognised as a tight timescale; that officers were aware of the concerns of users and were working with user groups so that these can aired and addressed; and that Virgin was already working in others areas.

Resolved

To note the approval of the three commissioning organisations to progress to award of contract with Virgin Care Services Ltd.

90 **Wiltshire Safeguarding Adults Board**

Heather Alleyne, Safeguarding Board Manager, presented the Annual Report and also introduced chair of the Safeguarding Adults Board Chairman, Richard Compton.

Issues highlighted in the course of the presentation and discussion included: the reductions in funding that had impacted on partners abilities to participate; the need to focus on outcomes for users across the partners; the Care Act 2014 and its implications; that the Act recognises that partners need to work together to meet the requirements of the act and protect Adults from harm; the need to put users views at the heart of reviews, not just looking at organisational process; a recent serious case review and the action plan; the implications of

recent Supreme Court rulings; the training provided and coordinated; that there had been over 3000 alerts, 912 of which went on to investigation; the increasing awareness of reporting arrangements; and the development of prevention strategy. Chris Graves, commended the prevention strategy as a priority.

In response to a question from the Chairman, James Cawley (Associate Director) stated that the number of alerts had increased, partly as a result of the work with providers and families to encourage make more alerts, so that the Board had better picture of the issue across the area. It was noted that despite the increased number of alerts, the number of investigations that resulted was relatively constant.

Resolve

To note the report.

91 Winterbourne View Update

Barbara Smith presented the report which updated the Board on the Transforming Care Project.

Issues highlighted in the course of the presentation and discussion included: that the project was funded for a fixed term by the Department of Health; the progress that had arisen out of the Winterbourne View concordat; how services and housing facilities had been commissioned; how people can be supported to stay within their communities; the involvement of the users in developing the Daisy project; how quality assurance is being improved; the implications of personal budgets for those with Learning Difficulties (LD); improving training and skills for those delivering care in this area; the improvements that are required to improve services for people with Autism; how Wiltshire's performance compares to other parts; and that the Daisy project will be able to take on sectioned clients.

In response to an issues raised by Chris Graves , Healthwatch, regarding the impact on the wider LD community, Barbara Smith stated that work had already been down with a wide range of service users, along with other consultation, and that the LD Partnership Board were fully engaged.

Chris Graves went on to mention to opportunity to use the quality checkers project involving people with LD who are trained to engage with changes.

Maggie Rae, Corporate Director, highlighted the importance of the fact that the Daisy Centre is registered by the Care Quality Commission (CQC), and that this would set the tone of how it will move forward as a residential care centre.

The Chairman highlighted the importance of involving the Wiltshire Parent Carers forum, and the need to ensure a smooth transition from children's to adult's services.

Resolved

To note:

- a) That the Winterbourne View, Transforming Care Project action plan will need further work to deliver its outcomes, and continued oversight post December 2015.**

- b) That further work will be required to meet the NHS England Transforming Care agenda over the next year.**

92 **Better Care Plan**

James Roach presented the update, a copy of which was circulated as a supplementary paper.

Issues highlighted in the course of the presentation and discussion included: Action to reduce infections and falls, and how people can be diverted from admissions once they present at hospital; the impact of the complexity and acuteness of patients; the limited number of weekend discharges; how reducing Delayed Transfers of Care (DTCs) had been achieved with fewer beds; the key lessons from the recently launched Home First project in Salisbury; how co-locating professionals can increase efficacy; the key areas of operational focus for the remainder of the year, including revisions to communications to the public and professional partners as to how they can reduce admissions, and manage their care in the community; the future challenges and risks, including workforce challenges; the workforce action group developing a focus on four keen themes; how shadowing and shared training can help integrate understanding and approaches; how the choice agenda is being managed within the plan; how patient's and volunteers sector's views are fed into the plan; the intentions for commissioned services in 2016/17;

James Scott, Bath RUH, thanked the officer for the comprehensiveness of the report, and asked when more information on the Home First project would be presented. James Roach stated that he would hope to share info at the end of month and January, following formal evaluation of its impact, for which there were encouraging signs already. In response to a question from the Chairman, it was noted that the Home First project could expand in 2016.

James Scott discussed how RUH was looking to target frequent admissions, and had identified a cohort including younger people abusing some substances. He wanted to work on how this can be expanded and how Mental Health

services can be targeted to prevent admissions. Debbie Fielding, stated that some was already underway in other areas, and hoped this good work could be replicated elsewhere. The Chairman hoped that a joint approach could be taken and asked that officers work on bringing a paper on this matter to a future meeting.

Resolved

To note the update.

93 **System Capacity Management Plan**

James Roach, Debbie Fielding and Jo Cullen presented the report which provided an update following on from the report to the last meeting.

Issues highlighted in the course of the presentation and discussion included: The view that there is capacity to cope with high demand periods if it is allocated properly; a summary of key actions; the key role of the Ambulance Trust, and their awareness of alternatives within the community; how alternative capacity can be accessed; how arrangements for reviewing patients can be applied consistently so they capacity can be improved; the accuracy of patient information to drive proactive action; how pathways for types of care, including palliative, can be managed well; and how professionals are made aware of key information

Resolved

- 1. To review and sign off this plan**
- 2. To consider the capacity and demand analysis underpinning this in an accompanying presentation**
- 3. To launch weekly situation reports to begin on the 1st December**
- 4. To agree to receive a further update at the January Health and Wellbeing Board**

94 **Winter Communications Messages**

Debbie Fielding, Sarah Maclennan and Tim Edmonds presented the report which provided an update on the joint communications plan.

Issues highlighted in the course of the presentation and discussion included: That the document will continue to evolve; how social media and local radio is

used; the circulation of printed material to a range of settings; and that work was well underway ahead of December.

Christine Graves, Healthwatch, welcomed the report.

Officers confirmed, in response to a question from the Chairman, that parishes and Area Boards were part of the communication plan.

Resolved

To note the joint communications plan agreed by Wiltshire Council and Wiltshire's Clinical Commissioning Group and supports the intention of the plan to prevent ill health and to reduce pressures on public services.

95 **Public Health Annual Report 2014/5**

Maggie Rae, Director of Public Health, presented the Annual Report.

Issues highlighted in the course of the presentation included: How partnership working had contributed to the successes highlighted in the report; how communities were involved in solutions; and the impact of specific projects, such as Beat the Streets.

Nicky Mathews, NHS England, commended the report for being very clear and user friendly.

Resolved

To note the publication of the Annual Report

96 **Date of Next Meeting**

The meeting's attention was drawn to the changes to meeting dates, and the Chairman wished all a Happy Christmas.

97 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 5.02 pm)

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HEALTH AND WELLBEING BOARD

DRAFT MINUTES OF THE HEALTH AND WELLBEING BOARD MEETING HELD ON 28 JANUARY 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Dr Peter Jenkins (Vice Chairman), Dr Simon Burrell, Dr Toby Davies, Dr Richard Sandford-Hill, Christine Graves, Cllr Keith Humphries, Nikki Luffingham, Carolyn Godfrey, Dr Nick Marsden, Maggie Rae, James Scott, Deborah Fielding and Toby Sutcliffe

1 Chairman's Welcome, Introduction and Announcements

The Vice-Chairman, Dr Peter Jenkins, welcomed all to the meeting.

2 Apologies for Absence

Apologies were received from Chief Constable Mike Veale, Nerissa Vaughan and Kevin McNamara of Great Western Hospital, Cllr Laura Mayes, Peter Hill from Salisbury, today represented by Dr Nick Marsden, and Ken Wenman from SWAST.

It was noted that the Chairman, the Baroness Scott of Bybrook, had had to tender her apologies, as she was due to give her maiden speech in the House of Lords that morning.

3 Minutes

The minutes of the previous meeting, held on the 26 November, were presented. It was noted that reference to 'Nicky Mathews, NHS England' at minute 95 should be amended to read 'Nikki Luffingham, NHS England'.

Resolved

To approve and sign the minutes of the previous meeting held on 26 November 2015, as amended.

4 Declarations of Interest

There were no declarations of interest made,

5 Chairman's Announcements

The Vice-Chairman made reference to the two announcements circulated with the agenda pack, namely:

- The update on Children's Community Health Services
- The update on Adults Community Health Services

6 **Public Participation**

It was noted that there had been no questions submitted. The Vice-Chairman stated that any other representations would be taken under the item to which the submission referred.

7 **Update on Maternity Strategy and Services for Wiltshire**

The Board received a paper which provided an update on the work being undertaken by Wiltshire Council Public Health, Wiltshire CCG and service providers to ensure the provision of safe, high quality maternity services for families in Wiltshire. This included a summary of key national policy developments and an overview of progress against local priorities.

Issues highlighted in the course of the presentation and discussion included: how the Maternity Services Liaison committee acts of forum for agreeing strategic directions and priorities; the implications of the review arising from the failings at Morecombe Bay Trust; that a wider NHS review into Maternity services would be published shortly; the local work that has been undertaken, and their key achievements including improvements to service quality and safety; the impact and complications arising from obesity, and the support offered to women to manage their weight during pregnancy; the flu vaccination programme; and the importance of engagement with providers and public health professionals.

In response to a question from Chris Graves of Healthwatch, it was stated that plans were being developed as the proposal for Army Rebasing became clearer.

Toby Sutcliffe, AWP, highlighted the good work with perinatal mental health pathways, but emphasised the importance of increase vigilance and improve services for other cohorts.

Maggie Rae, Corporate Director, highlighted Wiltshire performance in reducing the number of teenage pregnancies.

Resolved

To note the content of the report and progress made.

8 **Obesity Strategy**

The Board received the report which presented the draft Obesity Strategy for formal approval to go forward to public consultation.

Issues highlighted in the course of the presentation and discussion included: how reception and year 6 children are measured; that the rise in childhood obesity has been halted in Wiltshire, but other work required to reduce these levels; how delivery programmes are matched to the evidence base; how communities and Area Boards are engaged with work; how successful pilot programmes can be expanded; and that there had been good engagement with partners.

In response to an issues raised by James Scott, Bath RUH, Nikki Luffingham – NHS England, recognised that the specialist commissioning of services could be brought closer to Wiltshire and was an idea worth giving some attention to.

Deborah Fielding, Wiltshire CCG, noted that there had been some discussion, and it was desirable to bring some specialist commissioning within the Wiltshire area to be better responsive to local need.

Resolved

- 1. To approve the draft strategy for a public consultation of 12 weeks; and**
- 2. To note that the strategy will come back to the Board after this time.**

9 **Engagement with unpaid carers - help in a crisis**

The Board received an update from Healthwatch Wiltshire regarding its work with carers.

Issues highlighted in the course of the presentation and discussion included: the new rights for carers, the duty to provide advice and the focus on preventative work; the proposed model of universal support, crisis support and long term support; how Healthwatch was supported by the Council's research team, and worked with charities to reach people; that method included questionnaires, focus groups and going out to groups to meet a range of carers; that results had shown how people defined a crisis situation and what support could be best provided; that there was some input into what a good process would look like; the use of open ended questions to gain real insight; how some carers are reluctant to ask for help; that some out of hours services are not well known; how staff could become more carer aware; that the general awareness of what services are there is patchy; the availability and importance of training and respite care for carers; and the impact on carers mental and physical health.

Diana Fitch, Business Manager for Carer Support Wiltshire, commended the work of Healthwatch, but was concerned that the Carers Strategy was not yet

ready to be considered by the Board. James Cawley responded that he would be happy to discuss the issue with Ms Fitch, and could reassure her that no commissioning decisions would be made that would have a negative impact on the draft strategy. Furthermore the strategy, which would be out for consultation soon, would be considered by the Board at a later meeting. Julia Cramp, Associate Director, responded that contracted services supporting parent and young carers could be reviewed to ensure they are inline with priorities arising from the new strategy at any time, and that they would not have to wait till the end of the contract to do so.

Dr Simon Burrell stated that the key messages raised in the report accorded with those that are raised with him by carers. He went onto emphasise the importance of increasing capacity to support preventative work more generally, acknowledging that this would require further investment.

Chris Graves stated that the Council's and CCG's plans to bring care closer to people's homes and encouraging self-reliance would inevitably bring more responsibilities for unpaid carers.

Resolved

- 1. To note the engagement which has been carried out including the 8 key messages which have been identified.**
- 2. To re-confirm its commitment to putting the experiences of unpaid carers at the centre of commissioning plans for the future.**

10 **Healthwatch Wiltshire and Complaints Processes**

The Board received the report which provided an update to the Board on the progress made in meeting the recommendations made in the Healthwatch Wiltshire (HWW) report: 'NHS and social care services in Wiltshire: Pathways to making a complaint or raising a concern'.

Issues highlighted in the course of the presentation and discussion included: that following up on report made to the Board in 2014, work and progress in the area was reviewed; that it was argued that complaints information should be prominent on websites, and that this had improved; how best to communicate with those with learning difficulties; how information about complaints advocacy can be improved; how children and young people could be encouraged to make feedback, and the specific work with Young Action Wiltshire to talk directly to young people; how people are able to raise concerns on behalf of others – the so called innocent bystander; the need for a forum for Patient and Advice Liaison (PALs) and complaints officers to meet locally to share experiences, and how peer support and training will be developed; how information from other sites is embedded; the links to wider work undertaken by Healthwatch England; the work to be done in the areas of primary and social care; and that

all trusts engaged enthusiastically with the review, and that some agencies continued to review their policies and communications to ensure they are easier to access and understand.

Chris Grave, Healthwatch Wiltshire, emphasised that many member of the public are still frightened of engaging with health care professionals, and that people want to engage and be helpful to improve services rather than be seen as a complainant.

The Vice-Chairman, Dr Jenkins, thanked officers for the update on such an important issue, and invite Healthwatch to bring an update to the Board in a year's time, with the possibility that some case studies could be included and that individuals may be invited to provide their own personal perspective.

Resolved

- 1. To recognise the progress which has been made by Healthwatch Wiltshire, the acute hospital trusts, and mental health trust during 2014/15 to ensure that the experience of making a complaint is improved for local people.**
- 2. To note the opportunities for further improvement in the processes relating to making an NHS complaint or raising a concern.**

11 Transforming Care Partnership - Service Model

The Board received the report which provided an update on the Transforming Care Partnership and progress in delivering Wiltshire's commitments relating to Winterbourne View.

Issues highlighted in the course of the presentation and discussion included: how the local plan had been developed in response to National Programme; how the response from NHS England would be considered; that the timescale for development has been quite tight; that some good work had already been undertaken, but more work is required; that a four year programme is being suggested; how various risk factors had been identified, including mental health and violent behaviour.

Deborah Fielding, Wiltshire CCG, thanked the officers for their hard work. She also stated that some concerns on governance would need to be addressed.

In response to an issue raised by Chris Graves, officers stated that whilst there had already been consultation with the wider carers community and customers in the learning difficulties community, there was still work to do with those on the Autistic Spectrum.

James Cawley, Associate Director, stated that Wiltshire Council had been involved in the regional approach task group to look at bids in the South West region. He also acknowledged that the short timescale had affected consultation in developing draft, but that this would be addressed through further consultation. In addition, Maggie Rae, Corporate Director, stated that action would be taken to ensure that consultation was robust.

It was noted that the final version of the plan was required to be submitted to NHS England prior to the next meeting of the Health & Wellbeing Board, and that the Board should consider delegating final sign-off to the Joint Commissioning Board.

Resolved

- 1. To sign off the draft Transforming Care Partnership draft Service Model Plan which will enable the plan to be submitting to NHSE for the 8th February 2016 for further scrutiny.**
- 2. To delegate authority to the Adult Joint Commissioning Board to sign off the final version of the plan, with a subsequent report b being made to the next meeting of the Health & Wellbeing Board.**
- 3. To note that the final plan will come back to the CCG Governing body for final sign off and final submission to NHSE in March 2016, and that the plan will then be implemented in April 2016 and will be reviewed in 2019/20.**

12 **Better Care Plan**

The Board received a report, circulated in agenda supplement one, that provided an update Better Care Plan and outline commissioning intentions for 2016/17.

Issues highlighted in the course of the presentation and discussion included: that services were very busy and significant effort was required to keep going; that Delayed Transfers of Care (DTOCs) were below target, and there had been positive reductions in delayed days; the significant activity in the community, including improvements in managing more complexity of care in the community; the reduction in admissions from those in care homes; how the Health Select Committee had received a presentation from the Acute providers; how pilot programmes, such as Homefirst, would be reviewed; how GPs are invited to attend ward rounds to better understand how decisions of risk are made; that staffing in some areas remained challenging; the continued need to focus on prevention; the need to engage with the third sector; that the Better Care Plan would need to be resubmitted, and the Health & Wellbeing Board would be asked to consider this at their next meeting.

Resolved

To note and approve the next steps, as follows:

- **Wiltshire Joint Commissioning Board to review and agree direction of travel**
- **High level summary of BCP 16/17 to be submitted to NHS England by 7 February**
- **HWB to receive draft intentions**
- **Further detail in each area to be provided and stage 1 activity sizing to be undertaken**
- **JCB in February to sign off commissioning intentions**
- **Second draft of BCP 16/17 to be submitted to NHS England for sign off in 16/17 under existing delegations to Chair and Vice Chair (together with input from all members in between meetings).**
- **Finalised commissioning intentions to be presented at Cabinet and CCG Governing Body in March and HWB in April for sign off.**
- **Finalised BCP 16/17 to be submitted to NHS England in April**

13 **Urgent Items**

The Board considered the following urgent item:

NHS Shared Planning Guidance 2016-2021

The Board considered a report, circulated in agenda supplement one, which summarised recent guidance from the NHS, and asked for the Board to consider authorising the Chair and Vice Chair to agree a transformation footprint with neighbouring areas so that an early view can be provided to NHS England ahead of production of the plan for June 2016.

It was noted that discussions were underway with Swindon and Bath on a transformation footprint to agree a Sustainability and Transformation Plan for the next 5 years, covering primary care and specialised services as well as secondary care as well as integration with public health and social care.

It was suggested that the Chair of the Health & Wellbeing Board should write to other Boards within the footprint area to ensure they are working well together.

Resolved

1. **To note the timescale for producing a Sustainability and Transformation Plan.**
2. **To authorise the Chair and Vice Chair to agree a transformation footprint with neighbouring areas so that an early view can be provided to NHS England ahead of production of the plan for June 2016.**

3. To agree to further discussions on the development of the Plan at meetings scheduled for April and June.

14 **Date of Next Meeting**

The Board noted that meetings will now take place at 10:00am on the following Thursday mornings:

14th April, 23rd June, 22nd Sept and 15th December in 2016.

(Duration of meeting: 10.00 am - 12.03 pm)

The Officer who has produced these minutes is Will Oulton, of Democratic & Members' Services, direct line 01225 713935, e-mail william.oulton@wiltshire.gov.uk

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JOINT STRATEGIC ECONOMIC COMMITTEE

MINUTES OF THE JOINT STRATEGIC ECONOMIC COMMITTEE MEETING HELD ON 30 SEPTEMBER 2015 AT COMMITTEE ROOM C - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr David Renard (Chairman), Cllr John Thomson, Cllr Fleur de Rhé-Philipe, Cllr Garry Perkins, Mrs Nicky Alberry and Cllr Toby Sturgis (Substitute)

Also Present:

Dr Carlton Brand (Corporate Director, Wiltshire Council), Alistair Cunningham (Associate Director, Economy and Planning, Wiltshire Council, and Director of the SWLEP) Richard Bell (Head of Planning, Regulatory Services, Heritage and Libraries Swindon Borough Council), Paddy Bradley (Head of Economy, Skills and Property Development, Swindon Borough Council and Director of the SWLEP), Isobel Brown (Director of the SWLEP)

23 Apologies

Apologies were received from Mr Barry Dennington and Councillors Jane Scott and Brian Mattock.

Councillor Scott was substituted by Councillor Toby Sturgis.

It was also noted that Mr Neil Holt had left his post with the Swindon and Wiltshire Local Enterprise Partnership Board, and as such was no longer a member of the Joint Strategic Economic Committee.

24 Minutes of the Previous Meeting

The minutes of the meeting held on 18 June 2015 were presented and it was,

Resolved:

That subject to an amendment to Minute 17 to remove the final sentence of paragraph 6, 'There was a concern that governance of the SWLEP and between it and the councils was not joined up, and there was a lack of awareness of council policy when determining work and priorities', as not reflecting the opinion of the Committee, to APPROVE and sign the minutes as a true and correct record.

25 **Declarations of Interest**

Ms Nicky Alberry declared an interest in agenda items 10 and 11 - Update on Joint Planning and European Funding Updates - by virtue of her position as a director of Business West which provides support to businesses across the region which might be impacted by Planning and Funding matters.

26 **Chairman's Announcements**

There were no announcements.

27 **Public Participation**

Cllr Chris Caswill, Chippenham Monkton Division, Wiltshire Council addressed the Committee and sought details of updates in relation to all Chippenham Station projects. In response it was stated currently negotiations with Network Rail and First Great Western Railways regarding the franchise arrangements at the site and revenue reductions were being sought. It was also stated it a resolution would be sought for the first quarter of 2016, or the SWLEP might need to consider other options and projects.

It was noted that the site and scheme was retained by the Department of Transport, and that therefore progress was not entirely within the power of the SWLEP. It was agreed that a Briefing note would be prepared for James Gray MP and Michelle Donelan MP as local MPs, and the Parliamentary Under-Secretary of State for Transport, Claire Perry MP, detailing the current position and issues that should be raised.

The Chairman further agreed that local councillors as well as MPs should be consulted and kept informed on proposals in the area.

28 **Local Enterprise Partnership (LEP) Commissioning Board Updates**

A written update was presented by the Directors of the Swindon and Wiltshire Local Enterprise Partnership (SWLEP), Isobel Brown, Paddy Bradley and Alistair Cunningham.

It was stated that most of the schemes had continued to progress, and that for all schemes the programme and project management issues were sufficient. Where some schemes had suffered delays was in relation to delivery due to financial considerations, such as with the Chippenham Station scheme as detailed under Minute 27, and the New Eastern Villages schemes, with cost analyses, remodelling and additional funding among other solutions as detailed in the report being investigated.

The Committee then discussed specific schemes in detail. It was raised that in relation to the Digital Corsham scheme the cost of refitting the Mansion House had increased substantially. In response to queries it was stated it was planned for the scheme to receive further council investment in the Mansion House itself, with a commercial solution for phase 2 of the scheme regarding the land behind the Mansion House and the wider digital offer, and that a paper would be taken through Wiltshire Council's

Cabinet Capital Asset Committee and back through the SWLEP Commissioning Group to recommend an option to the SWLEP Board.

In relation to the J15 scheme, which had previously been rated Green on the GreenAmberRed scale and was now listed as AmberRed, it was stated due to rising costs the business case had been revised, and that now matters had progressed from the position in the report and was awaiting confirmation of a Growth Fund proposal from Highways England, and that technical details were now being tackled. Were Highways England to become a scheme developer in the scheme, another element of risk to the project would be removed.

The Committee then considered the report's comments on the refresh of the SWLEP's Strategic Economic Plan (SEP). Details were provided on how the refresh had progressed, and it was stated a draft would be circulated in early October to Board members for comment, ahead of a meeting of the Board on 11 November.

Finally, it was detailed that a bid had been made for an enterprise zone within the SWLEP area, encompassing nine physical sites across Swindon and Wiltshire, but that feedback had not yet been received from the government.

Resolved:

To note the update.

29 Key Performance Indicator Analysis

The Committee was informed that an update had been requested on work on detailed timescale expectations of each scheme, statistics on job creation for delivered schemes, how many projects had been delivered, as well as scorecards on various aspects of each scheme in relation to performance and priorities. It was also intended that how long each stage of a project had taken, to provide a more effective visual illustration of the process and where any delay were occurring.

This work was stated to be ongoing under the direction of the Chairman of the SWLEP, and that it would be available for the Committee at its next meeting.

Resolved:

To receive a full written update at the next meeting.

30 Local Growth Fund (LGF) 3 Prioritisation

A verbal update was provided on how schemes were to be prioritised for the third Local Growth Fund round of funding. Currently schemes were assessed against the Strategic Economic Plan (SEP), and as such forthcoming schemes were being rechecked against the elements of the emerging SEP, the refresh of which is detailed at Minute 28. This would include prioritisation to include assessment of a focus on skills and talent development, and utilisation of the new process which had been agreed with independent assessors now in place to review all projects.

In response to queries it was stated that as it was intended for the SEP to be approved in principle by the SWLEP Board in November 2015 pending any details arising from consultations on the SEP, full implementation of the prioritisations would wait until it had received that approval, and that the national comprehensive spending review would provide more details on timescales for any future funding.

Resolved:

To note the update.

31 Governance of the SWLEP Update (Including Scrutiny)

The Committee was updated on the Joint Scrutiny Task Group that had been established by Wiltshire Council and Swindon Borough Council to scrutinise the activities of the SWLEP. The group's membership had now been finalised, and it was suggested their first focus should be on the process of scheme prioritisation, to ensure the methodologies and reasoning were appropriate and effective, and a report would be circulated to the Task Group shortly to assist in that work.

The Committee welcomed the presence of the Task Group as one of the few in the country organised to scrutinise the work of a Local Enterprise Partnership, and would await further details as its work proceeded.

Resolved:

To receive further updates on the work of the Task Group as it progressed.

32 Update on Joint Planning

At its inaugural public meeting in April 2015 the Committee resolved to request the SWLEP Board fund additional work leading to the identification of Functional Economic Market Areas (FEMA) as part of the Strategic Housing Market Assessment (SHMA) project as part of early reviews of both Wiltshire and Swindon Core Strategies as requested by Planning Inspectors when assessing the soundness of those Development Plans. The SHMA and FEMA would determine housing and economic development need for the local authority areas beyond 2026, providing evidence for the review of those Plans.

The Committee noted that Opinion Research Services (ORS) had been appointed to undertake the SHMA/FEMA following SWLEP Board approval and were gathering information to begin that work. In response to queries the Committee was informed preliminary implications from the work should be known toward the end of 2015, and that currently it was predicted 3-4 HMA/FEMAs would be identified, although other numbers were possible.

The Committee agreed further updates should follow once the evidence gathering was concluded and prior to any stakeholder consultation sometime in 2016.

The Committee then discussed the Joint Planning Group which had five members from each group and which reported to the SWLEP and then the Cabinet of each local Authority, and discussed how it should be structured and how it should report, if more

suitable and efficient governance arrangements were possible. It was also discussed that proposals on local devolution would likely have an impact on any joint planning issues.

Resolved:

To receive a full update on the SHMA/FEMAs in 2016.

33 European Funding Updates

A report from the Strategic Economic Programme Manager on the European Strategic Investment Funds (ESIF) was presented. Details were provided by Councillor Fleur de Rhé-Phillipe, Wiltshire Council, who chaired the local ESIF committee, on efforts to set out responsibilities and purposes of all officers and members involved in the processes.

The Committee discussed the progression of the programmes as detailed in the report for support of small and medium sized enterprises (SMEs) and planning to scope and develop specifications for strategic objective delivery in order to secure funding.

It was raised that the interrelation between managing authorities and central government over processes was not ideal, and it was discussed if it would be possible for local authorities to request the bodies be managed by Local Enterprise Partnerships at local level rather than through a national process with less close engagement of local partners, as part of the government's local devolution agenda.

In relation to the renewed priorities that would be present in the Swindon and Wiltshire Local Enterprise Partnership's revised Strategic Economic Plan (SEP), it was confirmed that any opportunities these might afford to apply for further funding would apply to future tranches of monies, not current funding.

At the conclusion of discussion, I was,

Resolved:

To note the update.

34 Risk Management Updates

The Committee was informed that as updates on Risk Management was in part related to the Local Growth Fund projects as the Strategic Economic Plan (SEP) refresh progressed work would be undertaken to ensure those the risks took account of the new priorities, which would enable a proper update at the next meeting.

Resolved:

To receive a full update at the next meeting.

35 **Forward Work Plan**

The Committee noted the Plan was light on details, and given the lack of written updates provided for the current meeting, insisted that more detail be provided and that in future no item would be included on an agenda without an accompanying report, with recommendations for action, unless authorised by the Chairman and Vice-Chairman.

The Committee also requested reports and item in relation to the City Deal project, the impact of local devolution proposals, a summary of implications arising from the national comprehensive spending review that was to take place in the autumn 2015, and that specific updates be provided on particular projects if their funding arrangements were to substantially change between meetings, for example no longer receiving funding from a source or new funding being obtained.

Resolved:

That subject to the additions detailed above, to approve the Forward Work Plan.

36 **Date of the Next Meeting**

The date of the next meeting was confirmed as 1 December 2015, and it was requested details of 2016 meetings be circulated as soon as possible to all JSEC and SWLEP members.

(Duration of meeting: 2.00 - 3.00 pm)

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JOINT STRATEGIC ECONOMIC COMMITTEE

MINUTES OF THE JOINT STRATEGIC ECONOMIC COMMITTEE MEETING HELD ON 1 DECEMBER 2015 AT COMMITTEE ROOM 6, SWINDON BOROUGH COUNCIL CIVIC OFFICES, EUCLID STREET, SWINDON, SN1 2JH.

Present:

Cllr David Renard (Chairman), Cllr Brian Mattock, Cllr Fleur de Rhé-Philippe, Cllr Garry Perkins, Mrs Nicky Alberry, Cllr Toby Sturgis (Substitute - Part II) and Cllr Stuart Wheeler (Substitute - Part II)

37 Apologies

Apologies were received from Mr Barry Dennington, Councillor Baroness Scott of Bybrook OBE and Councillor John Thomson.

Councillor Thomson was substituted by Councillor Toby Sturgis.

Councillor Baroness Scott was substituted by Councillor Stuart Wheeler.

38 Minutes

The minutes of the meeting held on 30 September 2015 were presented for consideration and it was,

Resolved:

To APPROVE and sign as a true and correct record.

39 Declarations of Interest

Ms Nicky Alberry declared an interest in agenda items 8 and 9 - Update on Planning Police Update and European Structural and Investment Funds Update Updates - by virtue of her position as a director of Business West which provides support to businesses across the region which might be impacted by Planning and Funding matters.

40 Chairman's Announcements

There were no announcements.

41 Public Participation

There were no statements or questions submitted.

42 SWLEP Commissioning Board Update

A written update was presented by Directors of the Swindon and Wiltshire Local Enterprise Partnership (SWLEP), Alistair Cunningham and Paddy Bradley. It was stated that it had been agreed project highlight reports would include greater levels of detail, as well as supporting increased scrutiny of Local Growth Fund (LGF) proposals, and clearer tracking of original deadlines and any delays that occurred.

The Committee discussed the progression of the Strategic Economic Plan which had been reviewed during the course of 2015 with details on communication strategies and key messages had been approved, with further details on design and final revisions to be approved shortly. Details were also provided on funding that had been received from the Department for Business, Industry and Skills for a Careers Enterprise Company pilot scheme to run for 12 months to recruit business volunteers for schools and colleges to increase employer engagement with education facilities. It was confirmed the virtual school, responsible for monitoring the status of all Looked After Children, would also be covered by the pilot scheme, which had launched in Wiltshire in November and would launch in Swindon from 2 December.

The Committee then assessed the details of LGF projects currently underway. Increased costs of delivery had been identified in respect of the Green Bridge, New Eastern Villages project (previously Great Stall Bridge), with the feasibility of design changes to be investigated. Further New Eastern Village projects included that at the A420 Gablecross, where remodelling requirements had been clarified, with the completion date moved to June 2016.

In response to queries it was stated the project with the biggest funding gap was in relation to the White Hart Junction project as detailed in the report, with additional funding sources being investigated ahead of a deadline for action of February 2017.

Details were also sought on projects involving Junctions 16 and 17, Digital Corsham, which was now back within budget, and Chippenham Hub Station, with details as in the report.

Questions were raised about LGF monies which had not yet been utilised due to deferred projects, and it was stated new and viable proposals would be brought forward for consideration of any remaining funds.

At the conclusion of discussion, it was

Resolved:

To note the updates and comments of the Committee.

43 **Key Performance Indicator Update Paper**

As requested in previous meetings the Committee for details on Key Performance Indicators of LEP programmes, a report was presented with details on timescale expectations and other details of schemes along with economic indicators for the Wiltshire and Swindon area.

The Committee welcomed the information provided, and emphasised the need for a unified method of reporting performance, and ensure the greatest possible transparency of information while respecting commercial confidentiality. It was confirmed that the Key Performance Indicator details would moving forward be published on the LEP website and updated quarterly.

Resolved:

That the Joint Strategic Economic Committee (JSEC) take note of the format and content of the proposed programme key performance and economic indicator dashboards, approve their continued production, and provide officers with feedback and commentary on the indicators selected and their presentation.

44 **Planning Policy Update**

An updated was provided by Richard Bell, Head of Planning, Regulatory Services, Heritage and Libraries, Swindon Borough Council on development of a Joint Strategic Options strategy to ensure members of both local authorities and the Local Enterprise Partnership are appropriately involved in cross border planning issues.

It was also stated a proposed methodology to define the boundaries of a Social Market Housing Area (SHMA) and Functional Economic Market Area (FEMA) was being prepared and would be ready to be discussed with neighbouring authorities in 2016. The Committee supported the suggestion of a working group, to include councillors from both authorities, oversee the joint working on this issue report to the JSEC with regular updates.

Resolved:

- 1) **Note the content of the paper;**
- 2) **Agree that a Senior Officer/Councillor Working Group be established comprising three Councillors (relevant Cabinet portfolio holders) from each authority to support the preparation of the 'Strategic Housing Market Assessment and Functional Economic Market Assessment' and other joint evidence base studies to inform the review of the Councils' Local Plans; and**
- 3) **Agree that the Senior Officer/Councillor Working Group, as identified in 2) reports to the Joint Strategic Economic Committee.**

45 **European Structural and Investment Funds (ESIF) Update**

A report from the Strategic Economic Programme Manager on the European Strategic Investment Funds (ESIF) was presented. Further details were provided by Councillor Fleur de Rhé-Phillipe, Wiltshire Council, who chaired the local ESIF committee.

The Committee discussed the progression of the programmes and processes as detailed in the report, including a refresh of the ESIF strategy to bring the governance arrangements in line with Local Enterprise Partnership structures and the selection process for ESIF projects being confirmed by Managing Authorities. Some members raised that some future programmes had been removed following the Autumn Statement, and the impact of this required further assessment. It was also stated the final call for Regional Development Funding for the Health and Life Sciences business cluster at Porton had been made and was due for publication by the end of December 2015.

It was confirmed that the Local Enterprise Partnerships were still not accepted by the European institutions as suitable to receive monies directly, and therefore these would continue to be directed nationally through the Department for Communities and Local Government.

At the conclusion of discussion, it was,

Resolved:

To note the update.

46 **City Deal Update**

A written update on progression of the City Deal project was presented, with the project now renamed as Higher Futures. It was explained that currently six employers were involved with others expressing interest, and recruitment, advertising and development of engagement and marketing strategies were all progressing as detailed in the report. It was also confirmed a new LEP Board Member, Simon Patten of BT, was chairing the Higher Futures Subgroup.

The Committee thanked officers for the progress on the project, and would welcome a full update for the next meeting given the significance of the project.

Resolved:

To note the update and request a full briefing at the next meeting.

47 **Autumn Statement Implications**

In response to the statement of the Chancellor of the Exchequer on 25 November 2015 it was explained that full details of how round 3 of Local Growth Funding would operate, and that the some or all might be restricted to specific regions, the bidding process shortened, or possibly allocation tied to local devolution deals. Full details would be available before the end of 2015, but £12 Billion total across all the funding rounds had been confirmed, meaning a total of £4 Billion currently remained unallocated.

In response to queries on the implications of the statement it was explained that some proposals had already been identified as potential bids once the details of the process was confirmed, and that the application for creation of an Enterprise Zone in Wiltshire and Swindon had not been accepted. Full feedback would follow, but it was stated due to the requirement for multiple sites and sectors, the application may have been considered more complicated than some others.

Resolved:

To note the update.

48 Date of the Next Meeting

It was agreed the proposed date of the next meeting of 28 January was not suitable for a significant number of members, and that a new date would be circulated when arranged.

(Duration of meeting: 2.00 - 3.20 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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LOCAL PENSION BOARD

MINUTES OF THE LOCAL PENSION BOARD MEETING HELD ON 16 JULY 2015 AT WEST WILTSHIRE ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

David Bowater, Kirsty Cole, Lynda Croft, Mike Pankiewicz, Cllr Christopher Newbury and Howard Pearce (Chairman)

1 Membership

It was noted that Kirsty Cole and Cllr Christopher Newbury had been appointed to the Local Pension Board (LPB) by Full Council on 14 July 2015

2 Appointment of the Chairman and Vice-Chairman of the Board

Members received a report on the responsibilities of the Chairman and Vice-Chairman of the Board and considered appointments to these positions.

Resolved:

To ratify the appointment of Howard Pearce as the Chairman of the Local Pension Board, as agreed by Full Council on 12 May 2015.

To appoint Mike Pankiewicz as Vice-Chairman of the Local Pension Board.

3 Attendance of non-members of the Board

There were no non-members of the Board present.

4 Apologies

Apologies for absence were received from Barry Reed.

5 Declarations of Interest

There were no declarations of interest.

6 **Chairman's Announcements**

The Chairman welcomed all members and gave an introduction to the role of the Board as a 'critical friend' to the Wiltshire Pension Fund and with an evolving role.

David Anthony, Head of Pensions, was invited to update the Board on highlights from the budget announcement. It was noted that LGPS Funds were now expected to pool investments in order to reduce fees spent on investment managers. A full briefing note would be issued to members in due course.

7 **Public Participation**

There was no public participation.

8 **Adoption of the Local Pension Board Terms of Reference**

Members considered the LPB Terms of Reference (ToR) and discussed the practicalities of the current provisions for quorum. It was agreed that the quorum should be of at least fifty percent of voting members whilst ensuring one from each of the employer and scheme members representatives was present. The Chairman suggested that the ToR be amended to allow for their review following the issuing of any relevant scheme guidance. It was noted that Michael Hudson, Associate Director for Finance, had delegated authority to amend the ToR.

Resolved:

To adopt the Terms of Reference, subject to the following amendments:

Paragraph 64 ' A meeting is only quorate when at least 50% of voting members are present, with at least one scheme member and employer member representative present'.

Paragraph 99 'These Terms of Reference shall be reviewed on each material change to those parts of the Regulations *and relevant scheme guidance* covering local pension boards and at least every 5 years'

9 **Introductions of Members of the Local Pension Board**

Members of the Board introduced themselves and their employment history. It was commented that the membership allowed an insight into a variety of roles in local government and experience in various financial and pensions matters.

Mike Pankiewicz expressed the view that he would like this Board, where possible, to become involved in items such as the Fund's discretions policy and processes like the awarding of ill health retirement cases.

10 Overview of the Conflict of Interest Policy

David Anthony introduced a report which covered the duties applicable to members to ensure they did not have a conflict of interest whilst working on the Board. All members were bound by the requirements in the Terms of Reference and Wiltshire Councillors were also to be bound by their own Code of Conduct. External members on the Board were to comply with the 'Nolan Principles': Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, Leadership and relevant scheme regulations. All members were reminded to notify Democratic Services of any potential conflict of interest arising as a result of their position on the Board.

The Board supported developing a comprehensive conflicts of interest policy and register of interests to bring to the next meeting in October.

Resolved:

To adopt the Conflict of Interest policy and the following recommendations:

- a) **request Wiltshire Council develop a Code of Conduct and Conflicts of Interest Policy for approval;**
- b) **request officers provide further training to LPB Members on Code of Conduct and Conflicts of Interest; and**
- c) **note the requirement for Members to declare any potential conflict of interest arising from their position on the LPB.**

11 Purpose & Role of a Local Pension Board

It was explained that the national purpose of Local Pension Boards was to raise the standard of management and administration of public service pension schemes and to achieve more effective representation of employer and employee interests in that process.

The Board would work to ensure the Fund was compliant with the regulations and act as a 'critical friend', only holding responsibilities outlined in the ToR.

Members discussed how the Board would examine the Fund's compliance with the Pensions Regulator (tPR) code of practice and would need to develop a breaches policy.

Members questioned the depth to which the Board would need to review information to fulfil its role and it was confirmed that the Chairman was well-experienced and would steer the Board. External advisors could also be

commissioned to undertake more in-depth research. The Board would be supported by officers and also internal and external audit reports.

The Board agreed that it should examine the delegations the Wiltshire Pension Fund Committee had granted to the Investment Sub-Committee (ISC). Other potential lines of work would be a comparison of the Board's perception of the Fund's risk register compared with the view of the Pension Fund Committee. It was considered that a measurement of success should be developed for the Board and noted that the Chairman of the Pension Fund Committee determined success in relation to helping them to address the funding deficits and liabilities.

Resolved:

To note the report.

To begin work on developing a breaches policy.

To recommend future items of interest:

- **To review governance arrangements of the Pension Fund Committee and Investment Sub-Committee;**
- **To review and compare attitudes to the risk register;**
- **To develop a success criteria for the Board.**

12 Training Plans

A report was presented which outlined the requirements for Local Pension Board Members to be conversant with the LGPS scheme, its regulations and to have a training plan in place to ensure specific training needs would be met.

Members agreed that the self-assessment form would be a useful tool initially to identify priority areas for training. It was considered useful to follow the same training plan as the Wiltshire Pension Fund Committee (WPFC) but commented that these members should be encouraged to attend as they were not obliged to undertake training. Members supported the development of a handbook as a reference point following training sessions and the Chairman encouraged members to keep a record of all related training undertaken to pass on to David Anthony.

Resolved:

To endorse the basis for the development of a training plan outlined in paragraphs 20 to 28 of the report with the following additional recommendations:

- **That training plans are aligned with the Workplans for the Board;**
- **To continuously review training plans with an aspiration to have all Board members fully trained within 12 months;**

- To share training events with the Pension Fund where possible to support a positive working relationship and save resource;
- That training policies embrace flexible ways of learning;
- That the Head of Pensions take responsibility for ensuring the knowledge and understanding framework is developed and implemented.
- That Board members are encouraged to pass details of any additional training/conference attended to Head of Pensions to include in the training logs.

13 **Consideration of the Wiltshire Pension Fund Committee Draft Minutes and Key Decisions Taken on 25 June 2015**

The draft minutes of the latest Pension Fund Committee meeting and the key documents approved, namely the Business Plan 2015-18 and Internal Audit Report were presented to the Board.

It was explained that the Board would meet 3 to 4 weeks after the main Committee and would have access to all of its supporting paperwork.

David Anthony explained highlights from the minutes which included that the key underspend for the Fund was on manager fees, it was explained that any underspends would remain in the Fund. The issue of recruiting new staff had improved as one new member of staff had been recruited.

The officer updated that the Fund's Communications policy had been reviewed to enhance the features that were most useful to members. The Fund's statement of investment principles was identified as an avenue for exploration at a future Board meeting alongside the Fund's risk register. It was noted that since the LPB and ISC were now operational the risks associated with these had been downgraded on the risk register. A summary of the Fund's investment reports was provided.

The Board heard that the Fund's internal auditors were being directed towards specific areas of investigation, as part of the audit planning process, particularly procedures, reconciliations and KPIs. The Business Plan was being considered to ensure the Fund worked to best practice and develop an action plan for this.

The Board members considered the Pension Fund minutes and noted that the Committee would receive the minutes of the Board meetings. The Chairman requested that the Board received full minutes of both the Committee and the ISC and dates of their meetings to assist members to attend were possible. Members agreed that more detailed reports from the auditors would help them to review the Fund and requested actions on the Business Plan be prioritised to reflect whether they were a statutory duty and to acknowledge resource sensitivity. It was suggested that a future item for the Board could include examining the potential impact from pooling investments and inputting into the forthcoming Government consultation.

Resolved:

To note the minutes and attached reports.

To request that the Board receive full minutes and meeting dates of both the WPF and ISC.

To request input into the consultation process for the audit plans.

To request the SWAP audit report and action plan is reviewed again by the Board.

To recommend that items on the Business Plan be prioritised and acknowledge resource sensitivity and risk and that the LPB be updated on these issues.

14 **Work Plans for 2015/16**

Board members were asked to consider areas for review over the next 12 months with regard to the Terms of Reference of the Board. Members noted that the Fund's Annual report would come to the next meeting of the Board and the Fund's valuation would be received at a 2016 meeting.

The Chairman requested that a Forward Plan be developed to track emerging agenda items and items addressed by the Board.

It was discussed that whilst the Board was deigned to scrutinise the Fund it was supported by the same officers and, although they were to attend to present information only, this potential conflict of interest should be added to the work plan for further investigation. The Chairman reminded the Committee that the officer would provide information only and it would be for the Board members to scrutinise the Fund.

Members considered that other items of interest would be to examine how effective the Fund's communications policy was and to make an assessment of the Fund's risk register and align the work programme around this. It was commented that, on occasions, the Board may wish to liaise or share experience of work plans with other Boards.

Resolved:

To add the following items to the Board's work plan:

- **To develop a Forward Plan to track statutory and emerging issues and record items addressed by the Board. This should include**

training and review of the Valuation process, review of discretions policy, and internal policies of the Fund.

- **To explore officer support for the Board in the context of overlap with supporting the management of the Fund.**
- **To explore the effectiveness of the Fund's Communications Policy**
- **To make assessments of the key risk register and consider aligning a work programme to these risks.**

15 **Urgent items**

There were no urgent items.

16 **Date of next meeting**

The next regular meeting of the Board was to be held on Thursday 22 October 2015.

(Duration of meeting: 10.30 am - 12.41 pm)

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LOCAL PENSION BOARD

MINUTES OF THE LOCAL PENSION BOARD MEETING HELD ON 22 OCTOBER 2015 AT NORTH WILTSHIRE ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

David Bowater, Kirsty Cole, Lynda Croft, Mike Pankiewicz, Howard Pearce (Chairman) and Barry Reed

Also Present:

David Anthony, Catherine Dix, Ian Colvin

17 **Membership**

Kirsty Cole explained that she would be resigning her position from the Local Pension Board as she did not have the capacity to dedicate sufficient commitment to the role.

18 **Attendance of non-members of the Board**

Ian Colvin, Head of Benefit Consultancy Hymans Robertson, was in attendance as an advisor. Catherine Dix, Strategic Pension Manager, attended as an observer.

19 **Apologies**

Apologies for absence were received from Cllr Christopher Newbury (Pension Board member), Cllr Dick Tonge (Observer) and Michael Hudson (Treasurer to the Pension Fund).

20 **Minutes**

Members considered that an action tracker would be useful to attach to the minutes of each meeting.

Resolved:

To confirm as a true and correct record the minutes of the meeting held on 16 July 2015.

21 **Declarations of Interest**

There were no declarations of interest.

22 **Chairman's Announcements**

There were no Chairman's Announcements.

23 **Public Participation and Councillors Questions**

There was no public participation.

24 **Amendments to the Terms of Reference**

Libby Beale, Senior Democratic Services Officer, presented amendments to the Board's Terms of Reference that had been recommended by officers. One proposed amendment served to clarify that decisions put to the vote would be won by a simple majority. A further amendment was for meeting agendas to be published 5 days in advance of the meeting, reduced from 7 days, to assist officers in preparing reports. If agreed by the Board, the amendments would be made by the Associate Director for Finance.

Resolved:

To endorse the amendments to paragraphs 47c and 67 of the Terms of Reference to read:

Para 47c 'The chair of the Board....Shall seek to reach consensus and ensure that decisions are properly put to a vote, won by a simple majority, when it cannot be reached. Instances of a failure to reach a consensus position will be recorded and published.'

Para 67 'The agenda and supporting papers will be issued at least 5 working days in advance of the meeting except in the case of matters of urgency'

25 **Scheme Legal, Regulatory and Fund Update**

David Anthony, Head of Pensions, updated on consultations published since the last meeting of the Board.

In July 2015 the Government had announced its intention to pool the assets of Local Government Pension Scheme (LGPS) funds, it had also been suggested that more asset investment should be made in new, UK infrastructure. Guidance on pooling was expected to be issued shortly, however the Local Government Association had asked funds to begin assessing options available to them, the pools of collective investments were expected to be £25-30bln in

size. The Wiltshire Pension Fund was in dialogue with other Funds in the South West to explore the potential for a South West Collective Investment Vehicle, this pooling could involve a range of options from a Collective Investment Vehicle (CIV) to a joint committee approach, but strategic asset allocations would remain with each local fund. A South West Collective Investment Vehicle currently would total £20bln.

The Board raised questions as to whether funds could buy out Private Finance Initiative (PFI) contracts, the officer advised that the Government had not yet commented on this but PFIs would be attractive to Funds due to low development risks. It was commented that the Funds in the Collective Investment Vehicle could potentially buy and sell liquidity between them.

An update was also given on the Government consultation on the Public Sector Exit Cap. It was confirmed that the Fund had responded with a number of concerns, namely that pension straining costs were included in the cap and this could adversely impact upon long-serving low earners in the Fund. The Government had responded to feedback but would continue to include straining costs. The changes were anticipated to come into force in April 2016 and would necessitate changes to Local Government Pension Scheme (LGPS) regulations. Following questions from members, it was verified that approximately 10% of those with pension straining costs were expected to be affected; Full Council could exempt the penalties but this would be on a case by case basis and the expectation was that this would be seldom used. It was commented that other funds were not funded and so not susceptible to straining costs. The Board agreed that the effect of the cap on the Fund's valuation and on employers and members should be reviewed and communicated as soon as possible.

The Board heard that HMRC had launched a consultation on strengthening incentives to save; officers supporting the Fund and advisors from Hymans Robertson were concerned that taxing pension contributions would deter people from contributing. The Board was updated on the Annual Benefit Statement exercise for 2015 which had been the first with the LGPS care scheme in place. It had proved challenging to get details from employers since they now had to provide two figures for year end pay, data from some employers was missing and they had been written to and warned that lateness would need to be reported to the Regulator in future. Due to new statutory requirements, these statements now had to be sent by the end of August instead of November. Although the print extract had been completed prior to the deadline, circulation had been a few days late due to printing problems, however officers did not consider this a material breach, therefore would not report it to the Pensions Regulator (tPR). It was agreed that officers should endeavour to reduce the timescale for sending statements to the printer to mid- August.

Resolved:

To note the updates.

To recommend to the Wiltshire Pension Fund that full consideration is given to the legal duties of the Fund and the administration of assets arising from pooling assets in a Collective Investment Vehicle.

To recommend to the Wiltshire Pension Fund that changes arising from the public sector exit cap be communicated to employers and members and that the impact of changes on the Funds valuation be considered.

To recommend to the Wiltshire Pension Fund that plans are put in place with employers and printers to ensure all Annual Benefit Statements are issued by the 31st August 2016.

26 Review of Pension Fund Annual Report and Financial Statements

The Board received the Pension Fund Annual Report for 2014/15, including its Financial Statements approved by the Pension Fund Committee for review. The Chairman suggested that updates on governance be brought forward in future Annual Reports, a 5 year timeline to illustrate performance be included and any breaches reported to the Regulator also to be included. The Board would produce its own annual report which would be available on the Pension Board part of the fund's website.

Resolved:

To note the Pension Fund Annual Report for 2014/15.

To recommend that future Annual Reports contain details of governance earlier in the report, a five-year timeline for performance, and details of breaches reported to the regulator.

27 Review of External Audit Report

A report presented the KPMG External Audit report for review; officers advised that since there were no actions arising from the report a separate report to that of the administering authority was not required. The Board thanked the Pensions team for their hard work.

Following questions, members heard that auditors were appointed by Council and following a partner rotation and suggested that clarification of the audit appointment process be sought and a review be undertaken if necessary. It was confirmed that the auditors had reviewed and signed off the Fund's Annual Report. The Chairman requested that in future, the Board be able to scrutinise the Annual Report and Accounts and the external auditors report before the publication of the Annual Report.

Resolved:

To note the External Audit Report from KPMG.

That the Head of Pensions confirm to the Board the process for appointing external auditors.

To request that the 2015/16 Annual Report, Accounts and the external auditor report are reviewed by the Board prior to external publication.

28 Update on the Internal Audit Report

A report presented the latest position in regards to the agreed action plan within the SWAP Internal Audit report. It was explained that all of the actions had been completed with the exception of 1.7a Workflow Procedures and 2.1a GMP Procedures, and 3.6a Performance Management. These actions had been delayed due to staff vacancies in the posts of Technical and Compliance Manager and Fund Development Manager. The positions had recently been filled and the actions would be completed by the end of the year. As with the external auditors, the internal auditors had been appointed by Council.

Resolved:

To note the updated position of the internal audit report and action plan.

29 Review of the Risk Register

David Anthony presented the Fund's Risk Register for note, he explained risks were registered according to impact and significance. Since the last report PEN008 'Failure to comply with LGPS and other regulation' had increased from a low to medium risk. Another notable risk was the vacant post of Employer Relationship Manager.

The Board recommended that the collective pooling of funds and the public sector exit cap be added to the Risk Register. There was concern that there may not be sufficient assets in the South West for a Collective Investment Vehicle and around the extra administrative burdens of establishing a Collective Investment Vehicle and applying the exit cap. Members questioned PEN 004 and it was confirmed that should the Wiltshire Council web system go down, the pensions system could still be accessed remotely. It was agreed that the Board should regularly review the Risk Register and suggested that risks be categorised, in addition to numbered, under strategic headings of 'Regulatory and Governance', 'Funding and Investments', 'Benefits Administration and Communications'.

Resolved:

To note the Risk Register and measures being taken to mitigate risks.

To recommend the adding of the pooling of investments and the public sector exit cap as risks.

To recommend the risks be categorised, under strategic headings of 'Regulatory & Governance', 'Funding & Investments', Benefits Administration & Communications'.

30 Training Items: Conflicts of Interest and Code of Conduct

Hymans Robertson presented a short training session on the reasons for implementing a Conflicts of Interest policy and how conflicts were to be identified and managed. It was highlighted that members would be asked to declare any interests on a Register of Interests and again if relevant items came up at meetings. It was explained that potential conflicts could be managed but real conflicts were not permitted. Members were reminded that perceived conflicts should also be reported to Democratic Services. Examples of conflicts of interest were discussed.

The advisor also presented on a policy for the Fund to respond to breaches of the law. The steps of the breaches policy were explained as: identifying a potential breach, assessing whether there was reasonable cause, the material significance of the breach, reporting it and keeping a record of breaches and actions taken. It was confirmed that breaches would be reported to the Committee and Board. The Pensions Regulator, in the first instance, would work with Funds to establish processes to prevent future breaches; persistent breaches would trigger legally binding courses of action and then fines. Members considered whether in certain situations it may not be appropriate for the Section 151 officer to report breaches, and the whistleblowing policy would refer this to a different appropriate officer, such as the Monitoring Officer.

The Board thanked Ian Colvin for his informative session.

31 Code of Conduct and Conflict of Interest Policy

The Board was presented with a Code of Conduct and Conflict of Interest policy in line with regulations and advice from Hymans. It was confirmed that the Register of Interest for members would be published on the website and conflicts of interest would also be disclosed and published.

Resolved:

To approve the attached Code of Conduct and Conflict of Interest policy guidelines.

32 Breaches Policy

The Board received a draft Breaches policy that the Pension Fund Committee was to consider its next meeting.

It was acknowledged that in the event of a breach, a special meeting of the Board may need to be called to discuss these between scheduled meetings. Comments on the breaches policy included that breaches should be monitored by the Board, and reported in the Fund's annual report and also on the Fund's website. The Head of Pensions would ensure that all members of the Board undertook the Pension Regulator (tPR) training as this was a statutory requirement, and the Board strongly recommended that Pension Fund Committee members also undertake this training. It was suggested that a collective session for both Board and Committee members could be appropriate. There was also discussion as to whether the Monitoring Officer should be the person responsible for the reporting of breaches and not the Section 151 Officer due to the potential for a conflict of interest. Officers felt that this could be managed and that the Board would be monitoring the reporting of breaches

Resolved:

To endorse the draft Breaches Policy and recommend adoption by the Pension Fund Committee subject to the following additional requirements: that breaches be reported to the Board, published in the Fund's annual report and also on the Funds website

That the Pension Fund Committee consider whether the Monitoring Officer should be responsible for the reporting of breaches instead of the Section 151 officer.

That future amendments to the Breaches Policy be reported to the Local Pension Board.

To recommend to the Pension Fund Committee that its members undertake tPR training.

33 Training Plans Update

The Head of Pensions updated on the progress in implementing a training plan for the Local Pension Board; members had already received some training sessions and would continue to receive these on a permanent basis. Training resources were to be collated to construct a handbook and the Pensions Regulator toolkit could also be used. Members had been sent self-assessment forms and were reminded to return these as soon as possible, the Chairman encouraged his colleagues to attend conferences and training sessions externally and record these in their training log. It was noted that training for Local Pension Board members was a legal requirement and officers were

requested to publish training records in the Annual Report. The Chairman invited members to feedback from conferences they had attended as a standing item on the agenda.

Resolved:

To note the update on training plans.

To receive an update at the next meeting on self-assessment forms.

To include members training records in the Annual Report.

34 **Local Pension Board Work Plans**

The Chairman introduced a proposed work plan for the Local Pension Board which was designed around the Fund's own work plan and the Boards requirements to secure compliance with LGPS regulations and Pension Regulator requirements. Members agreed that the work plan should be reported to the Committee to assist its understanding of the Board's contribution.

It was acknowledged that the work plan was ambitious and that approximately six items of business would need to be considered at each meeting; certain items had been deferred to allow the Board to be sufficiently trained to consider them. It was stressed that the Board could make recommendations to the Committee and also request information and resources; it was commented that the Board would be well-placed to examine operational issues that would not normally go to the main Committee along with governance arrangements. The next meeting would include: training items on tPR code, budget setting, the training programme, inputting into the audit process, the Business Plan and the Funds discretions policy. It was suggested that the work plan also be categorised under topics and the July 2015 meeting be added to track the Board's progress from inception. It was felt that as the work plan developed the Board and the Fund would need to consider PEN 19 on the Risk Register relating to the resource required to support the Board.

Resolved:

To note the report and rational for a forward work plan.

To approve the draft work plan as outlined in the appendix.

To report the work plan to the Pension Fund Committee.

35 **How did the Board do?**

The Chairman invited the Board to feedback from the meeting. Comments included that the work plan was beginning to follow a structure and the general policy update from the Head of Pensions had been very useful.

36 **Urgent items**

It was confirmed that the profiles of members and their Registers of Interest would be published on the website in advance of the next meeting.

37 **Date of next meeting**

The next regular meeting of the Board was to be held on 14 January 2016.

38 **Exclusion of the Public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in minute number 39 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

39 **Draft Wiltshire Pension Fund Committee and Investment Sub-Committee Minutes and Key Decisions**

Members considered the minutes of the last meetings of the Wiltshire Pension Fund Committee and Investment Sub Committee. It was commented that the Board's work plan may help to address questions the Committee had about its purpose. The Chairman advised that the Pension Fund Committee should consider different flight path options to ensure it could challenge the advice from the actuary. The Head of Pensions advised that he would provide an overview of the flight paths at the next meeting.

Resolved:

To note the draft minutes of the Wiltshire Pension Fund Committee and Investment Sub Committee meetings.

(Duration of meeting: 10.30 am - 12.55 pm)

The Officer who has produced these minutes is Libby Beale (Senior Democratic Services Officer), of Democratic Services, direct line 01225 718214, e-mail Elizabeth.beale@wiltshire.gov.uk

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LOCAL PENSION BOARD

MINUTES OF THE LOCAL PENSION BOARD MEETING HELD ON 14 JANUARY 2016 AT SALISBURY ROOM - COUNTY HALL, TROWBRIDGE.

Present:

David Bowater, Lynda Croft, Cllr Christopher Newbury, Mike Pankiewicz, Howard Pearce (Chairman) and Barry Reed

Also Present:

Ian Colvin, Michael Hudson, Catherine Dix, Craig Holden and Lucy Hook.

1 **Membership**

There had been no changes to the membership of the Board since the last meeting, however David Anthony, Head of Pensions, updated that the recruitment for the vacant Group 2 position on the Board was underway and had received one expression of interest.

Resolved:

To note the update.

2 **Attendance of non-members of the Board**

Ian Colvin (Hymans Robertson), Michael Hudson, Catherine Dix, Craig Payne and Lucy Hook were in attendance.

3 **Apologies**

There were no apologies for absence.

4 **Minutes**

The Board received the minutes of the last meeting and attached action-log tracking the progress of actions and recommendations.

The Chairman requested an update on the process for selecting and reviewing auditors. Michael Hudson (Treasurer to the Pension Fund) advised that since the demise of the Audit Commission, local authorities would have to appoint

their own external auditors using an independent panel however the guidance was unclear as to the requirements on pension authorities. The Treasurer was awaiting a response to his queries and guidance on whether funds in the South West could appoint an external auditor together, as well as the timescales for this, and would report back to the Board.

Resolved:

To confirm the minutes of the meeting held on 22 October 2015.

To note the progress of actions recorded in the Board's action log.

To request that the process for reviewing external audit or appointment arrangements be reported to the next meeting of the Board.

5 Declarations of Interest

There were no declarations of interest.

6 Chairman's Announcements

There were no Chairman's Announcements.

7 Public Participation and Councillors Questions

There was no public participation.

8 Part 1 Minutes and Key Decisions of the Wiltshire Pension Fund Committee and Investment Sub-Committee

Members considered the draft public minutes of the Investment Sub-Committee held on 23 November 2015 and Wiltshire Pension Fund Committee held on 10 December 2015. Key points of note were that the Fund had adopted the Conflict of Interest Policy and Breaches Policy for the Board and had been updated on the Fund's Triennial valuation and latest news from the LGPS sector.

Resolved:

To note the minutes of the Investment Sub-Committee held on 23 November 2015 and Wiltshire Pension Fund Committee held on 10 December 2015

9 Scheme Legal, Regulatory and Fund update

The Head of Pensions updated members on recent consultations published since the last meeting. The Government's consultation on the pooling of assets was to close on 19 February 2016, by which date the Fund was expected to submit high-level proposals on pooling with other funds in the South West, with

detailed proposals required by 15 July 2016. The comprehensive proposals would need to include details of liquidity (determining how quickly pooling could take place), proposed infrastructure investments and governance arrangements. The pools were required to total £25bn in assets which the Government had described as 6 wealth funds. A change to the Investment Regulations would also be necessary arising from this pooling and the Government was currently consulting on this.

The Board heard that that a feasibility study for pooling funds in the South West had been commissioned and currently was considering a range of options from Collective Investment Pools to a joint-committee approach. A special Pension Fund Committee meeting had been set for 1 February 2016 to discuss the proposed response to the consultation. Board members commented that the most transparent approach would be their preference.

Resolved:

To note the attached consultation documents and the proposed timescale and process for formulating a Wiltshire Pension Fund response;

To encourage the Pension Fund Committee to ensure that robust governance requirements, clear auditing mechanisms and transparency are identified for the proposals arising from pooling and that the impact of pooling arrangements be communicated to Fund members.

10 **Review of the Risk Register**

The Board was presented with the current Risk Register for the Wiltshire Pension Fund, it was noted that the categorisation of the register had been undertaken following recommendations at the last meeting of the Board. Three new risks reflecting new developments in the LGPS had been identified on the register. Officers advised that the Pension Fund Committee had identified lengthy agendas as a risk and they would be cutting down the length of reports by increasing the use of hyperlinks, Board members were happy for this approach to also be applied to Board administration. The Chairman suggested that the date for completion of actions for mitigating risks should be reviewed to ensure that risks be continually reduced.

Questions were raised over the implications for employees arising from the Public Sector Exit Cap and it was confirmed that implications would be communicated to members once known.

Resolved:

To note the Risk Register and actions being taken to mitigate risks.

To recommend a review of the timescales for measures to reduce risks.

To recommend that officers communicate the implications of the public sector exit cap to the Fund's members once known.

11 Training Items: the Pension Regulators Code of Practice no 14 and 2014 Record Keeping Regulations

Members received training from Ian Colvin, Hymans Robertson, on the Pension Regulator Code of Practice no. 14 and Record Keeping Regulations; the Board was expected to keep abreast of these to consider direct requirements under Public Sector Pensions Act 2013 and to assist the scheme manager in securing compliance and reporting breaches. The content of the Code was covered, including: Governance (key knowledge that members should have), Managing Risk (internal controls required for the scheme manager), Administration (records needed), and Resolving issues (internal dispute resolution and reporting breaches).

The Chairman suggested that officers review the response that other Funds in the South West had given to the Pension Regulator's governance survey since governance was important to pooling. Board members noted that the Code and Regulations required Fund members to receive scheme information in a simple and engaging way however acknowledged that this was difficult to achieve. It was confirmed that where administration of benefits was being undertaken jointly (eg. in Devon and Somerset) the responsibility for governance still rested with the administering authority of that particular fund.

Resolved:

To thank Ian Colvin for the informative training session and to note the requirements placed upon the Board by the Pension Regulator's Code of Practice No.14 and 2014 Record Keeping Regulations.

To suggest that officers investigate the responses of other funds in the South West to the Pension Regulator's Survey as part of the due diligence work for potential asset pooling.

12 The Pension Regulator Governance Survey

A report presented the Pension Regulator's survey and its findings on the review of governance in public sector pension schemes for the Board's consideration.

The Head of Pensions advised that the Fund was currently focussing on record keeping and was investigating new addresses for Funds members where their details were now out of date. Members acknowledged that the Board had a duty to review key issues and risks for compliance with tPR's Code of Practice No.14 and that it may commission an independent advisor to assess the current level

of compliance against tPR's code to reinforce the work undertaken by officers. The Chairman requested that the Treasurer discuss this issue with audit partners in the South West and report back at the next meeting.

Resolved:

To note the survey and its findings on the review of governance arrangements.

To request that officers report back at the next meeting on the options for an independent review of Wiltshire Pension Fund compliance with tPR new requirements following discussion with audit partners in the South West.

13 **Training Plans Update**

Members considered their responses to self-assessment and the proposed training plan for the Board. It was understood that Board members were required to have a good level of working knowledge and would be supported to develop this. The Pensions Regulator had a toolkit to assist with training, members would also receive bespoke training sessions, a handbook and briefing notes. Training plans would be based on members' self-assessments and would be recorded and training logs published in the Pension Board Annual Report. Members felt it would be unrealistic to expect all of them to be very knowledgeable about all aspects of the LGPS and concluded that the Board should aim to move towards a 'Good' rating within a year and aspire for the 'Skilled' level thereafter. It was noted that a handbook was necessary to record resources used for training to ensure the members always had a point of reference. It was recommended that a 'traffic light system' be used to track progress made on training.

Resolved:

- a) to approve the attached Board Members Training Plan as proposed in Appendix 2;**
- b) to note the Framework for Training outlined in the report;**
- c) to complete the tPR on-line toolkit within 12 months of appointment; and**
- d) to recommend that progress on training be monitored using colour-coding.**

14 **CIPFA Pensions Administration Benchmarking**

The outcomes of the 2015 CIPFA Benchmarking survey were presented for the Board to consider. The survey compared the Fund against the other 44 LGPS

authorities within the club; the Board agreed the benchmarking was a useful review of performance and noted its annual cost of £680. An overview of administration costs, memberships, administration, and staff matters was provided. The Wiltshire Pension Fund was broadly in line with other LGPS schemes in terms of work being processed, the areas where the Fund was higher was a reflection of the proactive approach being taken in respect of communicating with members, improving its ICT capabilities and monitoring and managing its liability risks through its work with the actuary. Questions were raised over the high number of retirements commuting to a lump sum and officers considered it was down to preference.

Resolved:

To note the outcome of the survey.

15 Review of the Wiltshire Pension Fund Administration Strategy

A report presented the revised Pension Administration Strategy approved by the Pension Fund Committee on 10 December 2015 for review. The strategy set out the quality and performance standard expected of all Scheme employers and admitted bodies within the Wiltshire Pension Fund. The Board discussed that it planned to examine performance indicators at its next meeting and requested that officers review the charge-out rate compared to other LGPS funds. Only a few material changes to the strategy had been made and all the timeframes for the delivery of information remained the same for Scheme employers, with the exception of year end returns that had been brought forward a week as the Fund now had to deliver Annual Benefits Statements by 31 August. Employers had been consulted on the new strategy and were generally in support of it.

Resolved:

To note the Administration Strategy for the Fund.

To recommend that officers review the charge-out rate for the calculation of costs from persistent failure to meet targets or resolve cases to ensure it is in line with other Funds.

16 Review of the Administering Authorities Discretion Policy

Craig Payne, Technical and Compliance Manager, presented a summary of the updated Administering Authorities Discretion Policy approved by the Pension Fund Committee on 10 December 2015. New discretions were required to ensure an up to date policy to comply with latest LGPS regulations; an overview of mandatory and key optional discretions was provided.

Questions were raised over the Fund's use of discretions in comparison to other Funds and how discretions were implemented by the Associate Director for Finance. It was confirmed that the Fund was broadly in-line with others and took into account the impact of decisions on the Fund, the employer and the individual to ensure balanced decisions. Costs were considered in decision-making but were not the principle factor. Michael Hudson, Associate Director for Finance, and also Treasurer to the Pension Fund, advised that when discretions were to be decided by him he often delegated this responsibility to a deputy or took advice from the Legal team to avoid any conflict of interest. Significant decisions could be referred to the Wiltshire Pension Fund Committee.

Resolved:

To note the updated Administering Authorities Discretion Policy.

17 Review of the 2015 Business Plan

The Board was updated on the implementation of the actions identified in the 2015 Business Plan. The report detailed actions which were still outstanding however members were reassured that these were not business critical and would be addressed now that the Fund had more resource. It was noted that the implementation of regular covenants and risk reviews of employer bodies would be addressed in the Triennial Valuation.

Resolved:

To note the update on actions identified in the Business Plan.

18 Review of the Local Pension Board Work Plan for 2016

Members considered the draft work plan for the Board and the Chairman advised this would be a standing item on agendas to ensure the Board was working towards its priorities. It was confirmed that the Board could regularly be updated on asset pooling under the Scheme legal, regulatory and fund update item.

Resolved:

To approve the draft work plan.

19 Local Pension Board Budget 2016-2017

The Board considered its proposed budget for 2016-17 and noted that it had increased by £6,000 from the previous year, mainly due to the need for investment in training. Should the budget need to be changed, for instance to allow for further spending on independent advisors, this could be done with the agreement of Michael Hudson, Treasurer to the Fund, and reported back to a future meeting of the Wiltshire Pension Fund Committee. Funding could be

moved between budget headings in exceptional circumstances provided this was reported to ensure transparency. Members agreed to keep refreshment costs to a minimum.

Resolved:

To recommend to the Wiltshire Pension Fund Committee that the proposed Local Pension Board Budget be included in the Fund's Administration Budget for 2016-17.

20 **How did the Board do?**

Members agreed that training items were particularly useful.

Resolved:

To thank Ian Colvin for his training session on the Pension Regulators Code of Practice No.14 and Record Keeping regulations.

21 **Date of next meeting**

The next meeting of the Board was to be held on 7 April 2016.

22 **Urgent items**

There were no urgent items.

23 **Exclusion of the Public**

Resolved:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute Number 24 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

24 **Part 2 Minutes and Key Decisions of the Wiltshire Pension Fund Committee and Investment Sub-Committee**

The Board considered the Part 2 minutes of the last meeting of the Investment Sub-Committee and Wiltshire Pension Fund Committee.

Resolved:

To note the Part 2 confidential minutes of the meetings of the Investment Sub-Committee on 23 November 2015 and Wiltshire Pension Fund Committee held on 10 December 2015.

(Duration of meeting: 10.30 am - 1.10 pm)

The Officer who has produced these minutes is Libby Beale (Democratic Services Officer), of Democratic Services, direct line 01225 718214 , e-mail elizabeth.beale@wiltshire.gov.uk

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WILTSHIRE POLICE AND CRIME PANEL

**DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING
HELD ON 3 SEPTEMBER 2015 AT MEETING ROOM - CITY HALL, MALTHOUSE
LANE, SALISBURY, SP2 7TU.**

Present:

**Cllr Abdul Amin, Cllr Glenis Ansell, Cllr Andrew Bennett, Cllr Alan Bishop,
Cllr Richard Britton (Chairman), Cllr Trevor Carbin, Cindy Creasy, Chris
Henwood, Cllr Charles Howard, Cllr Peter Hutton Cllr Julian Johnson and
Cllr Teresa Page**

Also Present:

Angus Macpherson – Police & Crime Commissioner
Kieran Kilgallen – OPPC
Chris McMullen – OPCC
Prof Allan Johns – OPCC
Naji Darwish - OPCC
Emily Higson – Wiltshire Council
Henry Powell – Wiltshire Council
Kevin Fielding – Wiltshire Council

1 Apologies for Absence

Apologies were received from Cllr Chris Caswill.

2 Minutes and Matters Arising

Decision:

**The minutes of the meeting held on 18 June 2015 were agreed as a correct
record and signed by the Chairman will the following amendment:**

Declarations of Interest

Cllr Trevor Carbin declared none pecuniary interests in matters relating to Custody Visits, Community Speedwatch and Licensing.

3 Declarations of interest

There were no declarations of interest.

4 Chairman's Announcements

The Chairman apologised for moving the start time of the meeting in order to accommodate council business at County Hall.

5 Public Participation

There was none.

6 New Police and Crime Plan: 2015-2017

The Commissioner introduced the new Police and Crime Plan 2015-2017.

The Commissioner explained that the plan had now been through its consultation stage and that various changes had been made to the draft version.

It was agreed that the Panel liked the appearance and content of the new plan.

Points made by the Panel included:

- Concerns re the possible closure of Chippenham Courts.
a. That it was hoped that the Chippenham Courts would remain open, and that there would be proper investment in the Swindon Courts, which were now showing their age.
- Could the level of Local Policing Teams be maintained?
a. Yes.
- Concerns re Officers covering rural and edge of town areas.
a. Mobile/remote technology was being rolled out which meant that Officers could be deployed where they were most needed and not tethered to an office desk.

- That the Plan made no specific mention of Army Rebasing, which would have a huge impact on certain communities within the county.

Decision

- **That the Wiltshire Police and Crime Panel endorses the Police and Crime Plan 2015-2017.**

The Chairman thanked the Commissioner for his presentation of the plan.

7 Community Policing (STOP)

The Panel was given a presentation that outlined the Wiltshire Police STOP trial, a pilot that would see the Trowbridge and Warminster community areas brought under the control of one Inspector. The exercise would see all service areas of Wiltshire Police being deployed at these two areas, rather than brought in when needed.

It was hoped that the exercise would demonstrate if successful, that this leaner way of working could be rolled out across other community areas across Wiltshire.

Questions raised included:

Would more staff be based in Trowbridge and Warminster locations?

a. Yes, more back office staff. 101/999 calls would still be covered by the Devizes control centre.

Why six months?

a. This would give a full rotation of shift patterns during this six month period. Trowbridge and Warminster residents would be contacted during the trial to get their feedback on whether they have noticed any changes in policing during the six month period.

Would parish level policing carry on during the six month period.

a. Yes.

Would Swindon be considered for a similar trial?

a. Yes, Swindon could be considered. It had its own local challenges, so would perhaps need a slightly different approach than Trowbridge/Warminster.

It was agreed that the Stop trial would be put on the panel's forward work plan and re-visited in around six month to receive feedback on the trial.

8 Quarterly Data (Q1)- Risk / Performance / Finance / Complaints

The Commissioner introduced a report setting out his quarterly performance data – Quarter One 2014-15 (1 April to 30 June 2015).

Cindy Creasy – Co-opted Independent member - gave a short overview of the recent work of the Police Performance Review Working Group.

Points made included:

- The working group was formed in 2014 with two main purposes:
 - a) To learn about, monitor and provide constructive feedback on Wiltshire Police's internal review of its performance culture, and
 - b) To work with the Commissioner and his team to agree a performance reporting mechanism that enables the Panel to effectively monitor delivery of the Police and Crime Plan. (The Panel agreed that this mechanism should emphasise contributing to a culture of achieving positive outcomes, rather than a culture of target-chasing leading to perverse incentives).
- Interim report had been brought to the PCP, March 2015.
- A collaborative approach.

The Commissioner was thanked for inviting the working group to contribute to the performance review, and to Chris McMullin and his team for engaging with the working group. Chris McMullin thanked the working group and Henry Powell for their hard work.

The Chairman then outlined the report.

1. Prevent Crime and ASB

- Some increase in recorded crime.

2. Protect the most vulnerable in society

3. Put victims and witnesses at the heart of everything we do

- Outcome Rates – why below the required position?
 - a. *When compared to other forces within the region, the outcome rate has a much closer distribution. Wiltshire Police outcomes are dealt with properly, victim satisfaction very important.*

4. Secure, high quality, efficient and trusted services

- 85% Response rate?
 - a. *Causes can be linked to busy Summer periods, no immediate units available to get to an incident, and high turnover of call centre staff, taking slightly longer to dispatch units to incidents.*

The Panel felt that the Wiltshire Police internal newsletter “Transforming Times” was a welcome and useful addition to the agenda pack.

Complaints Review – August 2015 to July 2015

The Panel queried the spike in the figures (June 2014), Percentage of complaint cases recorded within 10 working days.

Prof Johns advised that this could be down to some catching up of the data.

Resolved:

- **That the Panel receives and notes the contents of the Commissioner’s report setting out his quarterly performance data for the first quarter of 2015.**
- **Following discussion of the new report format it was agreed that the Panel would review it again after having the benefit of seeing a second quarter.**

The Chairman thanked the Commissioner for his report.

9 **Professional Standards Annual Report**

Prof Allan John outlined the report which covered the period April 2014-March 2015. He advised that there remains some uncertainty as to when the IPCC would publish information for all Police Forces and was therefore unable to produce fully comprehensive information on where Wiltshire Police stood nationally.

Decision

- **That the Panel receives and notes the report.**

The Chairman thanked Prof Johns for his report.

10 **Strategic Alliance with Avon & Somerset**

Kieran Kilgallen – Chief Executive, OPCC gave a short verbal update.

Points made included:

- That Julian Moss had been appointed as the programme lead.
- First Programme Board meeting slated for September 2015.
- The importance of getting the culture right during the early work being carried out between the two forces.
- That the process was aimed at bringing about an alliance, and not a merger.

The Chairman made the point of the importance of the Wiltshire voice being properly heard during negotiations with the Avon & Somerset force.

It was agreed that the Panel members were frustrated by the perceived lack of progress shown so far with the Alliance.

Decision

- **That the Panel requests from the OPCC a written update at the December 2015 PCP meeting, with a report containing defined project areas.**

The Chairman thanked Kieran Kilgallen for his update.

11 **Task Group Updates**

- Police Performance Review Working Group – Noted under agenda Item No.9
- Strategic Alliance Task Group – Noted under agenda item No.11

12 **Innovation Fund Evaluation**

The report was noted.

13 **PCC Diary Report**

The report included in the agenda pack was noted.

14 **Forward Work Plan**

The Forward Work Plan was noted.

15 **Future meeting dates**

The next meeting of the Police and Crime Panel will be on Wednesday 2 December 2015 at the Swindon Borough Council Offices.

(Duration of meeting: 2.30 - 5.30 pm)

The Officer who has produced these minutes is Kevin Fielding, of Democratic Services, direct line 01249 706612, e-mail kevin.fielding@wiltshire.gov.uk

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WILTSHIRE POLICE AND CRIME PANEL

**DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING
HELD ON 2 DECEMBER 2015 AT ROOM 1, CIVIC OFFICE, EUCLID ST,
SWINDON SN1 2JH.**

Present:

Cllr Abdul Amin, Cllr Glenis Ansell, Cllr Andrew Bennett, Alan Bishop,
Cllr Richard Britton (Chairman), Cllr Trevor Carbin, Cllr Chris Caswill, Cindy Creasy,
Cllr Charles Howard, Cllr Peter Hutton, Cllr Julian Johnson and Cllr Teresa Page

Also Present:

Angus Macpherson – Police & Crime Commissioner
Kieran Kilgallen – OPPC
Clive Barker - OPPC
Ryan Hartley – OPCC
Prof Allan Johns – OPCC
Naji Darwish - OPCC
Emily Higson – Wiltshire Council
Henry Powell – Wiltshire Council
Kevin Fielding – Wiltshire Council

1 Apologies for Absence

Apologies were received from:

Robin Townsend – Associate Director, Wiltshire Council and Chris Henwood –
Independent member, Wiltshire Police and Crime Panel.

2 Minutes and matters arising

Decision:

- **The minutes of the meeting held on 3 September 2015 were agreed as a correct record and signed by the Chairman.**

3 Declarations of interest

There were no declarations of interest.

4 Chairman's Announcements

Political make up of Wiltshire Council -The Chairman advised that due to a recent change in the political make up of Wiltshire Council members the panel would gain a conservative member and lose a liberal democrat member.

Tone from the Top – The Chairman advised that Emily Higson would be preparing a summary of the recommendations, an informal meeting could then be arranged for the panel to discuss these recommendations and the Panel's performance generally.

5 Public Participation

There was none.

6 Comprehensive Spending Review

Clive Barker – Chief Finance Officer, Office of the Police and Crime Commissioner gave a brief summary of the impacts of the CSR on police funding.

Points made included:

- That Wiltshire Police were one of the lowest funded forces in the country, which meant that it was vital that its funds were spent effectively.
- That the CSR was better for Wiltshire than expected but there were concerns over possible top sliced cuts in the future.
- Issues with National Insurance contributions meant that Wiltshire Police would have to pay higher contributions which would impact on its budget.

The Chairman thanked Clive Barker for his summary.

7 Quarterly data (Q2) - Risk / Performance / Finance / Complaints

The Commissioner introduced a report setting out his quarterly performance data – Quarter Two 2015-16 (1 April to 30 September 2015).

Points made included:

- Encouraging victims to report crime.
- More partnership working with Wiltshire Council and Swindon Borough Council.
- A force that was effective and value for money.
- That Wiltshire Police were looking at a major step change to the way that crime was recorded.

The report was reviewed in detail.

1.Prevent Crime and ASB

- Recorded crime within England and Wales increased by 4.5%. 34 forces are recording more crime than the previous year.
- Recorded crime within Wiltshire had increased by 2.4%. This equates to 768 crimes with a total of 33,397 recorded.

2.Protect the most vulnerable in society

- That around four instances per month were occurring of people with mental health issues having to be housed in police custody (cells) for their own safety.
- Excellent work being carried out at the Multi Agency Service Hub (MASH).

3.Put victims and witnesses at the heart of everything we do

- That the resolution rate at the end of the second quarter was 21.8 per cent. This remains significantly below the average of our peer group.
- That the force was looking to increase the number of victims supported by the Horizon project.
- That of the trials listed during the second quarter 2015/16 49 per cent were cracked or ineffective. This was frustrating, with too many trials scheduled and not enough time to conduct them.

Concerns were again raised over the future of Chippeham magistrates court, the Chairman requested that the Commissioner adds the Wiltshire Police and Crime Panel's concerns when making any representations on this issue.

4. Secure, high quality, efficient and trusted services

- That the volume of complaints recorded remains relatively stable and within expected levels.
- Wiltshire Police was one of six forces within the MSF group that had seen a fall in the number of complaint cases recorded when compared to the previous year.
- In early September 2015 there were in excess of 300 complaint cases still showing as either 'live', 'sub judice' or 'in appeal process'. Professional Standards Department (PSD) investigating officers were tasked to concentrate on the oldest cases to clear the backlog. By mid-October the volume of cases that were 'live', 'sub judice' or 'in appeal process' was reduced to 158 cases.

Wiltshire & Swindon Police and Crime Commissioner (OPCC) Risk Register 2015-16

The Risk Register was noted.

The Chairman thanked the Commissioner for his report.

8 **Complaints and Conduct Matters - 1 May to 31 October 2015**

The report was noted, the Chairman made the point that the new report format was working well.

It was agreed that Kieran Kilgallen would pull together a report which would summarise any Wiltshire Police racial complaints/incidents.

9 **Strategic Alliance with Avon & Somerset**

Kieran Kilgallen gave an update on the Strategic Alliance between Wiltshire and Avon and Somerset Police constabularies.

Points made included:

- That Avon & Somerset Police were recruiting for a new Chief Constable and that Angus Macpherson would be sitting on the recruitment panel for this appointment.
- That the Avon & Somerset and Wiltshire forces were now looking at which business cases should be brought forward in the process.

The Chairman made the point that the Wiltshire Police and Crime Panel were keen to initiate involvement with Avon & Somerset and be involved in future discussions, it was agreed that Kieran Kilgallen would discuss this with Avon & Somerset.

The Chairman thanked Kieran Kilgallen for his update.

10 **Task Group Updates**

PCC Commissioning Strategy Task Group

It was agreed that a task group would be formed to support the Commissioner in the development of a commissioning strategy, by:

- acting as a 'critical friend'
- providing an external perspective
- ensuring the Strategy supports the objectives of the Police and Crime Plan

The membership was agreed as:

- Cllr Andrew Bennett
- Cllr Richard Britton
- Cindy Creasy

Call Centre Task Group

There was a short discussion, it was felt that a task group could perhaps look at any potential for local authority involvement in dealing with some 101 calls etc.

It was agreed further discussion would be needed.

11 **STOP progress update**

Kieran Kilgallen advised:

- That the pilot would be evaluated during February 2016, and would then be rolled out county wide from June 2016 onwards.

- That the benefits were that recorded incidents could now go through the police system in a more timely manner, cutting down officer involvement and wasted time and resources.
- Scope for PCSOs to get more involved in the day to day police work, although specialist staff were still a very much a part of the incident process.

It was agreed that Kieran Kilgallen would give a further up date at the March 2016 meeting.

The Chairman thanked Kieran Kilgallen for his update.

12 **PCC Diary report**

The report was noted.

That the Portishead firing range was now operational.

The Chairman invited the panel members to visit the Devizes call centre.

13 **Forward Work Plan**

The Forward Work Plan was noted.

14 **Future meeting dates**

The next meeting of the Police and Crime Panel will be on Wednesday 13 January 2016 at Monkton Park, Chippenham.

(Duration of meeting: 10.30 am - 1.50 pm)

The Officer who has produced these minutes is Kevin Fielding of Democratic Services, direct line 01225 713990, e-mail emily.higson@wiltshire.gov.uk

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WILTSHIRE POLICE AND CRIME PANEL

**DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING
HELD ON 13 JANUARY 2016 AT COMMITTEE ROOM B - COUNCIL OFFICES,
MONKTON PARK, CHIPPENHAM SN15 1ER.**

Present

**Cllr Abdul Amin, Cllr Glenis Ansell, Cllr Andrew Bennett, Cllr Richard Britton
(Chairman), Cllr Trevor Carbin, Cllr Chris Caswill, Cindy Creasy,
Chris Henwood, Cllr Charles Howard, Cllr Peter Hutton, Cllr Julian Johnson and
Cllr Teresa Page**

Also Present:

**Angus Macpherson – Police & Crime Commissioner
Kieran Kilgallen – OPPC
Clive Barker - OPPC
Naji Darwish - OPCC
Emily Higson – Wiltshire Council
Henry Powell – Wiltshire Council
Kevin Fielding – Wiltshire Council**

1 Apologies for Absence

Apologies were received from Cllr Teresa Page and Cllr Alan Bishop – Swindon Borough Council.

2 Declarations of interest

There were no declarations of interest.

3 Chairman's Announcements

There were no Chairman's Announcements.

4 Public Participation

There was no public participation.

5 Strategic alliance with Avon & Somerset

The Commissioner gave a verbal update on progress made since the previous PCP meeting on the 2 December 2015.

Points made included:

- That Avon & Somerset Police had appointed a substantive Chief Constable.
- That there had been little movement to report due to the Christmas and New Year break.
- That the next alliance meeting would be held when the new Avon & Somerset Chief Constable was in post and up to speed.
- That Avon & Somerset had given the green light for the Panel to start discussions with Julian Moss.

Concerns were raised by the Panel on the public perception of the alliance and the mixed messages that were coming from the Chief Constable of Wiltshire Police and the Wiltshire Police and Crime Commissioner.

It was agreed that the Alliance/Merger would be added to the PCP Forward Work Plan, giving Panels members the opportunity to stay in the loop on this important issue.

That the New substantive Avon & Somerset Chief Constable would be invited to submit a report to the PCP setting out his views on the short and long term direction of travel for the alliance.

The Chairman thanked the Commissioner for his update.

6 PCC Budget for 2016/17

The Commissioner and Clive Barker outlined the PCC's Draft Budget Settlement for 2016/17.

Points made included:

Crime and Public Confidence

- Crime increased by 12% from December 2014 to November 2015.
- 7th lowest crime rate nationally with 50.7 crimes per 1,000 population.
- Public confidence measured by the OPCC Survey in 2015 is 83.7%, and had been consistently high since 2012.

- Victim satisfaction to October 2015 is 84.3% which is around the national average.

A good HMIC Assessment of Wiltshire Police

- Performance is regularly assessed by Her Majesty's Inspector of Constabulary. Overall Wiltshire Police are rated as "good".
- Our constabulary remains one of the best in the country.

Central Funding Announcement

- This years provisional settlement shows central funding reduce from £63.7m to £63.4m, a £0.3m reduction.
- This will be the fifth straight year of central funding reductions.
- Whilst this reduction is lower than previous years the loss of £0.3m with cost pressures (national wage agreement £0.8m, national pensions change impact on national insurance £2.0m) will result in significant savings still being required.

What is the budget?

- A £3.12 increase in Council Tax will give a budget of £105.695m compared to £103.956m for the current year. This would lead to a funding gap of £2.6m for policing in Wiltshire.
- The Commissioner was committed to investing additional income from council tax in local policing.

How about the long term?

- The Chancellor's Autumn Statement promised a cash neutral position for policing however no detail per force is available. With no council tax increases the funding gap against the national average would grow. With small council tax increases the resources available for local policing are better protected.

The Panel were assured by the Commissioner that local money would be spent on local policing.

The Chairman requested that the Commissioner gave a further Budget update at the February PCP meeting.

The Chairman thanked the Commissioner and Clive Barker for their update.

7 Task Group Updates

Strategic Alliance Task Group

The Chairman advised the Panel that Chris Henwood was unable to take further part in this task group, therefore a volunteer was sought to work with Cllr Glenis Ansell, Cllr Richard Britton and Cllr Julian Johnson.

The task group's first meeting was to be arranged.

PCC Commissioning Strategy Task Group

This task group was formed at the PCP's November meeting to support the Commissioner in the development of a commissioning strategy.

The group would hold its first meeting immediately after the full PCP meeting.

The membership was as follows:

Cllr Andrew Bennett
Cllr Richard Britton
Cindy Creasy

Call Centre Task Group

It was agreed that Emily Higson would facilitate a meeting of the two authorities to gauge whether there was an appetite to take things further. Naji Darwish would act as the OPCC representative.

8 PCC Diary report

The Diary report was noted.

9 Forward Work Plan

The Forward Work Plan was noted.

10 Future Meeting Dates

- Thursday 4 February 2016 – County Hall, Trowbridge
- Thursday 3 March 2016 – Corn Exchange, Devizes

- Thursday 16 June 2016 - Corn Exchange, Devizes
- Thursday 1 September 2016 – City Hall, Salisbury

(Duration of meeting: 10.00 am - 12.00 pm)

The Officer who has produced these minutes is Kevin Fielding of Democratic Services, direct line 01249 706612, e-mail emily.higson@wiltshire.gov.uk

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WILTSHIRE PENSION FUND COMMITTEE

**PART 1 MINUTES OF THE WILTSHIRE PENSION FUND COMMITTEE MEETING
HELD ON 1 OCTOBER 2015 AT KENNET ROOM - COUNTY HALL,
TROWBRIDGE BA14 8JN.**

Present:

Cllr Steve Allsopp, Cllr Tony Deane (Chairman), Tony Gravier, Cllr Charles Howard (Vice-Chair), Mike Pankiewicz, Cllr Sheila Parker, Cllr Steve Weisinger and Cllr Roy While

Also Present:

Cllr Bill Moss, Jim Edney, Joanne Holden, Michael Hudson.

46 Membership

It was noted that Cllr Christopher Newbury was no longer a substitute member of the Committee and had been replaced by Cllr Bill Moss.

47 Attendance of non-members of the Committee

Cllr Bill Moss was present.

48 Apologies for Absence

Apologies for absence were received from Cllr Mark Packard, Linda Stuart and Diane Hall.

49 Minutes

Resolved:

To confirm as a true and correct record the minutes of the meeting held on 25 June 2015.

50 **Declarations of Interest**

There were no declarations of interest.

51 **Chairman's Announcements**

The Chairman invited David Anthony, Head of Pensions, to update the Committee on lobbying from fossil fuel disinvestment groups. The officer advised the Committee that he would circulate a press release responding to the environmental issues that had been raised.

52 **Public Participation and Councillors' Questions**

There were no members of the public in attendance.

53 **External Audit report**

David Anthony drew the Committee's attention to the final audit report from KPMG on the 2014-15 Annual Report to the Wiltshire Pension Fund. The officer was pleased with the report as it did not highlight any significant issues and brought forward no recommendations.

Resolved:

To note the final audit report.

54 **Annual report 2014/15**

The Committee was presented with the draft Wiltshire Pension Fund Annual report which contained details of the accounts of the Fund for the year to 31 March 2015. The report was primarily aimed at participating employer organisations within the Fund.

Members were pleased with the report and thanked officers for their hard work in preparing it.

Resolved:

To approve the Annual Report for financial year 2014-15.

55 **Consultations Update- Public Sector Exit Cap**

The Head of Pensions provided a verbal update on the latest government consultations, particularly the public sector exit cap. The Fund had responded to the consultation with the recommendation that pension straining costs be removed from the cap and a lower limit be set instead, the current proposals could have a considerable impact on those who weren't necessarily high earners. The Government had since confirmed it would move ahead as planned

with the cap, which was expected to come into force in April 2016. Key effects of the cap would be that: pension straining costs would need to be explained to members, there would be reduced flexibility for members, long-serving members would be most impacted, employers would need to review redundancy policies and relevant legislation would need updating.

The Chairman encouraged members of the Committee to contact officers if they wished to submit responses to future consultations and advised that he would be meeting with MPs to discuss Local Government Pensions Scheme (LGPS) concerns.

The Committee heard that the Government was also consulting on HMRC pension tax relief with the intention to develop a better system to provide tax incentives for pension savings. Councillors raised questions over whether state pensions would be taxed and officers confirmed they would look into this. The Committee expressed disappointment that the consultation on the exit cap had been short and insufficient time had been given to consider the responses. It was commented that members of the Fund would experience uncertainty due to these changes and this could potentially impact on local authority restructures.

Resolved:

To note the update on Government consultations.

56 **Local Pension Board Update**

The Committee was updated on items that were discussed at the first meeting of the Local Pension Board. The Board had looked at the Fund's Communications Strategy, Business Plan and suggested items for its own Work Programme. It was expected that two significant items of business could be discussed at each Board meeting. The Board had also discussed potential conflicts of interest and officers were developing a policy to manage this.

Questions were raised over the depth of knowledge Board members would need to oversee the Fund and whether the Board would increase the efficiency of the Fund. It was agreed that the Board should not replicate work done at Committee but had potential to add value, for instance by examining operational compliance and freeing time up at Committee. It was acknowledged that increased resource was needed to support the Board and advisors could be employed to investigate items on behalf of the Board if greater expertise was required.

Resolved:

To note the update on the Local Pension Board.

57 **Budget Monitoring 2015/16 Report**

Catherine Dix, Strategic Pensions Manager, presented the Fund's budget monitoring report for 2015/16. It was highlighted that the Fund would overspend due to staff vacancies, and a high performance fee from Baillie Gifford arising from continued outperformance.

Members were not concerned by the overspend as the investment manager had produced great returns in excess of doubling its benchmark. The Fund's advisors explained it would only pay an extra fee to managers for actual outperformance and fees could only reasonably be projected on the basis of managers meeting their benchmark.

Resolved:

To note the report on the latest budget monitoring position for the Wiltshire Pension Fund.

58 **Annual Benefit Statement Update**

The Head of Pensions provided an update on the Annual Benefit Statement exercise for 2015 which had been the first with the LGPS care scheme in place. Feedback from members had been very positive however it had been more challenging to get details from employers since they now had to provide two figures for year end pay. Due to new statutory requirements, these statements now had to be sent by the end of August instead of November. Although the print extract had been completed prior to the deadline, circulation had been a few days late due to printing problems however officers did not consider this a material breach, therefore would not report it to the Pensions Regulator (tPR). It was noted that data from some employers was missing and they had been written to and warned that lateness would need to be reported to the Regulator in future.

The Committee agreed that the late circulation of statements had not been a material breach and it was confirmed that a breaches policy for the Fund was being developed.

Resolved:

To note the update on the Annual Benefit Statement.

59 **Pension Fund Risk Register**

Members received a report on the Wiltshire Pension Fund Risk Register, a significant change since the last report was the upgrading of PEN008, 'Failure to comply with the LGPS and other regulation', from a low to medium risk. This reflected the increased obligations now imposed on the Fund from the Pension Regulator since it took on responsibility for the public sector pension schemes

from 1 April 2015. Other notable risks were 'Lack of expertise of Pension Fund Officers', and 'Over-reliance on key officers' which remained at medium. The Fund had now appointed a new Technical & Compliance Manager and Fund Development Manager, however the post of Employer Relationship Manager remained vacant. A further recruitment process was underway to recruit to this post, officers advised that Hymans Robertson was helping to support the administration of the Fund in the short term.

The Fund's approach to risk was discussed and advisors agreed that its standards of risk approach were comparable with the best.

Resolved:

To note the update on the Fund's risk register.

60 **Date of Next Meeting**

The next ordinary meeting of the Committee was to be held on 10 December 2015, members were also invited to attend the meeting of the Local Pension Board on 22 October 2015.

61 **Urgent Items**

There were no urgent items.

62 **Exclusion of the Public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute Numbers 63- 65 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 1 & 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

63 **Flight Paths Consideration**

Jo Holden, Mercer, outlined the rationale for developing a 'flight-path' for the Wiltshire Pension Fund. The strategy had been considered and recommended by the Investment Sub Committee at its meeting on 10 September 2015. The advisor explained that the strategy would not change the Fund's investment strategy but aimed to make progression to a 100% funding level as smooth as possible by de-risking.

Resolved:

- a. To note the report and presentation from Mercer on the rationale and purpose of a flight-path; and**
- b. To commission Mercers to further develop a detailed flight-path for implementation and agree the implementation of a be-spoke flight path until March 2016.**

64 Pooling of Investment Assets

A report by the Treasurer to the Pension Fund updated the Committee on the implications of the government's budget announcement for the pooling of Local Government Pension Scheme assets.

The Committee considered the report and recommendations by officers.

Resolved:

This Committee agrees to note the actions and confirm their agreement:

- a) that the Wiltshire Pension Fund support in principles the setting up of a South West Collective Investment Vehicle on the basis of the points of principle (paragraphs 12 and 13 in the Committee report) relating to existing governance arrangements;**
- b) that the Treasurer to the Pension Fund is authorised to continue working with neighbouring funds in the South West to establish proposals for a South West Collective Investment Vehicle;**
- c) that a report is brought to the next meeting of Committee on progress in developing a collective Investment Vehicle and associated developments nationally.**

65 Investments Quarterly Progress Report

Officers reported to Committee on the performance of the Fund's investments as to the end of June 2015.

Resolved:

To note the investment reports and the update provided by officers and advisers at the meeting.

(Duration of meeting: 10.30 am - 12.50 pm)

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WILTSHIRE PENSION FUND COMMITTEE

PART 1 MINUTES OF THE WILTSHIRE PENSION FUND COMMITTEE MEETING HELD ON 10 DECEMBER 2015 AT SALISBURY ROOM - COUNTY HALL, TROWBRIDGE.

Present:

Cllr Steve Allsopp, Cllr Tony Deane (Chairman), Tony Gravier, Diane Hall,
Cllr Charles Howard (Vice Chairman), Cllr Gordon King (Substitute), Linda Stuart,
Cllr Steve Weisinger, Cllr Roy While and Cllr Philip Whitehead (Substitute)

Also Present:

Cllr Bill Moss, Howard Pearce, Barry Reed, Jim Edney, Joanne Holden, Robert Summers
and Catherine McFadyen

66 Membership

There were no changes to the membership of the Committee.

67 Attendance of non-members of the Committee

Bob Summers (CIPFA), Catherine McFadyen (Hymans Robertson), Howard
Pearce and Barry Reed (Local Pension Board) were in attendance.

68 Apologies for Absence

Apologies for absence were received from Michael Hudson (Treasurer to the
Pension Fund), Mike Pankiewicz, Cllr Mark Packard substituted by Cllr Gordon
King and Cllr Sheila Parker substituted by Cllr Philip Whitehead.

69 Minutes

Resolved:

**To confirm as a correct record the Part 1 minutes of the meeting held on 1
October 2015.**

70 Declarations of Interest

There were no declarations of interest.

71 **Chairman's Announcements**

The Chairman advised that the order of agenda was to be changed to allow the item on the 2016 triennial valuation to be considered following the CIPFA Business Services Update.

72 **Public Participation and Councillors' Questions**

There was no public participation.

73 **CIPFA Business Services Update**

A verbal update was provided by Bob Summers (CIPFA Business Services) on current activities and the latest developments and issues within the local Government Pension Scheme (LGPS) sector for the Committee's information. The Committee heard about the current priorities for the CIPFA Pension Panel which included comparing Funds and also measures of manager fees. CIPFA considered that the sustainability of the LGPS was increasingly on the political agenda and being called into question.

The presentation considered which bodies pension funds were currently receiving advice and direction from, the Scheme Advisory Board currently advised however the government minister and the Cabinet office was becoming increasingly influential. The Pensions Regulator (tPR) could advise funds on potential breaches of the law and GAD would review valuations given to Fund's by their actuary. The Government's proposal on asset pooling was discussed, CIPFA queried where the aspirational £25bln total per pool had been drawn from and whether only 6 pooled funds would be permitted nationally. Concerns were also raised over the resource required to set up the pooled funds and the imposition of investment in infrastructure forced upon Funds. It was felt that there should be more emphasis on the improved performance rather than the cost savings that could be achieved by pooling.

The Committee was updated on investment regulations; a best practice guide on investment management costs was available from CIPFA. Members were advised on issues arising from the separation of funds from the local authorities that administered them, a particular issue was the dilution of the role of the S151 officer. The Institute was also concerned with the impact of resource constraints in local authorities affecting the ability of funds to recruit staff in tandem with increasing demand on resource to establish Local Pension Boards.

The Chairman thanked Bob Summers for the informative presentation and agreed that in the current climate the LGPS was high on the political agenda. It was acknowledged that with many changes in the LGPS at present time there was much business for the Committee to consider. Members discussed the flexibility of the pooling of assets.

The Committee thanked Bob for his years of support to the Fund and wished him an enjoyable retirement.

Resolved:

To note the update.

74 **Exclusion of the Public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in minute number 75 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 1 & 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

75 **Triennial Valuation 2016- Actuarial Assumptions**

The Committee considered the proposed approach and key assumptions the Actuary intended to take in relation to the 2016 Valuation.

Resolved:

To note the attached reports and the basis for the key assumptions with reference asset out performance and pay growth to be used at the 2016 Valuation.

76 **Inclusion of the public**

Resolved:

To include the public in discussions of items numbers 77-89 due to their being no exempt information.

77 **Update on the Current Governance Consultations**

David Anthony, Head of Pensions, updated on the latest consultation from the Government on investment reform criteria and guidance and the Investment Regulations for the Committee to consider.

The Government was currently exploring asset pooling with a view to saving fees from investment managers and encourage investment in infrastructure.

The Fund was currently considering its response to the consultation and would hold a special meeting of the Committee in the New Year to discuss this.

The independent advisor to the Fund highlighted the need for the Fund to respond to the details of strategic asset allocation remaining with the Fund in the event of pooling. Currently the proposals included that only the decision on allocation between bonds and equities would remain with the Fund.

Members considered that the choice of investments for funds should not be tied to infrastructure but should be based on investments to bring the best return. Managers were currently not attracted to investment in UK infrastructure and the Committee agreed some support from the Government would be needed to encourage this.

Resolved:

To note the update and consultation documents.

78 **CIPFA Benchmarking Review**

A paper and report was circulated by Catherine Dix, Strategic Pension Manager, which compared the administration performance of the Fund in line with the CIPFA Benchmarking club for Members information.

Key updates included that the total administration cost per Fund member was slightly higher than the CIPFA average and the proportion of active members was similar at around 34%. Wiltshire Pension Fund was slightly higher than average in relation to members joining the scheme, however the Fund appeared to be average on the number of retirements, deaths and other leavers it processed. In terms of staffing, overall costs remained broadly in line and managers were focussing on increasing the level of relevant qualifications in teams. Sickness levels had been higher than industry average due to long term sickness.

Resolved:

To note the report.

79 **Business Plan Update**

A report updated the Committee on the implementation of actions contained within the Business Plan.

Officers updated on outstanding actions and reassured that these were not business critical. Progress had been hindered by the additional resource needed recently and lower staffing levels, officers were confident that actions would be taken over the next few months.

Action 11, the implementation of regular covenants and risk reviews of employer bodies, was a priority and the Fund was working closely with the Actuary to develop this. Action 14, the implementation of Bi-annual Performance Reporting, would be brought to a future meeting of the Committee and the Local Pension Board, the newly appointed Fund Development Manager would progress this.

Resolved:

To note the updated position of the actions completed from the Business Plan to date.

80 **Pension Fund Risk Register**

Members considered an update on the Wiltshire Pension Fund Risk Register. Three new risks had been added: LGPS Asset Pooling, Implementation of the Public Sector Exit Cap and Guaranteed Minimum Pension Reconciliations. The Committee heard that an Employer Relations Manager had been appointed.

It was considered that there was now increased pressure on member and officer time to digest and produce reports to the Committee. The Committee agreed that this should be added to the Risk Register and officers should make more use of web links where possible to reduce the length of paperwork at meetings.

Resolved:

To note the attached Risk Register and measures being taken to mitigate risks.

To add the expansion of business items at Committee to the Risk Register.

81 **Internal Audit Report**

A report updated the Committee on the actions taken to date on the recommendations within the SWAP internal audit report of the Fund.

Resolved:

To note the updated position of the internal audit action plan.

82 **Pension Administration Strategy**

A report from the Head of Pensions introduced an updated Pension Administration Strategy for Committee consideration. The strategy set out performance standards and actions to be taken against employers not meeting

expectations. The Strategy was last considered in 2010 and was now due to be refreshed, considering new requirements from tPR. The document had been circulated to employers and a training session would be provided for them, however the updated strategy was not significantly different to the existing policy.

Resolved:

To approve the Wiltshire Pension Fund Administration Strategy.

83 **Administration Authority Discretions**

A report from Craig Payne, Technical & Compliance Manager, proposed an update to the Administration Authorities discretions for Committee consideration. The LGPS regulations dictated and stated the benefits of the pension scheme however the Regulations also provided scope for certain decisions to be made by the Fund or employers, discretions had been permitted since 1997.

The discretions previously agreed by the Committee were still in place however needed to be updated and added to following new LGPS regulations. An overview of the key new and updated discretions was provided and the Committee was invited to ask questions. It was confirmed that under discretion 22 'Whether to suspend an employer's obligation to pay an exit cap payment where they are likely to have active members again' the Fund could delay exit payments to employers without any active members if it was likely that new active members would be joining again. Members considered the limited occasions where discretions on compassionate grounds may be determined by Committee. The Committee discussed the future potential for late contributions from employers and were advised that interest could be added to late contributions.

Resolved:

To approve the updated Discretions Policy Statement.

84 **Local Pension Board update**

The Committee considered the minutes and recommendations of the Local Pension Board meeting held on 22 October 2015 and the Board's work plan. A notable update from the Board was that Kirsty Cole had resigned her position and a replacement would be recruited. Howard Pearce, Chairman of the Local Pension Board, introduced himself, he was also the Chairman of the Berkshire and Avon Local Pension Boards and hoped to bring knowledge and expertise from other funds.

Resolved:

To note the minutes and recommendations from the Local Pension Board meeting held on 22 October 2015.

85 **Local Pension Board: Conflict of Interest Policy**

The Committee considered the Code of Conduct and Conflict of Interest Policy of the LPB. The Policy would apply to all members, as currently only the elected member on the Board was subject to such a policy. The policies had been developed in consultation with Hymans Robertson and Legal Services at Wiltshire Council, and had been endorsed by the Local Pension Board.

Questions were raised over whether members would be bound by confidentiality and it was confirmed that this was implicit in the principles of public life which formed the basis of the code of conduct. Additionally, section 1 of the Code of Conduct had guidance dedicated to this issue and explicitly stated that information provided to a Board member in the course of his or her duties would be confidential and must only be used for the purposes of the Board.

Resolved:

To approve the Code of Conduct and Conflict of Interest policy guidelines.

86 **Local Pension Board: Breaches Policy**

The Committee was requested to approve the Breaches Policy, recommended by the Local Pension Board, to ensure statutory requirements for reporting now imposed by the Pension Regulator could be met. The Breaches Policy Guidelines set out a framework for the Fund to identify, manage and where necessary report breaches of the law applying to the management and administration of the Fund.

The Committee was asked to consider in particular whether breaches should be reported by the S151 Officer, as recommended in the draft guidelines, or the Monitoring Officer. It was agreed that the S151 officer should be responsible for reporting breaches to tPR since this officer understood the administration of the Fund and already managed the potential conflict of being Treasurer to the Fund as well as S151 officer. Additionally, reports to tPR would usually take legal advice from the Monitoring Officer in addition to the S151 officer. In the event of a material breach of the law, this would be reported to the Head of Pensions, Pension Fund Committee, Local Pension Board, S151 Officer and the Regulator. Members agreed that a summary of the Fund's breaches would be provided in the Annual Report and thereby on the Fund's website. Local Pension Board members had received training on breaches and Committee members were also requested to undertake this

Resolved:

To approve the Breaches Policy Guidelines and recommend adoption for the Wiltshire Pension Fund;

To agree that a summary of breaches are published in the Fund's Annual Report and on it's website;

To undertake further training on the Breaches Policy as part of Members Training Plan.

87 **Date of Next Meeting**

The next ordinary meeting of the Committee was to be held on 10 March 2016, however a Special Meeting was expected at the end of January 2016.

88 **Urgent Items**

There were no urgent items.

89 **Exclusion of the Public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute Numbers 90- 93 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 1 & 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

90 **Barings- Review of Mandate**

A confidential paper from the Strategic Pension Manager outlined the recent performance of Barings. Representatives from Barings presented to the Committee to outlining their performance over the past 12 months and plans for 2015/16 for the Committee to consider.

Resolved:

To note the report and the update provided by Barings at the meeting.

To continue with the Barings DAAF mandate and reaffirm the Committee is content to rely on the current trigger mechanism for future disinvestment should their Fund fall below £1.8bn.

91 **Minutes**

Resolved:

To approve the Part 2 minutes of the meeting held on 1 October 2015.

92 **Investment Quarterly Progress Report**

Confidential reports updated the Committee on the performance of the Fund's investments as to the end of September, the minutes and recommendations of the Investment Sub-Committee were also circulated for the Committee's information.

Resolved:

To note the investment reports and updates provided by officers.

93 **South West Pooling of Investment Assets Update**

The Head of Pensions updated on the proposed pooling of LGPS assets in the South West as a response to the Government's consultation.

Resolved:

To note the update.

To request that the feasibility study be circulated to the Committee and the finalised options report be available to the Chairman and Vice-Chairman prior to their meeting on 7 January 2016.

(Duration of meeting: 10.00 am - 3.00 pm)

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STAFFING POLICY COMMITTEE

DRAFT MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 9 SEPTEMBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Allison Bucknell (Chair), Cllr John Smale (Vice Chairman), Cllr David Pollitt, Cllr David Jenkins, Cllr Tony Trotman (Substitute), Cllr Peter Evans (Substitute), Cllr Mike Hewitt, Cllr Bob Jones MBE and Cllr Graham Wright.

41 Apologies for absence

Apologies for absence were received from Cllr Jane Scott OBE (who was substituted by Cllr Tony Trotman) and Cllr Stuart Wheeler (who was substituted by Cllr Peter Evans).

42 Minutes of Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 8 July 2015.

43 Declarations of Interest

There were no declarations of interest.

44 Chairman's Announcements

The Chairman made the following announcements:-

1. Public Services Network (PSN) accreditation

Congratulations to Wiltshire Council and Wiltshire Police who after a lengthy and rigorous national audit had received accreditation from Central Government recognising that our infrastructure and networks are secure.

On Wednesday 19 August 2015, the Cabinet Office informed us that we had received the Public Services Network (PSN) accreditation. We were

also informed that the Home Office, who controlled the Public Services Network for Policing (PSNP), had granted accreditation for Wiltshire Police.

The PSN is a Central Government secure network enabling sensitive information to be passed between departments. Run by the Department of Work and Pensions, all communications between Central Government departments and Local Authorities and other public sector organisations MUST go via a PSN connection. In order to have a connection to the PSN, agencies and Local Authorities are required to prove that their networks are secure to a specific standard, set by PSN/PSNP, called the Code of Connection.

The PSN/PSNP connection allows the Council and Police to provide services such as Tell Us Once, Benefits payments, and access to the Police National Computer (PNC) and Police National Database (PND), all highly sensitive information applications.

This year's PSN audit was the first since most services moved into the hubs, and the first since taking on ICT for Wiltshire Police, so not only were we being audited against our changed environment, we also had to contend with the challenges of the Police environment, essentially two full PSN audits at the same time.

2. Windows XP remediation

Alongside this, Microsoft had announced that they had withdrawn support for the Windows XP operating system used across the Police estate, and that they were also withdrawing support for the Windows Server 2003 Operating System and the Structured Query Language (SQL) 2005 database platform on which a large number of the more legacy applications were hosted on. This added another dimension to the PSN, removal of obsolete software is a critical control.

Over the course of 6 months and working to extremely tight timescales, the ICT team upgraded 283 2003 Servers (~206 have been decommissioned), 20 SQL 2003/5 Servers (~11 have been decommissioned), 46 Applications, and 604 XP systems.

Now that Wiltshire Police have achieved accreditation, work can begin on the transition of their services from the old GCSx system to the new PSN based system, which is expected to complete in November 2015.

3. HR Team

The HR team had just been informed that it has been shortlisted for a number of HR awards taking place later this year as follows:

The Personnel Today Awards 2015 (award ceremony in November 2015)

Shortlisted for the 3 awards below:

- Award for Excellence in Public Service HR
- Award for Managing Change
- HR Team of the Year Award

The Engagement Excellence Awards 2015 (award ceremony in September 2015)

Shortlisted for the award below:

- Most effective re-launch campaign (for Wiltshire Rewards)

4. Apprenticeship success - PPMA Apprentice of the Year 2015

Megan Mouny, a former apprentice in the Cabinet Office, had been shortlisted as a finalist for the PPMA Apprentice of the Year awards. Megan was encouraged to apply by Cathy Hucker, Developer Practitioner /Assessor who supported her through her apprenticeship development programme, and her former supervisor, Victoria Moloney. Megan would now take part in two days of individual and group activities and presentations at Warwick University in September 2015. We all wish Megan all the best in the next selection round. Since completing her apprenticeship Megan successfully applied and was recruited to a PA role working directly to Parvis Khansari, Associate Director Highways & Transport.

5. Health and Safety (H&S) benchmarking

Colleagues in H&S benchmark accident data were rated with 19 other unitary authorities in respect of all local authority employees including schools. For 2014/15 period Wiltshire ranked 3/20 in respect of overall accident rates; and 2/20 in respect of reportable accidents to HSE, an overall top ranking of all of the larger authorities.

Members of the Committee joined with the Chairman in warmly congratulating all these members of staff in achieving such excellent results.

45 **Public Participation**

There were no members of the public present or councillors' questions.

46 **Update on Phase 3 of the Social Work Recruitment Campaign**

The Committee received a report by the Associate Director, People & Business, which provided a further update on the targeted campaign to recruit social workers across adult's and children's social care. The report outlined progress on phase 3 of the campaign which commenced on 1 April 2015.

The Committee was reminded that the social work recruitment campaign had commenced in September 2014 and had been broken down into three phases.

Phases 1 and 2 had run from September 2014 until March 2015. It was noted that a progress report on phases 1 & 2 had been provided to this Committee on 6 May 2015 when it had been reported that 127 vacancies had been advertised in 36 roles across operational children's and adult social care following which 75 candidates had been offered and had accepted posts.

The total number of vacancies as at August 2015 stood at 197 with the majority, 143, being within operational children's services. It was reported that the number of vacancies had risen during Phase 3 mainly due to the creation of new posts.

A number of new recruitment and retention programmes had been developed and were being implemented during Phase 3. These included:

- 'Return to Social Work' scheme which will attract qualified social workers who have taken time out of the profession and who need to regain HCPC registration to practice again (launching September 2015)
- A University of West of England student social work bursary scheme, (launching September 2015)
- Step up to Social Work, a national DfE sponsored 'fast-track' scheme which allows candidates to become fully qualified (children's) social workers within 14 months. Wiltshire Council is taking 6 candidates, 3 of whom are internal council employees
- Grow Your Own – a Wiltshire Council sponsored programme putting internal candidates through a degree to become fully qualified social workers (launching September 2016).

Operational children's services was implementing a new approach to aid with effective succession and new recruitment and retention opportunities. This involved establishing 'pods' of four newly qualified social workers (NQSW) with an 'Aspiring manager' (new role) to support, mentor and assess these NQSWs through their assessed and supported year in employment (ASYE). This new model would mean a more sustainable approach to addressing the (national and local) shortage of experienced social workers through more robust succession planning as NQSWs gained the practice experience and moved upwards through the organisation. There would also be a corresponding drop in agency spend as a more stable, permanent workforce was created.

Resolved:

To note the contents of the report and to request a further update following completion of Phase 3 of the recruitment campaign in March 2016.

Consideration was given to a report by the Associate Director, People & Business which presented an interim updated version of the annual equality and diversity employment monitoring report to facilitate the move to a new reporting period which was closer to the statutory publishing date. It was noted that the Council was required to produce workforce equality and diversity information annually as part of the Public Sector Equality Duty (PSED) in line with the Equality Act 2010.

It was noted that historically the headcount figures had been based on workforce data on 1 April each year but from the current year the reporting date was being moved to 1 October in order to bring the date nearer to the January publishing date, thus ensuring that the figures were as up to date as possible.

In addition to the data collected and published on sex, disability, ethnicity and age, work was taking place to extend the data to include religion and belief, sexual orientation, marriage and civil partnerships, gender reassignment and caring responsibilities. This improved data would form part of the Council's equality objectives. It was noted that the recent staff survey asked staff for anonymous data on the extended range of protected characteristics.

Members were informed that in general the data contained in the report was broadly in line with the previous year's data but with some slight fluctuations.

During discussion, reference was made to the small number of black and minority ethnic (BME) staff appointed and also women in more senior positions. However, Members were pleased to note the success in attracting young people to the various apprenticeship schemes and hoped that this success would continue, thus increasing the number of young people to the Council's workforce.

Resolved:

To note the contents of the report.

48 **Delivering the Business Plan - June 2015**

The Committee received a quarterly workforce report, excluding fire, police and school staff, for the quarter ending June 2015, concerning:-

- Staffing Levels
- Sickness Absence
- New Health and Safety RIDDOR related injuries
- New Disciplinary, Grievance and Absence Cases
- Voluntary Staff Turnover
- Employee costs
- Additional financial information

Employee Diversity

Resolved:

To note the contents of the report.

49 **Workplace Health Update**

Consideration was given to a report by the Associate Director, Public Health, which provided an update on the progress of the Workplace Health project and which set out a broad overview of short and medium term plans.

It was noted that this project was aimed at raising awareness of workplace health issues and influencing the management of those health risks both by managers and by individual members of staff. Achievement within these goals would lead to accreditation for the nationally recognised Workplace Well-Being Charter.

Members were informed that one area of particular prioritisation was mental health. There would be a strong emphasis in the Workplace Health project to raise the awareness of mental health conditions and to reduce or remove the workforce stigma associated with the disclosure of mental distress, anxiety or stress and any associated formal diagnosis.

Members were pleased to note that the mental health strand of the project would use strategies such as e-learning, individual and group well-being risk assessments and bespoke management training to improve understanding and confidence.

Resolved:

To support and endorse the Workplace Health project and to request a further update in due course.

50 **Date of Next Meeting**

Resolved:

To note that the next meeting of the Committee would be held on Wednesday 4 November 2015, in the Kennet Room at County Hall, Trowbridge, starting at 10.30am.

51 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 - 11.25 am)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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STAFFING POLICY COMMITTEE

DRAFT MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 4 NOVEMBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Allison Bucknell (Chair), Cllr David Pollitt, Cllr David Jenkins, Cllr Tony Trotman (Substitute), Cllr Peter Evans (Substitute), Cllr Mike Hewitt, Cllr Bill Moss (Substitute) and Cllr Bob Jones MBE

52 Apologies for absence

Apologies for absence were received from Cllr Baroness Scott of Bybrook OBE (who was substituted by Cllr Tony Trotman), Cllr John Smale (who was substituted by Cllr Peter Evans), Cllr Stuart Wheeler (who was substituted by Cllr Bill Moss) and Cllr Graham Wright.

53 Minutes of Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 9 September 2015 as a true record.

54 Declarations of Interest

There were no declarations of interest.

55 Chairman's Announcements

There were no Chairman's announcements.

56 Public Participation

There were no members of the public present or councillors' questions.

57 New Careers Website

Consideration was given to a report by the Associate Director, People & Business, which provided:

- Details of the performance of the new careers website which was launched on 11 May 2015.
- An outline of the improvements that would be made as a result of the analysis of the performance.
- Details of initiatives being taken to ensure that Wiltshire Council continued to be an employer of choice.

Members were informed that the vision for the new website was to showcase the Council as an innovative, modern workplace and to improve the candidate experience.

Alongside the development of the website, the use of social media as a promotion and attraction tool to encourage searchers to the careers webpages and specific job adverts had been increased. This was in line with national research that showed that 18 to 34 year old people increasingly used social media as a way of sourcing and applying for job vacancies.

The Committee noted that in September 2015 the Council upgraded its Glassdoor account which was a jobs, recruiting and employer review website. The Council's account page included content from the careers website, live social media feeds and current job listings which provided a further avenue for potential candidates to comment, review and explore the working environment of this Council, in addition to Facebook, Twitter and LinkedIn.

A set of key performance indicators (KPI's) had been developed which would help the Council:

- Understand the customer journey
- Understand conversion rates (clicks through job adverts to apply)
- Monitor the effectiveness and reach of targeted recruitment campaigns (e.g. for social care, procurement/commissioning)

Members were interested to note that the majority of the visits to the website were from people who lived locally with just over 10% from those who lived in London.

During discussion Members enquired how starters made use of the workplace, was the page on the Website accurate in content.

Resolved:

(1) To note the contents of the report.

(2) To request a further update on the performance of the website in six months.

58 Planned Revisions to the Smoking Policy

The Committee received a report by the Associate Director, People & Business, which updated Members on the planned revisions to the current smoking policy.

The Committee was informed that the current smoking policy and procedure had been implemented in 2011 as a result of harmonising the County Council and ex-district council policies following the move to one council.

It was noted that the current policy provided smoking areas together with cigarette bins at each of the main hubs and depots. It also allowed managers to use their discretion when permitting smoking breaks outside of lunch times provided the time was made up.

The Public Health team had expressed concerns for some time about allowing staff to smoke on site considering the Council's policy to promote healthy living both across Wiltshire and within the workforce. Subsequently, Public Health had produced a report outlining a policy to implement smoke free sites across Wiltshire Council and this was agreed by the Corporate Leadership Team (CLT) on 24 August 2015. This would mean that all designated smoking areas at the Council's hubs, other sites, depots and campuses would be removed. A new smoke-free policy was being developed which would also include the removal of smoking breaks.

Whilst sympathising with the general principles as set out in the report, Members did consider that there could well be practical problems encountered in implementing the suggested planned revisions to the existing smoking policy as follows:-

- If Council grounds were smoke-free, smokers would most likely adopt the habit of smoking off-site in public places as had previously happened prior to the implementation of the current policy. This had created a negative image of the Council and had resulted in complaints from local residents.
- Enforcement of the new smoke-free arrangements might prove difficult, especially as customers would also be expected to take note of the signage and refrain from smoking on site.
- Removal of the litter bins would likely lead to an increase in litter. There were no plans for the Council's facilities management team to remove cigarette litter and it was expected that the Council's enforcement team would issue fixed penalty notices where possible should littering occur.

- The removal of designated smoking areas and smoking breaks was likely to have a negative impact on morale and motivation of those members of staff affected.
- The Council's partners, such as Police colleagues, would be expected to comply with a new policy and refrain from smoking on site.

Resolved:

- (1) To note the contents of the report.**
- (2) To support in principle the development of a new smoking policy that incorporates the changes as outlined in the report but to register some concerns about the practicality of implementing and enforcing the policy especially on shared sites with partners.**
- (3) To support a deferred start by giving three months notice of the intention to introduce a new policy.**
- (4) To note that a further report would be made to the January 2016 meeting of the Committee when the new smoking policy would be presented for formal approval.**

59 Public Sector Exit Payment Cap - Response to Consultation

The Committee considered a report by the Associate Director, People & Business which provided an update on the result of the consultation that had recently taken place on the government proposal to place a cap on redundancy or compensation payments to certain public sector employees when their employment ended.

The consultation invited responses to a number of key questions, including whether limiting payments to £95,000 was appropriate, and also what payments should be included in this figure. The government proposed that the following payments should be included: redundancy pay or any other compensation payment as a result of a voluntary exit, any payment in lieu of unworked notice, untaken annual leave or other outstanding allowances and the costs associated with early access to an unreduced pension.

It was noted that the following were excluded from the government's proposal: Ill health payments, compensation payments in respect of death or injury attributable to the employment, and any payments following litigation from unfair dismissal or breach of contract.

The consultation closed on 27 August 2015 during which the government received over 4,000 responses. The government admitted that the proposals did not receive overwhelming support but considered that in the absence of any

more acceptable proposals to limit the six figure pay outs they would be going ahead with the legislation.

The timescale for the introduction of this legislation was currently unclear. However, it was known that the government would take forward these proposals by taking powers in primary legislation as part of the Enterprise Bill.

The Committee was informed that the exit cap would have significant implications for the Council's redundancy pay policy and the current voluntary redundancy procedure would also need to be reviewed. It was also expected that nationally the Local Government Pension Scheme would need to be reviewed and the early retirement regulations amended.

During discussion, Members expressed concern that the service cap would have a detrimental affect mostly on lower graded staff with long service. However, Members were informed that the Council's current cap was 40 weeks for redundancy pay and it was likely that the proposed legislation would have more impact on the top tiers of the organisation.

Resolved:

- (1) To note the contents of the report.**
- (2) To express concern at the potential impact of the legislation and cost to the Wiltshire Pension Fund of the proposals and to lobby the Wiltshire MPs if necessary as the Enterprise Bill proceeds.**
- (3) To request that a further report be presented to this Committee once the timescales for the introduction of this legislation and implementation procedures were confirmed.**

60 **Delivering the Business Plan - September 2015**

The Committee received a quarterly workforce report, excluding fire, police and school staff, for the quarter ended 30 September 2015, concerning:-

Staffing levels
Sickness absence
New health and safety RIDDOR related injuries
New disciplinary, grievance and absence cases
Voluntary staff turnover
Employee costs
Additional financial information
Employee diversity

Resolved:

To note the contents of the report.

61 **Date of Next Meeting**

Resolved:

To note that the next meeting of the Committee would be held on Wednesday 6 January 2016, in the Kennet Room at County Hall, Trowbridge, starting at 10.30am.

62 **Urgent Items**

There were no items of urgent business.

63 **Exclusion of the Press and Public**

Resolved:

To agree that in accordance with section 100A (4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute No. 64 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

64 **Local Government Pension Scheme (LGPS) Employment Discretions - Payment of Deferred Benefits**

Consideration was given to a confidential report from the Associate Director, People & Business in which the Committee was asked to consider a request from a former employee for release of deferred pension benefits held in the Local Government Pension Scheme and waiving the actuarial reduction.

After discussion,

Resolved:

To not agree to the early release of the former employee's deferred pension benefits waiving the actuarial reduction, as set out in the report, as the Committee felt the evidence provided insufficient grounds for hardship and compassionate considerations noting that the applicant was now in employment.

(Duration of meeting: 10.30 am - 12.15 pm)

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STAFFING POLICY COMMITTEE

DRAFT MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 6 JANUARY 2016 IN THE KENNET COMMITTEE ROOM, COUNTY HALL, TROWBRIDGE.

Present:

Cllr Allison Bucknell (Chair), Cllr John Smale (Vice Chairman), Cllr David Pollitt, Cllr David Jenkins, Cllr Tony Trotman (Substitute), Cllr Mike Hewitt, Cllr Stuart Wheeler and Cllr Bob Jones MBE

Also Present:

Cllr Bill Moss

1 Apologies for absence

Apologies for absence were received from Cllr Baroness Scott of Bybrook OBE (who was substituted by Cllr Tony Trotman) and Cllr Graham Wright.

2 Minutes of Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 4 November 2015.

3 Declarations of Interest

There were no declarations of interest.

4 Chairman's Announcements

There were no Chairman's announcements.

5 Public Participation

There were no members of the public present or councillors' questions.

6 Security Vetting Policy

Consideration was given to a report by the Associate Director, People & Business which sought approval for the new Security Vetting Policy.

It was explained that security vetting applied when specialised security checks were required for certain specified roles that included access to particularly sensitive or secure data.

As Wiltshire Council now worked in partnership with Wiltshire Police, some employees working in roles that worked closely with them required non police personnel vetting (NPPV) to reduce the risks of unauthorised disclosure or loss of sensitive police information.

A baseline personnel security standard (BPSS) check might be required if an employee had access to certain sensitive information via the public services network (PSN) in the course of their employment with the Council.

It was noted that there were no costs associated with NPPV checks as they were carried out by the police. However, there was a cost associated with obtaining a BPSS check which was £33.16 per individual. There would be a number of checks required in 2016 and work was currently underway to identify the individuals needing the checks.

Members were informed that the policy had been approved and ratified by the Joint Consultative Committee (JCC) on 7 December 2015 following consultation with facilities, management, HR, the legal team, union representatives and other stakeholders.

After some discussion,

Resolved:

To approve the Security Vetting Policy.

7 **Smoke-free Policy**

The Committee received a report by the Associate Director, People and Business which presented a new Smoke-free Policy and Procedure. The new policy outlined the move to a smoke-free working environment in order to provide a healthy workplace for employees, which would include the removal of designated smoking areas on site and requiring staff to move off site. The policy also removes smoking breaks.

Members were reminded that the Committee gave some initial consideration to suggested planned revisions to this Policy at its last meeting but, whilst supporting in principle the development of a new smoke-free policy, expressed some concerns about the practicality of implementing and enforcing the policy, especially on shared sites with partners.

It was explained that the current policy provided designated smoking areas and cigarette bins at each of the main hubs and depots. It also allowed managers to use their discretion when permitting smoking breaks outside of the lunch period, provided that the time was made up.

The Public Health team had expressed concerns about allowing Council staff and members of the public to smoke on site considering the Council's policy to promote healthy living both across Wiltshire and within the workforce and aspiration to attain the "Healthy Workplace Charter". As a consequence, the Corporate Leadership Team (CLT) had agreed to implement smoke-free sites across Wiltshire Council sites on 24 August 2014.

The new policy would provide for a three month lead in time to ensure arrangements were in place and to provide sufficient time for staff wishing to stop smoking to gain support.

During the ensuing discussion, Members once again expressed their concern that certain aspects of the proposed new policy would not be enforceable, especially those areas which were shared with partners and also outside areas which were accessible to by members of the public. There was also discussion about potential reputational issues, specifically in relation to staff smoking in public places where complaints had been previously received.

Resolved:

To reject the new Smoke-free Policy for the following reasons:-

- (1) Under this Committee's terms of reference, it can only consider matters relating to staff; it has no authority to make decisions affecting members of the Council or the general public.**
- (2) Whilst not being averse to agreeing to some amendments to this policy, the Committee considered that the proposals were unlikely to be enforceable, particularly relating to shared premises and council owned car parks.**

8 Pay Policy Statement

Consideration was given to a report by the Associate Director, People & Business, which presented an updated pay policy statement for the financial year 2016/17 for approval, prior to agreement by Council and publication on the Council's website.

It was noted that chapter 8 of the Localism Act 2011 stated that every local authority must prepare a pay policy statement for the financial year 2012/13 and each subsequent financial year. Wiltshire Council originally published its pay policy statement in February 2012 and the updated policy was required to be published on the website by 1 April 2016.

The Committee was informed that the existing policy had been updated to include:

- A revised introduction stating the forthcoming legislation that will impact on the council's pay arrangements. This includes the new National Living Wage, gender pay gap reporting, and the public sector exit payment cap.
- The ability to pay at a rate higher than the median pay rate for posts where there are skills shortages as stated in the Council's market supplement policy.
- Information relating to the publication of trade union facility time as required by the Local Government Transparency Code 2015.
- An updated total number of council employees and the latest pay ratios.

Resolved:

To approve the draft Pay Policy Statement for endorsement by Council on 23 February 2016 on the understanding that the budget figure would first be reviewed and updated and subject to the heading prior to para. 71 reading as follows:-

The relationship between the *basic pay* remuneration of chief officers and employees who are not chief officers.

9 Update on Local Government (Green Book) Pay Negotiations 2016/17 and consideration of the payment of the living wage

The Committee considered a report by the Associate Director, People and Business, which provided an update on the national pay negotiations that were taking place.

At its meeting on 14 December 2015, CLT considered whether the Council should adopt the Living Wage and agreed that they could not support the adoption of the Living Wage for the foreseeable future in light of the ongoing budget pressures for both the schools and non-schools teams and bearing in mind that the National Living Wage would be introduced from 2016 which would have a significant impact on lower paid staff.

During discussion, Members supported the decision of the CLT and also noted that there were currently no problems in recruiting to the lower grades.

Resolved:

- (1) To note the update on pay negotiations and that further updates would be provided when more information became available.**
- (2) To agree with the introduction of the new National Living Wage which would have a significant impact on lower paid staff and which would be introduced in April 2016.**

10 **Equality & Diversity Update**

The Committee considered a report by the Associate Director, People and Business which presented the updated Annual Equality and Diversity Employment Monitoring Report. It was noted that the Council was required to produce this information annually as part of the Public Sector Equality Duty in line with the Equality Act 2010. This was the first report to be based on a new reporting date of 1 October which had previously been 1 April each year. The reporting date had been changed to move it closer to the statutory publishing date.

Reference was made to work that had been taking place to extend the data collected on the protected characteristics on SAP which included religion and belief, sexual orientation, marriage and civil partnerships, gender reassignment and caring responsibilities. Staff had been asked to complete an equalities monitoring questionnaire to provide this additional information but it was noted that 40% of staff had completed this questionnaire. Ongoing work was being carried out to explain to staff why this additional information was required.

Resolved:

To note the contents of the report.

11 **Date of Next Meeting**

Resolved:

To note that the next scheduled meeting of the Committee was due to be held on Wednesday 2 March 2016, in the Kennet Room at County Hall, Trowbridge, starting at 10.30am.

12 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 12.00 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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WILTSHIRE & SWINDON FIRE AUTHORITY

MINUTES of a MEETING of the WILTSHIRE & SWINDON FIRE AUTHORITY held at the Wiltshire FRS HQ, Manor House, Potterne, Devizes on Thursday 24 SEPTEMBER 2015

Present: Cllrs C Devine (Chairman), E Clark, P Edge, Mrs M Groom, R Jones, J Knight, N Martin, C Newbury, G Payne, G Perkins, E Shaw and J Tray.

27 Minutes of last meeting

The minutes of the meeting of the Authority held on 11 June 2015 were confirmed and signed.

28 Apologies

Apologies for absence were received from Cllr Mrs B Wayman.

29 Members' interests

The Chairman reminded members of the need to declare any interests which the Authority's Code of Conduct required to be disclosed, or dispensations granted by the Clerk to the Authority or by the Ethics Committee.

30 Chairman's announcements

- i. The Chairman thanked Mr K Strickland for agreeing to carry out the role of Clerk to the Authority for the remainder of the Authority's existence, and welcomed him to the meeting.
- ii. Members were reminded that a group photograph would be taken after the meeting.
- iii. The Chairman paid tribute to all involved in the Blue Light Services Show held at Hullavington earlier in the month. It had been a very successful, well-attended event.
- iv. Members were invited to take part in a visit to the Bournemouth and Weymouth Safety Centres on 7 October.
- v. The Chairman said it had been a pleasure to participate, with the Chairman of Dorset Fire Authority, in the formal opening of the new control centre which was now handling Dorset's emergency calls as well as the Service's.

31 Questions from the public

There were no questions from the public.

32 Ethics Committee

The minutes of the meeting of the Ethics Committee held on 26 August 2015 were received.

33 Committee memberships: substitutions

On considering a report by the Monitoring Officer and on hearing the views of the Chairman of the Committee,

WILTSHIRE & SWINDON FIRE AUTHORITY

Resolved:

- a) *To approve the Monitoring Officer's recommendation that the current practice with regard to substitutions be continued.*

- b) *To note the right of duly-constituted political groups to change their members on committees by notifying the Clerk (as the Proper Officer designated for such purposes), as per paragraph 40 of the 2002 Opinion given by Michael Supperstone QC to Southampton City Council and appended to the Monitoring Officer's report.*

34 Programme and Scrutiny Board

The Acting Clerk reported that the meeting of the Board due to be held on 3 September 2015 had been cancelled because a number of the Board's members had been unable to attend. The papers for the meeting had been sent to the members, who had been invited to comment on them. No comments had been received which needed to be forwarded to the Authority for consideration.

35 Annual report

The Programme & Scrutiny Board's annual report for 2014/15 was received.

36 Finance Review and Audit Committee

The minutes of the meetings of the Committee held on 30 June and 15 September 2015 were received.

37 Protection, prevention and operational delivery

A short visual presentation was made.

38 Firefighter pension scheme 2015: discretions policy

On considering a paper by the Brigade Manager, People and Development,

Resolved:

To approve the discretions policy as set out in appendix A to the paper presented.

In answer to a question, the Chairman asked that Dorset and Wiltshire Fire and Rescue Authority be made aware of members' views that the membership of that Authority's Pensions Board should include at least one Authority member.

39 Combination with Dorset: Update report

A paper by the Chief Fire Officer & Chief Executive was received. Concern was expressed by some members on the pressures on staff, an issue of which the Chief Fire Officer said the senior management of the new organisation were very conscious.

40 Dorset and Wiltshire Fire and Rescue Authority

The minutes of the meetings of the Dorset and Wiltshire Fire and Rescue Authority and of that Authority's Policy and Resources Committee held on 23 June and 22 July 2015 respectively, were received. Though outside the purview of this Authority, views were expressed on the size of the new Authority and on the latter's consideration of emergency response standards.

WILTSHIRE & SWINDON FIRE AUTHORITY

41 Networked Fire Control Services Partnership (NFCSP) and Joint Command & Control Centre (JCCC) Projects

An oral report by the Deputy Chief Fire Officer was received.

42 Dates of meetings

It was agreed to change the date of the December meeting from 10 December to 9 December 2015, at 10.30 a.m.

43 Urgent business

The Chairman agreed to the following item being taken as urgent business on the grounds that it had arisen since the agenda had been prepared and needed to be considered before the December meeting of the Authority.

44 Consultation paper: “Enabling closer working between the Emergency Services”

The Chief Fire Officer & Chief Executive reported that the Government had issued a consultation paper proposing greater collaboration between the Blue Light services and, more specifically, closer working between the police and fire & rescue services. Noting that the deadline for responses to the Government was 23 October,

Resolved:

To hold an extraordinary meeting of the Authority, on a date and time to be agreed by the Acting Clerk in consultation with the Chairman, to consider the consultation paper and the Authority’s response to it.

The Chief Fire Officer & Chief Executive also drew members’ attention to a speech made by the Fire Minister following an adverse report on the culture at one particular Fire and Rescue Service. Since this matter was in the public domain, he felt members needed to be aware, though he strongly emphasised that in his view the culture described in the report bore no relationship to that in the Wiltshire Fire and Rescue Service. His remarks were endorsed by the Chairman.

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WILTSHIRE & SWINDON FIRE AUTHORITY

**MINUTES of an EXTRAORDINARY MEETING of the
WILTSHIRE & SWINDON FIRE AUTHORITY
held at the Wiltshire FRS HQ, Manor House, Potterne, Devizes
on Monday 12 OCTOBER 2015**

Present: Cllrs C Devine (Chairman), E Clark, J Knight, N Martin, G Payne,
G Perkins and J Tray.

45 Minutes of last meeting

The minutes of the meeting of the Authority held on 24 September 2015 were confirmed and signed.

46 Apologies

Apologies for absence were received from Cllrs P Edge, Mrs M Groom, R Jones, C Newbury, E Shaw and Mrs B Wayman.

47 Members' interests

The Chairman reminded members of the need to declare any interests which the Authority's Code of Conduct required to be disclosed, or dispensations granted by the Clerk to the Authority or by the Ethics Committee.

48 Chairman's announcements

The Chairman informed members that it was hoped that the legal formalities in respect of the HQ accommodation for the Dorset and Wiltshire Fire and Rescue Authority would be completed in time for a formal signing later in the month.

49 Questions from the public

There were no questions from the public.

50 Consultation document: "Enabling closer working between the Emergency Services"

The meeting gave careful consideration to the Government's consultation document "Enabling closer working between the Emergency Services" and to a draft response prepared by the Chief Fire Officer & Chief Executive. After discussion, it was unanimously

Resolved:

- a) *To approve a response on the basis of the text agreed at the meeting subject to minor editing by the Acting Clerk in consultation with the Chairman; and*
- b) *To thank the Chief Fire Officer for his work in preparing a draft response.*

[Note: The Authority's response as submitted to the Government is appended to these minutes.]

51 Urgent business

There was no urgent business.

(Duration of meeting: 10 a.m. to 12.05 p.m.)

Consultation document “Enabling closer working between the Emergency Services”

Response of Wiltshire & Swindon Fire Authority

Wiltshire and Swindon Fire Authority is grateful for the opportunity to respond to the consultation document entitled “Enabling closer working between the Emergency Services” and gives its views prior to merging with Dorset Fire Authority to become the Dorset and Wiltshire Fire Authority on 1st April 2016

The Authority has sought to answer each of the questions in detail and then provide a more general view under **Question 15**.

A new duty on all three Emergency Services to collaborate with one another

- 1. How do you think this new duty would help drive collaboration between the emergency services?**
 - 1.1 The Authority understands the importance of, and encourages, closer working between the Emergency Services in times of austerity and the need for greater resilience. It promotes every opportunity to enable locally determined collaboration between Emergency Services where appropriate.
 - 1.2 It is pleasing to note within the consultation document that the author recognises that many Fire & Rescue Services across the UK are already working closely with the Police and Ambulance Services, both at the operational and strategic level. This is the case between Emergency Services within our area of responsibility.
 - 1.3 With the work that Wiltshire Fire Authority has undertaken in pursuing a merger with Dorset Fire Authority, this Authority challenges the concept of collaboration within just Emergency Services as too narrow in scope, and would seek reassurances that any duty to collaborate with Police and Ambulance (and indeed any of the proposals put forward in this consultation) will not obstruct efforts to collaborate with others (such as NHS, the Coastguard Service and Local Authorities). From the work undertaken by this Authority, such efforts would give further capacity to produce even better outcomes, savings to the public purse, improved services and efficiencies in many cases. This has been borne out in the work which this Authority undertook when reviewing additional closer working with other Public Sector Organisations following combination with Dorset. This is particularly important when, looking to the future, deciding where the FRS positions itself on the social agenda, such as Health & Wellbeing.
 - 1.4 It is recognised that the consultation document makes clear that the duty will be “broad to allow for local discretion in how it is implemented”. It will be important as to how this will be judged, as collaboration will be dealt with differently in different localities. How and who will decide if the obligations under the proposed duty are not being met? This brings us to the Localism issue, which is referred to in section 2

- 1.5 There is no mention in the consultation document as to whether it is the intention of Government to bring together the main departments responsible for Emergency Services at National Government level.
- 1.6 It is recognised that within the consultation document there is little mention or attention paid to the Ambulance Service fitting into the proposals. If this were a serious consideration it could bring greater focus on increased collaboration at Government Department level to drive efficiencies and effectiveness.

Strengthening accountability and governance

2. Do you agree that the process set out above would provide an appropriate basis to determine whether a Police and Crime Commissioner should take on responsibility for Fire & Rescue Services?

- 2.1 At an extraordinary meeting of this Authority held on 12 October 2015, the members present unanimously rejected the basis of the consultation document that the Fire & Rescue Service (FRS) should be governed by a Police and Crime Commissioner (PCC).
- 2.2 The Authority would strongly argue that as it is already seeing many benefits through its current collaboration with Wiltshire Police, the move to create a single employer would add little if anything. In addition, the complex issues raised by the model could take the Authority off course and use organisational capacity to create the structural change, thus reducing the public facing outcomes required.
- 2.3 This Authority strongly objects to the undemocratic proposal to allow a Police and Crime Commissioner unilaterally to make the case to take over the Fire & Rescue Service if Local Authorities and the public are not supportive of the move. This flies in the face of the Government's Localism Agenda and thus runs contrary to the Government's direction of having a locally determined approach. We do not believe any process where the final say is made at national level could be said to have been locally determined. This was clearly stated and demonstrated in the process which Wiltshire and Dorset Fire Authorities underwent when pursuing a combination.
- 2.4 Considerable effort and expense has already been undertaken by both Members and Officers between Wiltshire and Dorset in the pursuance of a combination. It is therefore fundamental that as well as identifying the benefits of the potential change (in terms of service and financial outcomes), proposals need to take account of the benefits already being secured, the impact of organisational structural change, the need for capital investment to secure change, the potential impact on the benefits from other collaborations and partnership working which may need to cease, and most significantly the effect on staff morale on the journey that some FRSs have already taken.
- 2.5 Whilst there is a strong desire across Police and Fire & Rescue Services to work more closely together, the objectives, aims and values are different and the imposition of a change rather than one evolved locally is less likely to succeed.

Empowering Police and Crime Commissioners to maximise opportunities for efficient, effective services

3. Do you agree that the case for putting in place a single employer should be assessed using the same process as for a transfer of governance?

3.1 This Authority does not agree that empowering PCCs will maximise opportunities for efficient and effective services.

3.2 As stated previously in section 2, this Authority does not agree that the PCC should have the ability unilaterally to decide to merge Emergency Services or create a single employer, if that is not the wish nor has the support, through consultation, of local Authorities or the public. As mentioned previously this would be contrary to the Government's Localism Agenda and thus contrary to the government's direction of having a locally determined approach.

3.3 This Authority recognises the importance of maintaining the distinction between operational policing and firefighting.

4. What benefits do you think could be achieved from empowering Police and Crime Commissioners to create a single employer for Police and Fire and rescue personnel, whilst retaining separate frontline services, where a local case has been made to do so?

4.1 In regard to the above headline statement, this Authority does not agree that there would be any significant or worthwhile saving to be made in adopting a PCC model.

4.2 This Authority recognises the importance and drive to make efficiencies within the Public Sector. This Fire & Rescue Service has already identified and produced significant savings by collaborating and reducing senior management teams and by the streamlining of support services, as a result of the impending merger with Dorset. The future financial pressures will continue to provide sufficient incentives to achieve further savings, without a single employer model, by continuing to work in a collaborative approach with other public sector organisations.

4.4 It is commonly recognised that both Police and Fire Services are viewed by the public in different ways and the Authority believe it will be important to consider issues of trust and confidence in the management by the workforce given that Police and Fire operate very differently and undertake profoundly different roles. Fire Service staff are privileged in the way that they are treated and received by the public and it is fundamental that the brand of the Fire & Rescue Service is maintained for firefighters to be able to undertake their role.

5. Do you agree that the requirement for a chief officer to have previously held the office of constable should be removed for senior fire officers?

5.1 This Authority believes there should not be a single Chief Officer over a Chief Constable and a Chief Fire Officer.

Associated Issues

6. How do you think the requirement for a Police and Crime Commissioner to have access to an informed, independent assessment of the operational performance of the Fire Service should best be met?

6.1 This would be a matter for the PCC's discretion were a PCC to be responsible for the FRS.

6.2 This Authority believes that it is important to maintain an independent source of expertise, either with a reformed HMI or the current Chief Fire and Rescue Advisor model.

7. Do you agree that where a Police and Crime Commissioner takes responsibility for a Fire & Rescue Service, the Police and Crime Panel should have its remit extended to scrutinise decision making in relation to Fire Services?

7.1 On the basis that Combined Fire Authorities would be abolished, it is assumed PCCs would put in place appropriate governance arrangements.

8. Do you think that where a Police and Crime Commissioner takes responsibility for a Fire & Rescue Service, the Police and Crime Panel should have its membership refreshed to include experts in fire and rescue matters?

8.1 Yes.

9. Do you think that where a Police and Crime Commissioner puts in place a single employer for Fire and rescue and Police services personnel, complaints and conduct matters concerning fire should be treated in the same way as complaints and conduct matters concerning the Police?

9.1 No. Firefighters and Police Officers have very different job roles and requirements placed on them. It is important to remember that as warranted officers, operational Police are "on duty" at all times, while firefighters are not. Joint complaints and conduct procedure will be extremely difficult to design and deliver and would possibly cause friction amongst the workforce.

Enhancing collaboration between Police and Fire and Rescue

10. Do you agree that Police and Crime Commissioners should be represented on Fire and Rescue Authorities in areas where wider governance changes do not take place?

10.1 This Authority would welcome the attendance of a representative of the PCC as an observer. This would be without voting rights because a representative would not be directly accountable to the public in the way members of Fire Authorities are. Equally, FRAs should be represented on Police and Crime Panels.

London Fire and Emergency Planning Authority

11. Do you agree that the London Fire and Emergency Planning Authority should be abolished and direct responsibility for fire and rescue transferred to the Mayor of London?

11.1 This Authority has no comment on this matter.

12. In the event that the London Fire and Emergency Planning Authority is abolished, how should responsibility for fire and rescue be incorporated into the mayoral structure?

12.1 This Authority has no comment on this matter.

Civil Contingencies

13. To what extent do you think there are implications for local resilience (preparedness, response and recovery) in areas where the Police and Crime Commissioner will have responsibility for Police and Fire ?

13.1 This Authority would wish that the current model and membership on the Local Resilience Forum (LRF) remains the same as it is important that Fire and Police are both equally represented in their contributions to local resilience structures.

Local Devolution

14. To what extent do you think there are implications for resilience responsibilities in areas where an elected metro mayor is also the Police and Crime Commissioner and responsible for the Fire & Rescue Service?

14.1 This Authority has no comment on this matter.

Closer working between Police and Crime Commissioners and NHS ambulance trusts

There is no question in the consultation document covering this area. Please refer to the comment in Section 1.6 of this response.

Other views and comments

15. Are there any other views or comments that you would like to add in relation to Emergency Services collaboration that were not covered by the other questions in this consultation?

General Comments

15.1 This Authority wishes to reiterate and emphasise the considerable amount of work (covering two years to date) which has taken place, and is continuing, towards the combination with Dorset Fire Authority. The merger has wide support from stakeholders, not least the relevant Local Authorities and is based on a business case demonstrating significant financial savings. It should also be noted that this merger is supported by

current extant Government policy for large public service organisations in regard to maximising efficiency and economy. A Wiltshire and Dorset consultation exercise showed overwhelming public support for combination. Significantly, the Government acknowledged the potential gains in efficiency and effectiveness by making a £5.54m one-off grant towards the merger costs.

- 15.2 The Authority believes that this consultation document and the proposals within it are too limited in only focusing on Emergency Services and should be broadened to consider collaboration with other services (in the way this Authority has with Wiltshire Council and other bodies) such as Health, the Coastguard Service, Local Authorities etc. The Authority believes that this will surely produce greater savings and improve service delivery to communities. The issues for savings raised for Emergency Services are being achieved through, as previously stated, combination with Dorset and collaboration with other Local Authorities. It is believed that a change to the PCC model proposed in the consultation document would not bring any benefits and would be counter-productive.
- 15.3 There is a distinct difference between the roles of Police and Fire Officers. The Firefighters role, in times of distress, is to provide humanitarian assistance while Police officers have an enforcement and peacekeeping role that necessarily brings them into conflict with members of the public on occasion. Although we recognise that the consultation document makes it clear that firefighters will not be given the power of arrest and Police will not answer fire calls, there is a need for very careful consideration whether the neutrality of the Fire & Rescue Service and firefighters would be called into question if they became integrated with the Police, which would almost certainly be the case in the proposed PCC model.
- 15.4 The Authority notes that within the proposal Government funding for the two Services would be provided separately. It is not clear, however, how this would be achieved, either through two different funding streams or through a single PCC budget with spending priorities assessed for each Service. There would need to be greater clarity as to transparency, to ensure the safeguarding of these budgets to the individual organisations.
- 15.5 As stated in para.15.1 above, this Authority is currently going through a significant combination programme with Dorset Fire Authority. It is therefore important to point out that within any business case for either a governance transfer or single employer model, it will be important to consider the impact upon staff, in particular in support roles. It is fundamental for the success of the merger that both Services are seen and treated as equal partners. On most occasions within the proposed model, one Service would be significantly larger than the other and a perception of a “take over” of that organisation will be seen. This would engender a potentially negative response from the smaller organisation, which would need to be considered and mitigated. This is a complex area and appropriate expert HR and legal advice would be needed in preparing the business case and implementing the proposal. This work and complexity should not be underestimated, neither should the significant cost implications.

16. Do you think these proposals would have any effect on equalities issues?

- 16.1 The Authority is unable to answer this question at this current time as a detailed Impact Assessment would need to be undertaken.

WILTSHIRE & SWINDON FIRE AUTHORITY

MINUTES of a MEETING of the WILTSHIRE & SWINDON FIRE AUTHORITY held at the Wiltshire FRS HQ, Manor House, Potterne, Devizes on Wednesday 9 DECEMBER 2015

Present: Cllrs C Devine (Chairman), E Clark, P Edge, Mrs M Groom, R Jones, J Knight, N Martin, G Payne, G Perkins, E Shaw, Mrs B Wayman

52 Minutes of last meeting

The minutes of the extraordinary meeting of the Authority held on 12 October 2015 were confirmed and signed.

53 Apologies

Apologies for absence were received from Cllrs C Newbury and J Tray.

54 Members' interests

The Chairman reminded members of the need to declare any interests which the Authority's Code of Conduct required to be disclosed, or dispensations granted by the Clerk to the Authority or by the Ethics Committee.

55 Chairman's announcements

- i. The Chairman referred to reports in the national press regarding attacks on firefighters elsewhere in the UK and assured members that no such incidents had been reported in Wiltshire and Swindon.
- ii. Members were reminded of the carol service on 17 December, of ID photos for the Dorset and Wiltshire Fire and Rescue Authority, and of the visit to the control centre at the end of the meeting.
- iii. The Chairman informed members that the Service's Rural Fire Safety team had been shortlisted for the Fire magazine's excellence in fire and emergency awards. He congratulated the team on reaching the finals and was sorry they had not won an award,

56 Questions from the public

There were no questions from the public.

57 Programme and Scrutiny Board

The minutes of the meeting of the Programme and Scrutiny Board held on 19 November 2015 were received.

58 Finance Review and Audit Committee

The minutes of the meeting of the Finance Review and Audit Committee held on 8 December 2015 were received.

59 Revised Capital Programme 2015/16

On considering a paper by the Brigade Manager, Governance and Assurance recommending amendments to the capital programme due to, inter alia, changing priorities, slippage in timescales, and re-assessment of need,

Resolved:

a) *To approve the revised capital programme for 2015/16 of £3.728m as set out in Appendix A of the paper presented; and*

b) *To approve, as a consequence of (a) above, the revised prudential indicators as set out in Appendix C of the paper presented.*

60 Protection, prevention and operational delivery

A short visual presentation was made.

61 Firefighter Pension Scheme: Local Pensions Board

The minutes of meetings of the Pensions Board held on 3 September and 24 November 2015 were received. The Board's terms of reference as appended to the minutes of the latter meeting were noted. It was also noted that Dorset and Wiltshire Fire and Rescue Authority would be required to establish a local pensions board in accordance with the relevant statutory regulations.

62 Business continuity review

On considering a paper by the Brigade Manager, People and Development providing a synopsis of a business continuity exercise undertaken by the Service earlier in the year,

Resolved:

a) *To note that, on the basis of the exercise, the Service believes its business continuity arrangements to be robust, and*

b) *To suggest that the outcome of future such exercises by the Service post-combination with Dorset should be subject to independent external scrutiny.*

63 Combination with Dorset: update report

A paper by the Chief Fire Officer & Chief Executive was received.

64 Dorset and Wiltshire Fire and Rescue Authority

The minutes of the meetings of the Dorset and Wiltshire Fire and Rescue Authority held on 23 October 2015 and of that Authority's Policy and Resources Committee held on 17 September and 5 November 2015 respectively, were received.

65 Dissolution of Wiltshire and Swindon Fire Authority

On considering a paper by the Acting Clerk, Chief Fire Officer and Treasurer,

Resolved:

a) *To note the paper and in particular that in accordance with the provisions of the Dorset and Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015:*

- *this Authority will cease to exist after 31 March 2016 and will not have any residual functions,*
- *the statutory responsibility for fire and rescue services in the geographical area hitherto covered by this Authority will be assumed by Dorset and Wiltshire Fire and Rescue Authority (DWFRA) as from 1 April 2016,*
- *all employees in post on 31 March 2016 will be transferred to the employment of DWFRA, and*
- *all property, rights and liabilities held or incurred by this Authority will be transferred to DWFRA.*

- b) *To note that no formal decisions by this Authority are required to give effect to the above.*
- c) *To approve the following programme of meetings for the remainder of this Authority's existence, subject in the case of the Staffing, Ethics, and Finance Review and Audit Committees to meetings being held only if there is business to transact:*
- *21 January – Staffing Committee (provisional)*
 - *17 February – Ethics Committee (provisional)*
 - *3 March – Staffing Committee (provisional)*
 - *17 March – Finance Review and Audit Committee (provisional) (2 p.m.)*
 - *29 March – Programme and Scrutiny Board (10.a.m.)*
 - *31 March – full Authority (10.30 a.m.)*
- d) *To note that responsibility for approval of this Authority's accounts for the 2015/16 financial year will pass to DWFRA.*
- e) *To authorise the Chief Fire Officer, Treasurer and Acting Clerk severally to take such action as may be required which is calculated to facilitate, or is conducive or incidental to, the dissolution of the Authority.*

66 Commemorative events

On report by the Chairman regarding proposals to mark 68 years of the Wiltshire Fire and Rescue Service (formerly known as the Wiltshire Fire Brigade),

Resolved:

- a) *In recognition of the Authority's gratitude to the staff of the Service, to approve expenditure not exceeding a total of £16,000 to enable staff at individual establishments or in individual departments to organise commemorative events.*
- b) *To note that a formal dinner event at an appropriate venue is planned for March, at no cost to the Authority.*

67 Urgent business

There was no urgent business.

(Duration of meeting: 10.30 to 11.45 a.m.)

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