

COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON 29 JULY 2014 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Desna Allen, Cllr Glenis Ansell, Cllr Pat Aves, Cllr Chuck Berry, Cllr Nick Blakemore, Cllr Richard Britton, Cllr Rosemary Brown, Cllr Liz Bryant, Cllr Allison Bucknell, Cllr Trevor Carbin, Cllr Chris Caswill, Cllr Terry Chivers, Cllr Ernie Clark, Cllr Mark Connolly, Cllr Christine Crisp, Cllr Brian Dalton, Cllr Andrew Davis, Cllr Tony Deane, Cllr Christopher Devine, Cllr Stewart Dobson, Cllr Dennis Drewett, Cllr Peter Edge, Cllr Peter Evans, Cllr Sue Evans, Cllr Nick Fogg MBE, Cllr Richard Gamble, Cllr Jose Green, Cllr Howard Greenman, Cllr Mollie Groom, Cllr Russell Hawker, Cllr Mike Hewitt, Alan Hill, Cllr Charles Howard, Cllr Jon Hubbard, Cllr Keith Humphries, Cllr Chris Hurst, Cllr Peter Hutton, Cllr George Jeans, Cllr Julian Johnson, Cllr Bob Jones MBE, Cllr Simon Killane, Cllr Gordon King, Cllr John Knight, Cllr Jerry Kunkler, Cllr Magnus Macdonald, Cllr Alan MacRae, Cllr Howard Marshall, Cllr Laura Mayes, Cllr Ian McLennan, Cllr Jemima Milton, Cllr Bill Moss, Cllr Christopher Newbury, Cllr John Noeken, Cllr Paul Oatway, Cllr Stephen Oldrieve, Cllr Helen Osborn, Cllr Jeff Osborn, Cllr Sheila Parker, Cllr Graham Payne, Cllr Nina Phillips, Cllr David Pollitt, Cllr Leo Randall, Cllr Fleur de Rhé-Philippe, Cllr Pip Ridout, Cllr Ricky Rogers, Cllr Jane Scott OBE, Cllr Jonathon Seed, Cllr James Sheppard, Cllr Toby Sturgis, Cllr John Thomson, Cllr Ian Thorn, Cllr Dick Tonge, Cllr Tony Trotman, Cllr John Walsh, Cllr Nick Watts, Cllr Bridget Wayman, Cllr Fred Westmoreland, Cllr Ian West, Cllr Philip Whalley, Cllr Stuart Wheeler, Cllr Roy While, Cllr Philip Whitehead, Cllr Jerry Wickham, Cllr Christopher Williams and Cllr Graham Wright

46 Apologies

Apologies for absence were received from Councillors Richard Clewer, Simon Jacobs, David Jenkins, Dr Helen McKeown, Horace Prickett, John Smale, Ian Tomes. Mark Packard, Linda Packard, Mary Champion, Jacqui Lay, Bill Douglas and Mary Douglas

47 Minutes of Previous Meeting

The minutes of the last meeting, being the Annual Meeting held on 13 May 2014 were presented.

Resolved:

That the minutes of the last Council meeting held on 13 May 2014 be approved as a correct record and signed by the Chairman.

48 Declarations of Interest

There were no declarations of interest.

49 Announcements by the Chairman

a) Armed Forces Day Celebrations

The Chairman explained that the Council was pleased to support the flying of the Armed Forces Day flag from our main Council office buildings last month for Armed Forces Week. Celebrations were held around the County over the weekend of 28 and 29 June.

The Chairman attended along with the Lord-Lieutenant of Wiltshire, Major General Abraham representing the Master Gunner St James Park, and other dignitaries, to witness the Mayor of Trowbridge grant the Freedom of the Town to the Royal Regiment of Artillery, which had historic links with the Town going back to the First World War. The Freedom Parade was led by the Band of the Royal Artillery, followed by a Section of the Kings Troop Royal Horse Artillery pulling a gun carriage, and a marching Contingent. He commented that all were immaculately turned out.

Armed Forces weekend provides us all with the opportunity to acknowledge the dedication of the Armed Services and to show our support for them, whether serving members, veterans or Cadets. The Chairman acknowledged that these events take many months of planning and thanked and congratulated all those who worked so hard to ensure their success.

b) Her Majesty The Queen's Birthday Honours

The Chairman was delighted to announce that a number of Wiltshire residents had received national recognition in the recent Queen's Birthday Honours' list.

An **OBE** had been awarded to:

Mr. Martin Colclough from Amesbury for services to Disability Sport in the Armed Forces.

MBEs had been awarded to:

Mrs. Vivian Clarke from Pewsey, who is Chair of the Military Wives Choirs Foundation, for services to military families

Mr. Colin Coward from Devizes for services to Equality

Mr. Ralph Flower from Devizes for services to the British Engineering Industry and to the community in Devizes

Mr. Alan Nix from Swindon for services to the community in Swindon

Mr. Mark Romain from Salisbury for services to the Saddlery Industry and Saddlery Training in the United Kingdom and Overseas

Mr. Roger Upton for services to the Cultural Heritage of Falconry in the United Kingdom and Overseas

BEMs had been awarded to:

Mr. Peter Lemon for services to the communities in Grafton and Wilton

Mrs. Janet Marshall for voluntary service to the Warminster & Westbury Visually Handicapped Club

Mr. Edward Pomeroy for services to Young People through the Scouts and to the community in Southwick

The Council joined the Chairman in congratulating them all on receiving national recognition.

c) Town Criers' Competition

The Chairman announced that he had attended a Town Criers' Competition in Calne last month organised by the Town Council. Criers attended from across the country and the standard was very high. The winner came from Bromyard, Herefordshire. He was pleased to say that the Trowbridge Town Crier, Trevor Heeks and his wife had won the 'Best Dressed Couple' competition.

d) Miss Jean Horsfall

The Chairman wished to formally record the Council's debt of gratitude to Miss Jean Horsfall, who died recently at the age of 90. She was a pivotal in promoting music in the County for over forty years. She was Director of the Wiltshire Rural Music School, founder of the Wiltshire Youth Orchestra and the County's Music Advisor. She dedicated her life to nurturing young talent and encouraging musical participation at all levels and her legacy will live on in the County.

Nick Howdle, Head of the Wiltshire Music Service, the Chairman and his wife attended her Memorial Service in St. James' Parish Church in June, which was a fitting tribute to her dedicated service.

e) Royal Visits

The Chairman advised that the County had been fortunate to have had two Royal visits in June.

His Royal Highness The Duke of Gloucester visited four venues in the County:

- the Apprentice Training School at QinetiQ, Boscombe Down, which offers four year Advanced Level Apprenticeships in Engineering Manufacture
- Chemring Countermeasure Limited, a world leader in comprehensive threat weapon systems and missile countermeasure solutions
- Nicholas & Harris Limited, a bakery which has been baking speciality breads, rolls and buns in the Salisbury area since the 1830's, where he opened their new distribution centre; and finally
- He officially opened the new Whiteparish Memorial Centre – which effectively replaced a World War 1 Army hut which acted as the Village Hall for nearly ninety years.

On the 23 June, Her Royal Highness The Duchess of Cornwall came to County Hall to officially open the refurbished buildings. The Chairman explained that it had been an honour for him and the Leader of the Council to welcome her, and to be able to show her how the Council was working with partners to change working practices to improve the delivery of services to Wiltshire residents. Local schoolchildren enthusiastically welcomed her and young families attending a rhyme time session in the Library were delighted to be joined by Her Royal Highness. Staff and members of the public gathered in the Atrium and around the balconies to witness her unveiling a plaque to commemorate her visit. Mrs. Mary Pearce, a resident of Salisbury and whose father was Managing Director of the firm who built the original County Hall building, presented Her Royal Highness with a hamper of Wiltshire produce to thank her for her visit.

f) The Big Walk 13 September

With the Chairman's permission, Councillor Jon Hubbard informed members that he would be involved in The Big Walk on 13 September. The Walk was being organised to support two charities, Hope for Tomorrow, bringing cancer care closer to home and Melksham Extended Services, providing counselling support for young people. He encouraged participation by both members and officers for this very worthwhile cause.

g) Commonwealth Games winners

The Chairman congratulated all Wiltshire participants in the recent Commonwealth Games with special mention of those who had won medals.

50 Public Participation

The Chairman reported receipt of questions from Mr Geoff Yates, Mrs Veronica Stubbings and Mrs Charmian Spickernell, details of which had been circulated together with responses by Cllr Fleur de Rhé-Phillipe, Cabinet Member for Economy, Skills and Transport. A copy of the questions and responses to public questions received are attached as Appendix A.

Questions were presented by Mrs Spickernell who took the opportunity to ask supplementary questions to which Cllr Fleur de Rhé-Phillipe replied.

51 **Petitions**

52 **Petitions Received**

No petitions had been received for presentation to this meeting.

53 **Petitions Update**

A report by the Democratic Governance Manager was presented which gave Council details of the 3 petitions received for the period since the last Council meeting.

Resolved:

That Council note the report, the petitions received and the actions being taken in relation to them, as set out in the Appendix to the report presented.

54 **Notices of Motion**

For Council's ease of reference the rules on how a motion is dealt with at Council, taken from Part 4 of the Council's constitution was presented.

Council considered the following motions:

£ No. 9 - Car Parking Ticket Machines - Councillors Terry Chivers and Jeff Osborn

The Chairman reported receipt of the above mentioned motion from Councillors Terry Chivers and Jeff Osborn.

Accordingly, Councillor Terry Chivers moved the following motion which was duly seconded by Cllr Jeff Osborn:

'To counter all the negative publicity that Wiltshire Council has received for not operating change giving parking ticket machines, this extra money (that is in reality is not ours) should be returned to the community by way of an equivalent increase in the amount made to community area grants.'

Cllr Chivers took the opportunity to promote his motion to Council and in so doing emphasised that the Council needed to do something positive on this and allocate the extra money referred to in his motion between the Area

Boards.

Cllr John Thomson, Cabinet member for Highways and Transport responded to the motion. He explained that this had stemmed from the Council responding to a freedom of information request by a newspaper made to 350 Councils on overpayments on car parking. This Council unlike a number of Councils, had provided all the information requested but was then compared to much smaller authorities with fewer car parks such as smaller boroughs and district councils. This Council's rate for overpayments as a result of not giving out change averaged at approximately 3% compared to between 6.5% to 7% for other authorities. Cllr Thomson referred to the significant costs of installing ticket machines that did provide change and the costs involved in servicing them. Such a move would increase the cost by 10p. He concluded that he considered the motion to be unsound, undeliverable, not well researched and should not be adopted.

Having been moved by the Chairman and seconded and on being put to the vote, it was

Resolved:

That the motion be debated.

The Chairman invited Group Leaders to speak on the motion before opening the debate to other members. During the debate, Cllr Hubbard proposed the following amendment which was duly seconded:

'That this motion is referred to the relevant scrutiny task group to explore what steps can be taken to avoid people paying more than they should for car parking'.

The debate then centred on the amendment. Cllr Chivers indicated that he would accept the amendment.

The motion as amended was then put to the vote and LOST. It was therefore

Resolved:

That motion no 9 – Car Parking Ticket Machines be NOT adopted.

£ **No. 10 - One Card for Transport in Wiltshire - Councillors Magnus MacDonald and Gordon King**

The Chairman reported receipt of the above mentioned motion from Councillors Magnus Macdonald and Gordon King.

Accordingly, Councillor Magnus Macdonald moved the following motion which was duly seconded by Cllr Gordon King:

'Council recognises the progress that has been made by service providers to introduce Smart Card technologies on public transport across the region.

Council further recognises the potential cost savings that can be achieved through the adoption of such schemes as well as the considerable improvements in customer experience that can result.

Council notes the benefits of integrating such schemes, thus better facilitating residents being able to travel with ease, and further notes that where such schemes are integrated with associated transport schemes, such as car parking and other council services, additional savings and improvements for residents can be achieved.

Council therefore requests that the Administration work with Officers and partners to develop a 'One Card for Wiltshire' scheme that would enable a resident to use a single payment card to pay for both public transport and car parking across the county. Additionally Council requests that the possibility of adding the ability to pay for other council services should be investigated.

Council recognises that there is work being undertaken on a regional basis and that any such scheme will have to be phased in, but requests the Administration to ensure that future developments on use of Smart Cards in the county should focus on delivery of 'One Card for Wiltshire'

Cllr Macdonald took the opportunity to promote his motion to Council. He considered that this should be seen as the start of a process for this Council to use the technology now available to improve travel payment arrangements for the people of Wiltshire. He commented that a number of other authorities were also actively investigating such a move and in time such arrangements could be as firmly established here as the Oyster card was in London.

The Chairman moved that this motion be referred to the Leader without debate and this was duly seconded and on being put to the vote, it was

Resolved:

That motion No. 10 – One Card for Transport in Wiltshire be referred to the Leader for appropriate action without debate.

ε No. 11 - Fire Authority Merger - Councillors Jeff Osborn and Terry Chivers

The Chairman reported receipt of the above mentioned motion from Councillors Jeff Osborn and Terry Chivers.

Accordingly, Councillor Jeff Osborn moved the following motion which was duly seconded by Cllr Terry Chivers:

‘Recognising the dire financial circumstances facing the Wiltshire and Swindon Combined Fire Authority and the need to maintain a viable fire and rescue service for our residents; this Council declares its support for a merger between Wiltshire and Swindon CFA and Dorset CFA.’

Cllr Jeff Osborn in promoting his motion to Council urged the Council to support the merger. He considered that should the merger not take place, it would result in fire station closures and would have a detrimental impact on front line services.

Cllr Stuart Wheeler, Cabinet member for Hubs, Heritage & Arts, Governance and Support Services responded to the motion. Cllr Wheeler considered that the Council should wait for full details of what was being proposed before giving its view. He therefore proposed the following amendment:

‘This council understands the financial challenges the Wiltshire and Swindon Combined Fire Authority, as with all other public services, needs to address, but urges the Fire Authority to consider all options to address those challenges. To this end this council will consider the matter fully at its next meeting on 21 October 2014 when further information on all the options is available, including the views of the residents of Wiltshire, before formally giving its response to the Fire Authority as part of the consultation process’.

Having been moved by the Chairman and seconded and being put to the vote, it was

Resolved:

That the motion be debated.

The Chairman invited Group Leaders to speak on the motion before opening the debate to other members.

The Leader agreed that all possible options on how savings could be achieved should be considered. Due to the squeeze on public sector financing, this was a reality being faced by all public sector organisations and where working in partnership was becoming more and more of a necessity. The Leader considered that the Council should await the release

of full details by the Fire Authority, examine the evidence on how savings could be achieved before it reached a conclusion.

Cllr Jon Hubbard agreed with the Leader's comments. He explained that without the facts being available, he had not yet been able to form an opinion on the merger. He therefore supported the amendment.

This meeting had been preceded by a brief presentation by Cllr Chris Devine in his capacity as Chairman of Wiltshire and Swindon Fire Authority. Cllr Devine explained the financial challenges facing the Fire Authority and the possible solutions to meet them which would all need to be examined in detail and would be the subject of a 14 week consultation period. A public consultation document would be made available detailing the three options under consideration. It was noted that the consultation period would close on 20 October a day before the next Council meeting on 21 October. Cllr Devine did however, assure Council that any views from that Council meeting would be included as part of the consultation feedback.

A number of members participated in the debate. Some members considered that a merger provided the only viable option to achieve the savings needed and therefore the Council should support the merger without any further delay. There was concern that any delay would have a detrimental impact on the quality and response times of the emergency fire service. Cllr Devine assured Council that there would be no threat to the fire service being able to respond to emergencies and that if necessary, financial reserves would be utilised.

A number of other members agreed with the thrust of the amendment, that the Council should be in possession of all the facts before giving its views.

On being put to the vote, the amendment as detailed above, was CARRIED and on being put to the vote as the substantive motion, it was also CARRIED, it was therefore,

Resolved:

That motion No. 11 – Fire Authority Merger be adopted as amended as follows:

This council understands the financial challenges the Wiltshire and Swindon Combined Fire Authority, as with all other public services, needs to address, but urges the Fire Authority to consider all options to address those challenges. To this end this council will consider the matter fully at its next meeting on 21 October 2014 when further information on all the options is available, including the views of the residents of Wiltshire, before formally giving its response to the Fire

Authority as part of the consultation process.

ε No. 12 - Youth Service - Councillors Jon Hubbard and Trevor Carbin

Public Participation

Cherry Riley and Alysha Green of Bradford on Avon addressed Council on this motion.

The Chairman reported receipt of the above mentioned motion from Councillors Jon Hubbard and Trevor Carbin.

Accordingly, Councillor Jon Hubbard moved the following motion which was duly seconded by Cllr Trevor Carbin:

'Council notes the reforms to the Integrated Youth Service outlined in the cabinet report of 15th May 2014.

Council recognises the plans for a more community led model, and supports the concept of communities having more control over identifying the best delivery model for provision of Positive Activities for Young People through the development of Local Youth Networks (LYN).

Council also notes that every Area Board will have a Community Youth Officer assigned who will work with community groups to develop the new offer and support the developing LYNs.

Council further notes that all youth provision in existing Youth Development Centres and street based youth work supported by the Integrated Youth Service will cease by 30th September 2014.

Council is concerned at the impact of these sudden changes on young people and Wiltshire's communities when the service closes.

Council recognises that when consulted on the changes Young People responded more than anything else that they valued the benefits of having professional youth workers to support them in personal development and decision making, especially the additional support available in times of personal crisis.

Council therefore requests the administration to use the £225,000 recently identified from senior staff savings to provide a transitional service for the next 18 months. This service could provide street based youth workers to work with existing and emerging community providers to support young people within their communities and ensure that the LYN's are voicing the needs of young people in the wider community including the villages.

This will also help to deliver positive activities requested by Young People and not activities imposed on Young People - thus responding to a key concern expressed by Young People during the consultation process.

Council believes that this transitional arrangement will help Area Boards and LYNs to ensure the new Young People's funding best meets the actual needs of Young People in communities; thus better enabling communities to work towards fulfilling the opportunities presented by the new operating model approved by Cabinet'.

Councillor Hubbard in presenting his motion to Council, explained that the motion was not in respect of the changes to the youth service already made by Cabinet as he acknowledged those decisions had already been made. His motion was in respect of the implementation of those decisions in respect of delivery of the service. He considered that the changes were being made too quickly and that the concept of youth work services being delivered whilst being a good approach, needed to be phased in gradually. He commented that communities would need time to train and support those engaged to deliver the service and he considered that making the changes this quickly was a high risk approach which left no room for manoeuvre should things not go according to plan.

Councillor Laura Mayes, Cabinet member for Children's Services responded to the motion. She expressed her disappointment with the motion which seemed to pre-suppose there were additional monies available to continue to fund the service in the way it had been delivered. She considered that children did not like change and uncertainty and the decisions over the future delivery of the youth services had been reached following extensive consultation with the youth of the County. Due to financial constraints, a change to the service was inevitable and children had agreed to work with the Council to arrive at a workable solution. She urged Council to reject the motion to allow implementation of Cabinet's previous decisions.

Having been moved by the Chairman and seconded and being put to the vote, it was

Resolved:

That the motion be debated.

The Chairman invited Group Leaders to speak on the motion before opening the debate to other members.

The Leader also confirmed that the additional monies needed to delivery the service with no changes simply did not exist. She was also dismayed at the motion having been put forward by Councillor Hubbard, who she said had also voted for the now approved budget. She was disappointed that this

issue should be used as a political tool.

Councillor Ernie Clark considered that the motion if approved would at least provide transitional arrangements pending full implementation of the new scheme.

Councillor Dick Tonge, speaking as Cabinet member for Finance also confirmed the budgetary position and expressed his alarm at a motion that sought to provide additional funding which simply did not exist.

A lengthy discussion ensued, during which a number of points were made. Reference was made the role of Area Boards and how they could tailor delivery of the service to meet their own particular needs. A view was expressed that the Council could find the additional monies needed if it wanted to and that the service could be supported in other ways, not necessarily financial. In response to a question from Councillor Jeff Osborn, Councillor John Thomson confirmed that Court Street, Trowbridge was not currently being sold.

The motion was then put to the vote and LOST and it was therefore

Resolved:

That motion number 12 – Youth Service be NOT adopted.

Recorded Vote

A recorded vote having been requested by the requisite number of Councillors, the voting was recorded as follows:

For the motion (30)

Councillors Desna Allen, Glenis Ansell, Pat Aves, Nick Blakemore, Trevor Carbin, Chris Caswill, Terry Chivers, Ernie Clark, Brian Dalton, Dennis Drewett, Peter Edge, Nick Fogg, Jon Hubbard, Chris Hurst, George Jeans Bob Jones, Simon Killane, Gordon King, Howard Marshall, Magnus Macdonald, Ian McLennan, Steve Oldrieve, Helen Osborn, Jeff Osborn, David Pollitt, Ricky Rogers, Ian Thorn, John Walsh, Nick Watts, Ian West,

Against the motion (49)

Councillors Chuck Berry, Richard Britton, Allison Bucknell, Mark Connolly, Christine Crisp, Christopher Devine, Andrew Davis, Fleur de Rhé-Philippe, Stewart Dobson, Tony Deane, Peter Evans, Sue Evans, Richard Gamble, Jose Green, Howard Greenman, Molly Groom, Mike Hewitt, Alan Hill, Charles Howard, Keith Humphries, Peter Hutton, Julian Johnson, John Knight, Jerry Kunkler, Alan MacRae, Laura Mayes, Jemima Milton,

Christopher Newbury, John Noeken, Paul Oatway, Sheila Parker, Graham Payne, Nina Phillips, Leo Randall, Jane Scott OBE, Jonathon Seed, James Sheppard, Toby Sturgis, John Thomson, Dick Tonge, Tony Trotman, Bridget Wayman, Fred Westmoreland, Philip Whalley, Stuart Wheeler, Roy White, Philip Whitehead, Jerry Wickham and Christopher Williams.

Abstentions (2)

Councillors Liz Bryant and Pip Ridout

Meeting Adjourned

The meeting adjourned for lunch at this point, 2.20pm and reconvened at 3.05pm.

ε No. 13 - Improvements to Junction 16 - Councillors Mollie Groom and Ricky Rogers

The Chairman reported receipt of the above mentioned motion from Councillors Mollie Groom and Ricky Rogers.

Accordingly, Councillor Mollie Groom moved the following motion which was duly seconded by Ricky Rogers:

'That Wiltshire Council has failed to consult on or consider fully the impacts that improvements to Junction 16 will have on Wiltshire's environment and people and I request that:

- a) *Junction 16 improvements are put on hold until the impacts are consulted on and considered, and*
- b) *effective public transport improvements for the Wootton Bassett to Swindon corridor are sought urgently, including rail, with the opening of Wootton Bassett station and one at Mannington, and that the cycle path is brought forward from the present schedule of 2021 to 2015'.*

Councillor Mollie Groom presented her motion, explaining the history of the issue and urging Council to support her motion.

Councillor Fleur de Rhé-Philippe, Cabinet member for Economic Development, Skills and Strategic Transport responded to the motion. She explained that the motion even if adopted would not be able to change anything. She referred to Swindon Borough Council discharging of condition 99. She added that had this Council continued with its objection, it would not be engaged in the process. By remaining engaged, this Council would do all it could possibly to secure as good an outcome as possible. She emphasised that this was very important for the economy of north Wiltshire.

Having been moved by the Chairman and seconded and being put to the vote, it was

Resolved:

That the motion be debated.

The Chairman invited Group Leaders to speak on the motion before opening the debate to other members.

The Leader supported the views as put forward by Councillor Fleur de Rhé-Philippe. She considered that the Council had done all it could in originally objecting in 2007. However, following unsuccessful judicial review proceedings by others, it was clear there was no point in pursuing the matter any further.

Councillor Jon Hubbard pointed out that as this was an executive matter, Council would not be able to adopt the motion even if it was minded to. The Chairman agreed but pointed out that if Council were minded, it could refer the matter back to Cabinet for reconsideration. The Leader explained that whilst she would refer to Cabinet should Council so request, in her opinion there was no new evidence to present to Cabinet. Ian Gibbons, Monitoring Officer advised Council confirmed the process over any referral to Cabinet.

Following debate, it was

Resolved:

That Motion Number 13 – Improvements to Junction 16 be NOT adopted.

55 Constitutional Changes Recommended by the Standards Committee

Councillor Julian Johnson, Chairman of the Standards Committee presented a report which requested Council to consider proposed changes to Part 3 (Scheme of Delegation) of the Constitution which included the transfer of the Police and Crime Panel Procedure Rules and Panel Arrangements from Part 3 to a new Protocol. The changes had been considered and recommended by the Standards Committee at its meeting on 9 July 2014. Details of the changes being proposed including as tracked changed documents were presented along with the relevant extract of the Standards Committee minutes.

Councillor Stuart Wheeler, Cabinet member for Hubs, Heritage & Arts, Governance and Support Services explained that a briefing for members had been held on 24 July to explain the proposed changes in detail and provide an

opportunity for members to ask questions. He commended the proposed changes.

Following debate, it was

Resolved:

To approve the proposed changes to Part 3 of the Constitution, including the transfer of the Police and Crime Panel Arrangements to a new Protocol subject to the following changes:

- **That Paragraphs 4.9 – 4.9.8 in respect of the election of chairmen and vice-chairmen of Area Boards be referred back to the Standards Committee via the Focus Group on the Constitution for further consideration and reported back to Council. This is to particularly address the scenario where the outgoing chairman and vice-chairman are standing for election as chairman. The changes as proposed be approved pending further reconsideration.**
- **That paragraph 4.10 in respect of Cabinet representation on Area Boards be referred back to the Standards Committee via the Focus Group on the Constitution and reported back to Council to clarify the position on the attendance of Cabinet members where they are not standing members in their own right. That the status quo position as presented remains in the meantime.**
- **At paragraph 6 – Health and Wellbeing Board**
For clarity, 2nd bullet point replace
‘Wiltshire Council Cabinet representatives with responsibility for Children, Adults and Public Health’
with ‘The Leader of the council and 2 Wiltshire Council Cabinet Members with responsibility for Children, Adults and Public Health’.
- **For clarity, 3rd bullet point replace ‘1 Member of the Opposition representative’ with ‘one member who is not a member of the ruling group(s) on the council.’**

56 Annual Report on Treasury Management 2013/14

With the Chairman’s permission, Councillor Dick Tonge, Cabinet member for Finance, Performance, Risk, Procurement and Welfare Reform presented The Annual Report on Treasury Management for Council’s consideration. Councillor Tonge guided Council through the document and answered members’

questions. A similar report had been considered and agreed by Cabinet at its meeting on 17 June 2014.

Resolved:

To note:

- a) **Prudential Indicators, Treasury Indicators and other treasury management strategies set for 2013-14 against actual positions resulting from actions within the year as detailed in Appendix A of the report presented; and**
- b) **investments during the year in the context of the Annual Investment Strategy as detailed in Appendix B of the report presented.**

57 **Adoption of Legislation and Byelaws in Relation to Cosmetic Piercing and Skin Colouring**

With the Chairman's permission, Councillor Keith Humphries, Cabinet member for Public Health, Protection Services, Adult Care and Housing presented a report which asked Council to approve the re-adoption of sections 14 – 17 of the Local Government (Miscellaneous Provisions) Act 1982 and for the making of new byelaws to regulate premises carrying out various skin piercing activities.

These measures would allow the Council to regulate the cleanliness and hygienic practices of premises on which skin-piercing businesses are operating. The Byelaws had been considered and recommended by the Licensing Committee on 2 June 2014.

Councillor Pip Ridout, Chairman of the Licensing Committee confirmed that the proposals had been considered fully by the Licensing Committee.

Resolved:

That Council:

- a) **formally re-adopt the provisions of sections 14 to 17 of the Local Government (Miscellaneous Provisions) Act 1982, providing for the regulation of premises conducting acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis, to come into effect on 1st October 2014;**
- b) **agree to make a consolidated set of byelaws for the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis, as set out in the model byelaws attached as Appendix 1 to report as presented, for submission to the Secretary of State for Health for confirmation, following the**

completion of the process to re-adopt the relevant sections of the 1982 Act and

- c) agree that the current byelaws relating to cosmetic piercing and semi-permanent skin colouring, which had previously been made by the predecessor district councils, as set out in the table in paragraph 6. of the proposed new byelaws, be revoked on the confirmation of the new model byelaws.

58 Review of Proportionality and Allocation of Seats on Committees to Political Groups

The Chairman confirmed that following changes in the number of seats held by individual political groups on the Council, a request had been received from the Leader of the Independent group for a review of the allocation of seats to political groups.

Accordingly, a report reviewing the allocation of seats on committees to political groups was presented for Council's consideration.

It was noted that the political composition of the Council now stood at:

Name of Group	No. of Councillors in Group
Conservative	59
Liberal Democrat	23
Independent	11
Labour	4
Ungrouped Member	1

Following consultation with the affected group leaders, a proposed draft scheme of committee places was presented. The net effect of the change in political group sizes is that the Independent Group gain one seat and the Liberal Democrat Group lose one seat.

Resolved:

- (a) To note this report and the legal requirements.
- (b) To confirm the aggregate number and the draft scheme of committee places available to members of the Council as set out in Appendix B.

59 Membership of Committees

The Chairman invited Group Leaders to present any requests for changes to

committee membership in accordance with the allocation of seats to political groups previously approved by Council.

Following requests made, it was

Resolved:

That Council approve the following membership changes:

Environmental Select Committee

Councillor Mollie Groom off – Councillor Tony Trotman on

Staffing Policy

Councillor Graham Wright now as an independent member
Add Councillor Ernie Clark and Councillor Jeff Osborn as substitutes.

Strategic Planning

Councillor Graham Wright – now an independent substitutes
Add Councillor Trevor Carbin

Southern Area Planning

Councillor Graham Wright now as independent substitutes
Add Councillor Trevor Carbin as substitutes

Appeals

Remove Councillor Graham Wright as substitutes
Add Councillor Gordon King as Sub

Overview and Scrutiny Management

Remove Councillor Mark Packard as Full Member
Add Councillor Peter Edge as Full Member
Add Councillor Mark Packard as Substitute
Remove Councillor Trevor Carbin as Substitute

60 Minutes of Cabinet and Committees

The Chairman moved that Council receive and note the following minutes as listed in the separate Minutes Book and this was duly seconded by the Vice-Chairman:

Cabinet 2014	15 May 20 May, 17 June, 22 July
Cabinet Capital Assets Committee	20 May, 22 July 2014
Cabinet Transformation Committee	17 June 2014
Overview and Scrutiny Management Committee	8 July 2014
Children's Select Committee	29 April 2014

Children's Select Committee	3 June 2014
Health Select Committee	6 May 2014
Health Select Committee	15 July 2014
Environment Select Committee	10 June 2014
Licensing Committee	28 April, 2 June 2014
Northern Area Planning Committee	14 May, 4 June, 25 June 2014
Eastern Area Planning Committee	5 June 2014
Southern Area Planning Committee	1 May, 22 May, 12 June 2014
Western Area Planning Committee 2014	30 April, 21 May, 11 June, 2 July
Strategic Planning Committee	16 April, 14 May, 18 June 2014
Standards Committee	9 July 2014
Audit Committee	24 June 2014
Officer Appointments Committee	25 June 2014
Staffing Policy Committee	7 May, 9 July 2014
Wiltshire Health and Wellbeing Board	20 March, 22 May 2014
Wiltshire Pension Fund Committee	5 June 2014
Wiltshire Police and Crime Panel	11 June 2014
Wiltshire and Swindon Fire Authority	12 June 2014

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

Strategic Planning Committee

Councillor Andrew Davis, Chairman of the Committee reminded members of the Committee scheduled for 30 July 2014 which would include consideration of the Army Basing Masterplan.

Audit Committee

Councillor Caswill asked the Chairman of the Committee if he was satisfied with the performance of the audit. Councillor Tony Deane, Chairman confirmed that generally, he was satisfied and that a few minor concerns were currently being addressed.

Councillor Caswill questioned why the Council still seemed to be experiencing problems with the SAP system so long after its introduction. Councillor Tony Deane explained that use of the system was evolving which brought about some minor problems which were being addressed.

Councillor Terry Chivers withdrew his question to the Chairman of the Fire Authority.

Resolved:

That the above mentioned minutes be received and noted.

61 Councillors' Questions

The Chairman reported receipt of questions from Councillors Terry Chivers, Trevor Carbin, Ernie Clark, Chris Caswill, Ian West, Simon Killane And Bob Jones, details of which were circulated in Agenda Supplement No. 1 together with responses from the relevant Cabinet member. Details of questions and responses are attached as Appendix 3 to these minutes.

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

Appendices

Appendix A - Public Questions

Appendix B - Schedule of Committee Place

Appendix C - Councillors' Questions

(Duration of meeting: 10.45 am - 4.25 pm)

The Officer who has produced these minutes is Yamina Rhouati, of Democratic & Members' Services, direct line 01225 718024, e-mail

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

Wiltshire Council

Council

29 July 2014

Item 5 - Public Participation

From Mr Geoff Yates

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

Question 1

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

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

Response

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

Question 2

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

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

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

Response

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

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

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

Wiltshire Council

Council

29 July 2014

Item 5 - Public Participation

From Mrs Veronica Stubbings

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

Question 3

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

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

Response

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

Wiltshire Council

Council

29 July 2014

Item 5 - Public Participation

From Mrs Charmian Spickernell, CPRE

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

Question 4

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

Response

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

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

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

Question 5

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

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

Response

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

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

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

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SCHEDULE OF COMMITTEE PLACES

Committee	Total Number of Places for Elected Members	Conservative Group Allocation (59 seats)	Liberal Democrat Group Allocation (23 seats)	Labour Group Allocation (4 seats)	Independent Group Allocation (11 seats)	UKIP (1 seat)
Strategic Planning	11	7	3	-	1	-
Area Planning Committees						
North	11	7	3	-	1	-
South	11	6	2	2	1	-
East	8	7	-	-	1	-
West	11	7	2	-	2	-
Licensing	12	7	3	-	2	-
Overview and Scrutiny Management	15	8	4	1	2	-
Children's Select	13	8	3	1	1	-
Environment Select	13	7	4	1	1	-
Health Select	13	7	3	1	2	-
Standards	11	7	3	-	1	-
Police and Crime Panel	7	4	2	-	1	-
Audit	11	6	3	-	1	1
Appeals	8	5	2	1	-	-
Staffing Policy	9	5	2	-	1	1
Officer Appointments	5	3	1	-	1	-
Pension Fund	5	4	1	-	-	-
TOTALS:	174	105	41	7	19	2

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Wiltshire Council

Council

29 July 2014

Item 14 - Public Participation

From Cllr Terry Chivers, Melksham Without North Division

To Cllr Jane Scott OBE, Leader of the Council

Question 1

On Friday May 17th I was in attendance at the Civic Centre Trowbridge at the time you gave a briefing to Wiltshire Council staff. I was disappointed to see so many staff waking out in disgust when being told they are going to have to suffer even more cut backs and savings.

Is it still your opinion that we still don't have a staff morale problem?

Response

I would like to refute any suggestion that the council has a staff morale problem.

Cllr Chivers is referred to the report and minutes of the staffing Policy Committee meeting in November 2013. The minutes record that the committee was pleased to note that despite the lengthy periods of change that had been taking place, employee engagement had improved with the information suggesting that employees were more engaged with the Council now than when monitoring began in 2011 resolving as follows:

- 1) *To note the contents of the report.*
- 2) *To note that the analysis of all the available data showed that concerns about staff morale could not be substantiated.*
- 3) *To conclude that all of the available data suggested that, despite the changes that had been taking place and the challenges being faced, employees were engaged.*

I would also like to remind Cllr Chivers that in January of this year Cabinet was provided with a summary of the feedback received from the Local Government Association following the Corporate Peer Challenge. The Corporate Peer Team stated that one of the key strengths and important building blocks in continuing the council's transformation journey and mastering the financial challenges ahead was that they found a highly engaged workforce with a real sense of pride in the organisation stating that Staff consistently commented that they were proud to work for the Council.

It is therefore inappropriate for Cllr Chivers to be making suggestions of this nature when there is clearly no sound evidence to support it. Cllr Chivers also needs to recognise that by raising unsubstantiated issues of this nature in itself will affect morale in a negative way which is unacceptable. Cllr Chivers has been advised that if he has concerns about operational matters of this nature he should take these up with directly the Corporate Directors and despite being actively encouraged to do so has chosen not to.

The monitoring of the data available has continued since then and the most recent analysis of the data, based on the information available on 31 March 2014, showed that levels of sickness had dropped when compared to the same period in the previous year, and there had been a slight increase in voluntary turnover (0.3%). There have been no spikes in any of the data to indicate that staff engagement has reduced.

Question 2

How many disabled parking spaces are there at County Hall?

Response

County Hall (Main)

22 spaces for mobility impaired members of staff
9 spaces for mobility impaired visitors to the council

County Hall (East Wing)

2 spaces for mobility impaired drivers

County Hall (Chapman's)

4 spaces for mobility impaired drivers

Total number of spaces for mobility impaired drivers for the entire complex = 37

Item 14 - Public Participation

From Cllr Terry Chivers, Melksham Without North Division

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

Question 3

Does Wiltshire Council have any plans to introduce a doorstep food waste collection service? If so when, if not, why not?

Response

Wiltshire Council has no immediate plans to provide a food waste collection for residents of Wiltshire. The primary considerations are the significant cost that the council would incur in providing such a service (both in initial capital outlay, and annual revenue costs), combined with the fact that we have recently increased the county recycling rate following the successful implementation of new waste and recycling collection services across the county.

In addition to these increases in recycling, 110,000 tonnes of Wiltshire's household waste is now diverted from landfill using alternative treatment technologies. 50,000 tonnes per annum goes to produce energy at the Lakeside Energy from Waste plant in Slough, and now 60,000 tonnes per annum is treated at the new Mechanical Biological Treatment (MBT) facility in Westbury, where it's volume is significantly reduced and a fuel is produced.

Both of these initiatives, combined with ongoing efforts to recycle household waste, have seen the amount of waste landfilled fall to 26.7% of all municipal waste collected. Our target is to reduce this to 25% for 2014/15.

At this time, therefore, we feel that the introduction of a separate collection of food waste would place an additional and unnecessary financial burden on council tax payers when we are making good progress towards achieving recycling and landfill diversion targets.

The council has chosen to focus on food waste reduction to date. The latest research published by WRAP (Waste and Resources Action Programme) found that the average household wasted £700 per year on food and drink which was thrown away. This impacts on the council due to the need to collect and manage this waste as well as impacting on greenhouse gas emissions. The council provides advice on reducing food waste and subsidises food waste digesters which compost all types of waste food.

We shall however keep this under review, and consider the opportunities again once new collection arrangements are in place post-2017. We also note with interest that there is increasing speculation that more challenging recycling targets for local authorities could be on the way, and the potential remains for 'landfill bans' on certain materials, including food and other bio-degradable matter (items such as batteries, tyres and plasterboard are currently already regarded as unsuitable for landfill disposal). However, a food waste collection system should be implemented when required in order to deal with potential new challenges, rather than at present when current services are achieving their objectives.

Item 14 - Public Participation

From Cllr Trevor Carbin, Holt and Staverton Division

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

Question 4

Last November a members' briefing note gave a list of solar farms going through the planning process. Would it be possible to provide an updated version of the list?

Response

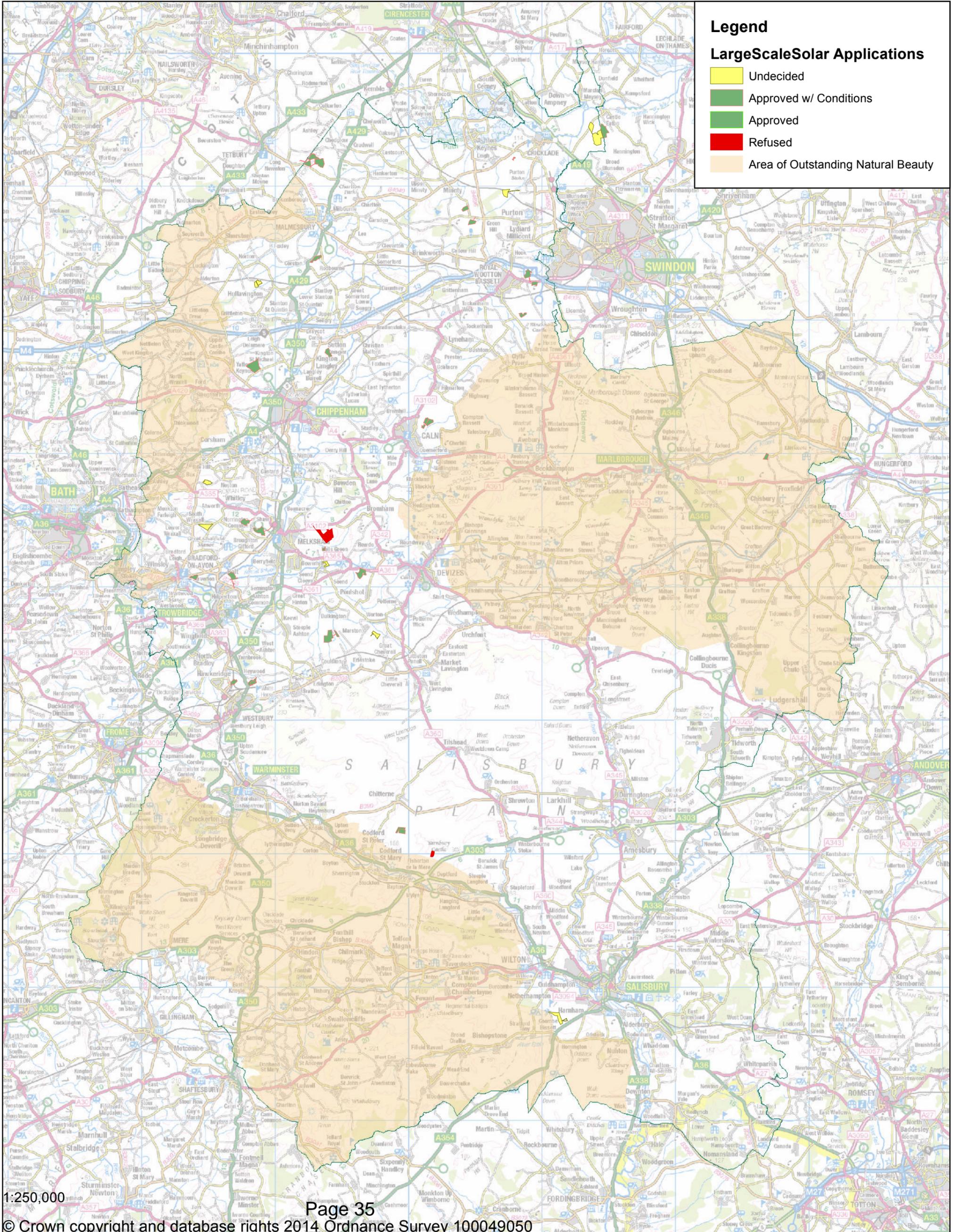
The updated position with Solar Farm applications is as shown below and with a map attachment.

STATUS OF SOLAR FARMS (>1MW)

(Source: planning database)

Reference	Site Address	Capacity (MW)	Area (ha)	Decision
N/11/00003/FUL	Lake Farm, Draycot Cerne, Sutton Benger, Wiltshire SN15 4SQ	5.00	17.44	Permitted
W/11/01064/FUL	Land South And East Of The Cemetery, Holt Road, Bradford On Avon, Wiltshire	5.00	14.35	Permitted
N/11/01081/FUL	Upper Marsh Farm, Brokenborough, Malmesbury, Wiltshire, SN16 9SR	5.00	14.31	Permitted
N/11/01683/FUL	Newnton Dairy Farm, Brokenborough, Malmesbury, Wiltshire SN16 9SR	0.30	0.89	Permitted
W/12/00467/FUL	Land North Of Craysmarsh Farm, Bowerhill Lane, Bowerhill, Wiltshire	1.50	4.73	Permitted
E/2012/0946/FUL	Land at Rudge Manor Farm Rudge Marlborough SN8 2HN	7.00	11.80	Permitted
N/12/01122/FUL	Rodbourne Rail Farm, Grange Lane, Corston, Malmesbury, Wiltshire, SN16 0ES	5.00	17.19	Permitted
W/12/01213/REM	Land North Of Craysmarsh Farm, Bowerhill Lane, Bowerhill, Wiltshire	1.50	0.00	Pending
W/12/02072/FUL	Land West Of 198, Norrington Lane, Broughton Gifford, Wiltshire	12.30	22.52	Permitted
W/12/02081/FUL	Land Adjacent Sewage Treatment Works, Slag Lane, Westbury, Wiltshire	6.10	12.55	Permitted
N/12/02104/FUL	Long Newnton Airfield Brokenborough Malmesbury Wiltshire SN16 9SR	12.00	34.31	Permitted
W/12/02216/FUL	Land North East Of Codford Dairy East Farm, Church Lane, Codford, Wiltshire	7.50	14.13	Permitted
N/12/03968/FUL	Land at Chelworth Industrial Estate, Braydon Lane, Nr Cricklade, Wiltshire	1.00	2.22	Permitted
N/12/04169/FUL	High Penn Farm, Calne, Wiltshire, SN11 8TE	12.00	30.38	Permitted
N/13/00520/FUL	Rodbourne Rail Farm, Grange Lane, Corston, SN16 0ES	0.00	0.02	Permitted

N/13/00623/FUL	Braydon Fields Farm, Braydon, Wiltshire, SN5 0AG	0.25	12.62	Permitted
13/00699/FUL	Land north of Deptford Farm Wylve Warminster Wiltshire	7.50	11.46	Refused
13/00984/FUL	Land to the North of Hopton Industrial Estate	1.30	2.87	Permitted
N/13/01311/FUL	Battens Farm, Allington, Chippenham, Wiltshire, SN14 6LT	11.00	56.40	Permitted
N/13/01495/FUL	Lane East & West of Hill Hayes Lane, Hullavington, Chippenham, Wiltshire	7.00	9.32	Permitted
N/13/01561/FUL	NEWTON DAIRY FARM, BROKENBOROUGH, MALMESBURY, WILTSHIRE	7.20	21.38	Permitted
N/13/01723/FUL	Braydon Manor Farm, Braydon, SN5 0AG	7.00	15.08	Permitted
13/01962/WCM	LAND SOUTH OF 40 Park Lane Heywood Wiltshire	3.50	20.59	Permitted
13/02191/FUL	Spittleborough Farm Swindon Road Lydiard Tregoze Royal Wootton Bassett Wiltshire SN4 8ET	10.00	23.91	Permitted
13/02309/FUL	Stokes Marsh Farm Coulston Westbury Wilts BA13 4NZ	16.60	50.30	Permitted
13/04055/FUL	Land East of Manor Farm Wadswick Box Corsham Wiltshire SN13 8JB	9.60	14.67	Refused
13/04872/FUL	Land at Bentham Farm Bentham Lane Bentham Purton Swindon Wiltshire SN5 4JB	8.00	21.75	Pending
13/05001/FUL	East Farm Office East Farm Codford Warminster Wiltshire BA12 OSJ	6.00	12.20	Permitted
13/05244/FUL	Lodge Farm Poulshot Road Poulshot Devizes Wiltshire SN10 1RQ	16.00	32.81	Permitted
13/06022/FUL	Land to the north of Eastwell Manor Eastwell Road Potterne Devizes SN10 5QG	1.00	0.02	Permitted
13/06140/FUL	Land at Snarlton Farm Snarlton Lane Melksham Wilts SN12 7QP	44.20	76.41	Refused
13/06336/FUL	Land to the west of Bake Farm Buildings Salisbury Road Coombe Bissett Salisbury SP5 4JT	16.07	29.21	Pending
13/06707/FUL	Land South East Of Leechpool Farm Norrington Lane Broughton Gifford Wiltshire	13.00	30.50	Permitted
13/07071/FUL	Goldborough Farm Goldborough Broad Town Swindon SN4 7QX	5.00	11.44	Permitted
14/00592/FUL	Land North Of Marsh Farm Marsh Road Hilperton Marsh Wiltshire	10.10	23.42	Permitted
14/02273/FUL	Lower End Farm Long Street Marston Devizes SN10 5SL	4.90	13.65	Pending
14/02508/FUL	Wickfield Farm Royal Wootton Bassett Swindon SN4 8QR	5.00	10.60	Permitted
14/03084/FUL	Land East of Manor Farm Wadswick Box Corsham Wiltshire SN13 8JB	6.30	15.06	Pending
14/03736/FUL	Land to the east of Bollands Hill and North of The Kennet and Avon Canal, Seend	4.00	9.40	Pending
14/04326/FUL	Land at Water Eaton Farm Latton SN6 6JT	30.00	76.91	Pending
14/05253/FUL	Land West Of Ganbrook Farm Little Chalfield Wiltshire	12.00	23.50	Pending



Item 14 - Public Participation

From Cllr Ernie Clark, Hilperton Division

To Councillor Jane Scott OBE, Leader of the Council

Question 5

It is reported that Wiltshire Council employs 287 staff on 'zero hours' contracts. These contracts are a disgrace for any forward-looking 21st century institution. What action does the Leader intend to take to bring this practice to an end?

Response

Owing to the nature of the question, the Leader has referred drafting of the response to the Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)

The council uses variable hours employment contracts where the requirement for staff is based on demand and the type of service being delivered, and allows flexibility in working patterns for the employee as well as the council. A variable hours contract means that the employee is not contracted to work a fixed number of hours, instead they are paid based on claiming for the hours that they work, and for the council this is what has been referred to as zero hours contracts.

A majority of the staff on these contracts are employed in the council's leisure centres, and in the main are employed in roles providing coaching for swimming and delivering or supporting exercise classes and other leisure activities. The use of variable hours contracts means that the employees have a choice about the hours they work for the council based on other work commitments that they may have, and allows the service to plan in response to the changing demands of its customers. Unlike many other councils Wiltshire still has a significant amount of leisure services in house, hence the comparably high number of staff employed on this basis.

The use of casual staff on zero hours arrangements in these type of roles is common place with other providers of leisure services, and we are aware that in some cases up to 60% of the workforce of some providers are employed on this basis.

The council has worked hard to move its zero hours casual workers to variable hours employment contracts as this means that these employees now have the same employment rights, including terms and conditions of employment, as every other employee at the council which includes payment for sickness absence and holidays.

There are no plans for the council to cease its use of variable hours contracts.

Item 14 - Public Participation

From Cllr Terry Chivers, Melksham Without North Division

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

Question 6

It's interesting that Wiltshire Council are finding the money to sponsor Radio Programmes, on Commercial Radio across Wiltshire to promote Connecting Wiltshire. In the short advert its rightly encourages the use of all public transport including buses.

1. Is this the same buses that you have been axing across the County?
2. How much is this sponsorship costing.
3. Would you agree that this money could be better spent on supporting rural bus services cross the County?

Response

The radio adverts are paid for by the Local Sustainable Transport Fund – a grant provided by the government. This part of the funding is specifically for marketing transport related to the LSTF programme i.e. the new TransWilts rail service and access to rail stations.

We are not allowed to spend this money (or any other part of the LSTF funding) on supporting rural bus services. However, we have tried to use the LSTF marketing campaign to encourage patronage on all buses across the county, where the opportunity arises. As radio adverts target a wide geographical area, this was one of those opportunities. It is part of a bus campaign this summer which includes a free fortnight on the Bradford-on-Avon and Melksham Town buses – two supported bus services which access rail stations. Depending on how successful this campaign is, and whether there is further LSTF funding available, we may look at further free weeks on other supported bus services, so long as we can connect them to the LSTF programme.

LSTF funding has been used to pay for the new Melksham Rail Link bus, but this is because it is a new service. We are allowed to use the funding for new services (but not for existing ones unfortunately), and we are hoping that all the marketing work we are doing will make this link bus financially viable when the LSTF funding ceases.

Wiltshire Council

Council

29 July 2014

Item 14 - Public Participation

From Cllr Terry Chivers, Melksham Without North Division

To Cllr Jane Scott OBE, Leader of the Council

Question 7

It seems that Trading Standards has been privatised via the back door. With the consumer part of the service being passed to The C.A.B in Cumbria the public are now being told to ring 0345 4040504 which takes you to the Cumbria based call centre.

So with this in mind could I please have my questions answered which are?

1. When and why was the service transferred to the C.A.B
2. Who made the decision?
3. Why have members not been informed?
4. Where in the minutes can I find this decision?
5. What consultation took place with the public?

Response

A verbal answer will be provided at the meeting by the Cabinet Member for Public Health, Protection Services, Adult Care and Housing (excluding Strategic Housing).

Wiltshire Council

Council

29 July 2014

Item 14 - Public Participation

From Cllr Chris Caswill, Chippenham Monkton Division

To Cllr Jane Scott OBE, Leader of the Council

Question 8

- a. Has the Administration made provision for a capital contribution to a skate park in Chippenham?
- b. If so, how much? And
- c. If so, who made the decision?

Response

- a) The Council has identified funding for the skate park from the sale of the Bridge Centre and the land on which the existing skate park is located.
- b) The indicative budget identified is £275,000
- c) This was a delegated decision by officers negotiated as part of the relocation package of services associated with the disposal.

Item 14 - Public Participation

From Cllr Chris Caswill, Chippenham Monkton Division

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

Question 9

- a. The Chippenham CATG has allocated funds for three road safety projects in Monkton ward in Chippenham – on Lowden Hill, on Langley Road and on New Road. In each case Balfour Beatty carried out the road engineering work but the necessary electrical connections to complete the projects took (or is taking) many additional months. Does the Council's contract with Balfour Beatty not include a requirement for them to liaise effectively with SSE to have projects of this kind completed in partnership and on time?
- b. Do you accept that the failure of these two companies to work together can jeopardise public safety and reduce public confidence in the sub-contracting of this work to the private sector?

Response

The equipment and cables providing power to most of the county's street lights and illuminated signs are the responsibility of the electricity supply company which is generally SSE in Wiltshire. The legislation does not currently allow the Council's contractors to work on this equipment or make connections to it.

This can be a problem especially with regard to street lighting faults where SSE have 20 working days to respond, which is longer than we would wish. It is appreciated that power supplies to hospitals, residents and businesses are likely to take priority to some of the Council's work, especially when there have been storms or flooding.

The Council is working with Balfour Beatty Living Places to review processes to improve delivery of the Integrated Transport schemes, and this includes liaison with SSE. Whether the work is carried out by contractors or an in-house team, the vital connection work would still have to be carried out by SSE.

It is important that the electrical work is carried out correctly and to the required standard and in accordance with the legislation.

Wiltshire Council

Council

29 July 2014

Item 14 - Public Participation

From Cllr Chris Caswill, Chippenham Monkton Division

**To Councillor Keith Humphries, Cabinet Member for Public Health,
Protection Services, Adult Care and Housing (excluding Strategic Housing)**

Question 10

How many full time equivalent qualified social workers were directly employed by Wiltshire Council on:

- a. 1 January 2012?
- b. 1 January 2013?
- c. 1 January 2014?
- d. 1 July 2014?

Response

	FTE			
	1st January 2012	1st January 2013	1st January 2014	1st July 2014
All Social Workers	196.1	192.8	209.34	213.94
Adults Social Workers	101.4	97.3	88.5	94.2
Childrens Social Workers	94.7	95.5	120.84	119.74

These are all Full Time Equivalent figures and the 'All Social Workers' figure is combined adults and children's social worker figures.

Item 14 - Public Participation

From Cllr Chris Caswill, Chippenham Monkton Division

To Cllr Jane Scott OBE, Leader of the Council

Question 11

- a. Why has Wiltshire Council's planning system allowed so much out of town centre development and done so little to protect and enhance the town centre?
- b. Is this a result of decisions taken by the Conservative leadership of North Wiltshire District Council or of the priorities of the unitary administration which you lead?

Response

Owing to the nature of the question, the Leader referred the drafting of this response to the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste

Wiltshire Council in determining planning applications for retail development takes into consideration national as well as local planning policy. Current national policy, as set out in the National Planning Policy Framework (NPPF) requires that a sequential approach is taken to new retail developments, as follows:

"Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale." (paragraph 24).

This recognises that it is not always possible to locate all retail facilities within town centre locations and that it may be necessary to bring forward sites elsewhere to provide for the needs of the community.

The NPPF goes on to state that for edge and out of centre proposals that an impact assessment should be undertaken for proposals that are in excess of 2,500 square metres to determine whether there will be an adverse impact of the proposal on town centre viability. Within the emerging Wiltshire Core Strategy a lower threshold of 200

square metres is proposed, which will enable greater scrutiny of retail proposals than national policy.

In accordance with the NPPF, when an application fails to satisfy the sequential test or is likely to have significant adverse impact on the town centre including planned investment within it, it should be refused.

The Council implements the above national policy in its decision making, which will have contributed to the level of out of centre development. In the past the Council had the ability to also take into account the need for proposed retail development in terms of quantitative and qualitative need, which helped manage the level of out of centre retail growth. However, this test was removed from national policy some years ago.

This is not the result of the decisions taken by the Conservative leadership of North Wiltshire District Council nor the priorities of the Unitary administration. The decisions were made in accordance with The North Wiltshire Local Plan 2011, which was produced and adopted by the Liberal Democrat administration at North Wiltshire District Council in 2006 and more recently the NPPF para.24 set out above

Question 12

- a. Will the Wiltshire Council be making any representations on the Coalition Government's proposed change to the trespass law, through the Infrastructure Bill about to go through Parliament, which would allow fracking companies to drill under people's homes and land without permission?
- b. Has this Council yet issued any exploration licences for shale gas hydraulic fracturing? If so, how many and for where? If not, has it refused any? What are its future intentions on exploration licenses?
- c. Does this Council believe that the geology in Wiltshire is compatible with unconventional gas and oil extraction?
- d. Can the Council guarantee that the amounts of water required for the hydraulic fracturing process will not negatively impact on river levels and water resource in the County?
- e. Does the Council have a view on whether the County's road infrastructure could cope with the additional truck movements to and from well pads, both during exploration and full production?

Response

Owing to the nature of the question, the Leader referred the drafting of this response to the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste

The Council is not proposing to respond to the consultation regarding changes to simplify procedures for the exploration of shale and gas exploration to no longer require the permission of landowners to drill under their land.

The response to the Question from Councillor Jenkins provided to the Council meeting on 4 February 2014 sets out the background to how shale gas exploration is

regulated. This clarifies that the oil and gas licencing system is managed by the Department for Energy and Climate Change (DECC). In addition to the licence, planning permission from the Council as local planning authority is required. DECC has not granted any exploration or development licenses within Wiltshire and the Council has not received any request from potential developers to engage in preliminary discussions on matters relating to hydrocarbon development potential in Wiltshire.

The Council has not seen any evidence to indicate that the geology in Wiltshire is compatible with unconventional gas and oil extraction. The lack of developer interest would suggest that the potential for unconventional gas and oil extraction in Wiltshire is low.

Should planning applications for the various stages of fracking proposals be submitted, they will be considered in the light of the national planning policy framework (NPPF) and local development plan, which will enable impacts on the water environment and road infrastructure to be considered.

In terms of national policy, the NPPF requires that planning authorities to assess applications for all minerals developments, including conventional / unconventional hydrocarbon developments, to ensure that operations do not have unacceptable adverse impacts. In doing so, planning authorities are also advised to take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality.

Planning applications for each stage must be subject to consultation with the local community and relevant statutory consultation bodies - such as the Environment and Highways Agency before the local planning authority can make a decision. Consideration will be given to the impacts on the water environment as well as road infrastructure during the exploration and implementation phase of planning applications.

Shale gas wells, whether for exploration or production, are subject to the environmental impact assessment regime established by the Environmental Impact Assessment (EIA) Directive. The EIA Directive is transposed into English law through the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Under the Regulations, all deep drilling operations, including shale gas wells, will be screened by the local planning authority to assess whether they are likely to have any significant effects on the environment including water and transportation matters. Where significant effects are identified, an environmental statement will need to be submitted to the relevant planning authority before the planning application is consulted on and considered.

Wiltshire Council

Council

29 July 2014

Item 14 - Public Participation

From Cllr Ian West, Till and Wylve Valley Division

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

Question 13

Could the Cabinet Member re-assure me that Wiltshire Council will honour the Inspectors decision at the last Inquiry dated 16th November 2011 into By Way 12 at Stonehenge

Response

It is clear the council will continue to honour the inspectors decision at the last Inquiry into By Way 12 at Stonehenge. There are no immediate plans to close the byway. As part of the emerging management plan for the WHS, it is recognised that an appropriate system is needed to protect archaeology, safety and free movement around the site. If new evidence and changing circumstances around the WHS (e.g. closure of the A344, which has happened since the Public Inquiry) merited a review of the decision, then this would of course go through the proper due process. In the meantime the council will continue to honour the Inspectors decision at the last Inquiry into By Way 12 at Stonehenge.

Wiltshire Council

Council

29 July 2014

Item 14 - Public Participation

From Cllr Simon Killane, Malmesbury Division

To Cllr Jane Scott OBE, Leader of the Council

Question 14

Are councillors aware of recent events with the Malmesbury Neighbourhood Plan and the High Court approval of 180 houses on a site that was not recommended in the [Draft Plan](#) have exposed serious issues that government urgently needs to address. [I have written to Government Ministers](#) requesting that the take action to restore confidence in the policy of Neighbourhood Planning. Malmesbury is the first community in Wiltshire to reach "Examination Stage" and is likely to be the first to referendum.

Wiltshire Council, under your leadership, has supported and resourced our steering group to make the most of any opportunity to produce a robust, well evidence, community led plan that conforms to County and National planning policies. Wiltshire Council has helped us to try to deliver real local decision making to the people of the Malmesbury Neighbourhood. The Council has also helped us to set an example about what other Wiltshire Communities could achieve. I wish to thank you for the letter that you have sent. Your letter is one of many that are on their way to the ministers.

I call on all the other councillors in this chamber to act on our example and [write to the ministers](#) expressing their concerns about the delivery of the policy and requesting urgent improvements to make it work for the people of Wiltshire.

Response

Gleeson Developments Ltd were successful in their legal challenge and the decision issued by the Planning Inspectorate on 18 March 2013 for 180 dwellings at Malmesbury on land south of Filands will stand (Appeal Reference: APP/Y/3940/A/12/2183526/NWF). This is disappointing given the local community are actively preparing their Neighbourhood Plan to inform where growth should go at the town. Significant progress has been made with the Malmesbury Neighbourhood Plan since the 'land south of Filands' public inquiry took place early 2013 and examination is programmed for September 2014.

In addition to the Gleeson development, another appeal for 77 dwellings on land off Park Road, Malmesbury (Appeal Reference: APP/Y3940/A/13/2200503) is now before the Planning Inspectorate for determination and a decision is expected on or before 4 August 2014. Wiltshire Council hopes that the Inspectorate will give careful

consideration of the implications of the allowed Appeal (land south of Filands), in particular the impact it will have on the Town and the emerging Neighbourhood Plan.

Wiltshire Council

Council

29 July 2014

Item 14 - Public Participation

From Cllr Trevor Carbin, Holt and Staverton Division

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

Question 15

A year ago the cabinet member for highways announced that Wiltshire Council was to purge unnecessary signage to de-clutter our roads. How many signs have been removed to date as a result of this initiative?

Response

The offer to remove extraneous signs was directed through the Community Area Transport Groups (CATGs), who contacted parish and town councils to provide them with any requests. However take up has been low and only a few requests have been made. Active sign removal schemes are currently being progressed at Trowbridge, Melksham, Limpley Stoke, Corsham, Malmesbury, Warminster and Tollard Royal. As yet it is not possible to provide an exact figure of the number of individual signs being removed.

In addition to those locations requested by the CATG's the opportunity for sign consolidation and sign removal has been taken through the Safety Scheme programme. This includes the locations identified on the collision cluster site list and the route reviews on the A420 and A30.

Item 14 - Public Participation

From Cllr Bob Jones MBE, Cricklade and Latton Division

To Councillor Stuart Wheeler, Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)

Question 16

Please identify how many people have been/are employed in a PA role and what the total salary cost including on costs is for:

- 2009/10
- 2010/11
- 2011/12
- 2012/13
- 2013/14
- 2014/15 (current levels)

Response

Based on staff with the term "PA", "personal assistant" or "personal secretary" in their job title on SAP as at 1 April for each financial year. Note that figures shown below do not include vacant roles or roles filled with temporary agency cover.

Note that for 2009, 2010 and 2011 these figures do not include staff who undertook PA duties in services in roles with other titles (e.g. administrator).

Year	No. of employees	Salary plus on costs
2009-10	30	£760,456.46
2010-11	26	£694,692.56
2011-12	31	£780,750.74
2012-13	34	£838,729.44
2013-14	32	£809,571.79
2014-15	21	£507,493.49

Question 17

How many people were employed in a PA role and were subsequently made/given redundancy and what was the cost of these redundancies in:

- 2009/10
- 2010/11
- 2011/12
- 2012/13
- 2013/14

Response

VR costs for staff with the term “PA”, “personal assistant” or “personal secretary” in their job title on SAP.

Year	No of employees	Redundancy costs
2009-10	2	£72,425.60
2010-11	1	£16,507.60
2011-12	3	£14,654.11
2012-13	2	£23,924.66
2013-14	5	£67,412.05
Grand Total	13	£194,924.02

Question 18

Please identify all officer/member positions that have access to PA support and identify which officers/member have shared PA support and which have dedicated PA support. Where there are pooled support please identify the ratio of PAs to Officers (ie if the Corporate Directors share their PAs, then identify how many PAs support the CDs).

Response

Prior to 2011 each service area was responsible for their own PA support and staff providing this support were on a variety of different JEQ's and grades. In many areas there was overlap between administrative and PA roles.

In 2011 a review of PA support was undertaken to identify staff undertaking PA duties and to ensure greater consistency across the council. The outcome of the review was the provision of PA support to Service Directors and Heads of Service on a 1:3 ratio (1 full time PA to 3 full time managers) and to Corporate Directors on a 1:1 basis. In some cases service directors and heads of service chose to take a reduced ratio or not to have PA support in their areas.

In 2014 the decision was take only to provide PA support to Corporate Directors and Associate Directors. There is currently a PA review taking place. Once this is implemented there will be 1:1 PA support for the three Corporate Directors and 13 Associate Directors (in total 16fte PA posts). There will be no PA support for head of service level managers.

In 2014 the PA support to the Leader and Cabinet was reviewed. The ratios of PA support in the cabinet office remained the same (1 full time PA to the leader and two

full time PA's to cabinet – in total 3fte). In addition an apprenticeship role was created to provide opportunities for career development within both the cabinet and corporate PA group.

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