

## Wiltshire Council

### Council

29 September 2015

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#### **Statement and Question from Mr Lance Allan, Clerk to Trowbridge Town Council for Councillor Stuart Wheeler, Cabinet member for Hubs, Heritage and Arts, Governance, Support Services and Customer Care**

##### **Statement:**

For consideration as item 10 on the Wiltshire Council agenda today is the **Community Governance Review – Progress Report**, at paragraph 3.2 of the report it states as follows;

*Members should be aware that there are proposals (set out in Appendix C) which the CGR Working Party considered did not demonstrate sufficient community identity or local administrative factors to be put out for consultation. Those schemes are not currently out for consultation. However as the final decisions on the CGR rest with the Council, this is an opportunity for members to review that list and to express any views to the CGR Working Party.*

Wiltshire Councillors have important decisions to make regarding this Community Governance Review, similar to the decision they made earlier this year to adopt the Core Strategy for Wiltshire, decisions which will determine how the towns and villages of Wiltshire can grow into sustainable communities. Sustainable communities which will work with Wiltshire Council and other partners to deliver ONE WILTSHIRE, taking on additional assets and services, investing in infrastructure, supporting the establishment of health and well-being centres and developing vibrant town centres.

Some of the proposals *not currently out for consultation* have been proposed by Trowbridge Town Council and relate to areas which have been allocated in the Core Strategy as an Urban Extension and are now subject to planning applications, others are in areas where better natural boundaries such as canals, woodlands, rivers, business parks and new roads exist. There are therefore very clear community identity and local administrative factors which should persuade Wiltshire Councillors when reviewing that list that the CGR Working Party needs to arrange for the proposals contained in Appendix C to be subject to consultation, so that Wiltshire Councillors are able to make a final decision.

The CGR Working Party has delayed progress with a review in respect of the Chippenham area until completion of the Development Plan Document, but has so far refused to take account of the already adopted Core Strategy as a factor in respect of the Trowbridge area. The CGR Working Party has failed to provide any evidence, justification or reasoning why they have concluded that the proposals contained in Appendix C are not appropriate for public consultation.

Without public consultation, Wiltshire Councillors are being denied the opportunity to make important decisions.

### **Question 1**

Will the Council instead of; '*endorsing the steps taken by the working party to date*', as included in the recommendation at the end of the Community Governance Review – Progress Report, ask the Community Governance Review Working Party to; consult the public on all of the proposals made by Trowbridge Town Council and others set out in Appendix C, including those which relate to areas identified for development in the Core Strategy, so that Wiltshire Council has an opportunity to consider these proposals and make a decision at a later date?

### **Response**

The CGR Working Party have carefully considered all of the proposals put forward in accordance with the relevant legislation and guidance, in particular 'Guidance on Community Governance Reviews' published by the Department for Communities and Local Government (DCLG) and the Local Government Boundary Commission for England, which can be found at:

[https://www.google.co.uk/?gws\\_rd=ssl#q=guidance+on+community+governance+reviews](https://www.google.co.uk/?gws_rd=ssl#q=guidance+on+community+governance+reviews)

Section 3 of the above guidance sets out the criteria for undertaking a community governance review and the factors to be taken into consideration under section 93 Local Government and Public Involvement in Health Act 2007.

A community governance review (CGR) must reflect the identities and interests of the communities in that area and also facilitate effective and convenient local government. Consequently, a CGR must take into account the impact of community governance arrangements on community cohesion, and the size, population and boundaries of a local community or parish.

The Working Party applied these criteria in formulating their proposals for consultation. Whilst recognising that a CGR is not governed by planning legislation the Working Party took into consideration the Council's Core Strategy and areas of permitted rather than speculative development as relevant factors.

The Working Party are consulting on proposals or options that they consider best meet the relevant criteria. However, it is open to responders to the consultation to put forward any other views they may have about the review if they wish. These will be considered by the Working Party and reported to the Council in November. It will be for full Council to decide how to proceed in relation to each of the areas under review. Council may decide that there should be further consultation on alternative proposals. Nothing has been formally ruled out at this stage.

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**Question from Ms Jenny Raggett, Campaign for Better Transport**

**To Councillor Councillor Fleur de Rhé-Philipe, Cabinet Member for Economic Development, Skills and Transport**

**Question 2**

Campaign for Better Transport is listed on the Swindon and Wiltshire Local Nature Partnership web site as a stakeholder. Can you please tell us:

- (a) Whether the SW LEP Nature Partnership is still in any way active or has it been dismantled? What is its current status and activity?
- (b) If the Nature Partnership is not active then how are the environmental impacts of development including transport being scrutinized by the council and consulted on by organisations such as ourselves?

**Response**

- a) The Local Nature Partnership is still an active partnership. Wiltshire Wildlife Trust provides the secretariat for the Partnership. The Partnership website including contact details for the Trust may be found here: <http://www.link2nature.org.uk/> It is understood that 'Stakeholders of the Wider Partnership' listed on the website are organisations which have attended previous LNP forum events. The Board continues to meet, however there are currently no further forum events planned.
- b) The environmental impacts of development are scrutinised by a number of internal and external consultees, who advise the planning officers on a wide range of specialist environmental subjects as appropriate. All planning applications are also publicly accessible via our website<sup>[1]</sup>, where the public and wider organisations can comment on individual planning applications.

**Question 3**

Could you please explain the working arrangement with Wiltshire Council and WS Akins. Are they working on a contract basis, and if so for how much and for how long? Which council or SWLEP transport projects that they are involved in and what major project work are they being asked to do?

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<sup>[1]</sup> <http://planning.wiltshire.gov.uk/Northgate/PlanningExplorer/Home.aspx>

## **Response**

Atkins were awarded the Council's term Highways Consultancy Contract in 2012.

The contract period is five years, with possible extensions of up to two years subject to performance

The contract is based on a set of agreed rates – individual projects are priced accordingly.

Atkins provide technical support on a range of projects, ranging from the design of small transport improvements (such as pedestrian crossings, pedestrian/cycle schemes and local safety improvements) through to major highway improvements (such as the ongoing dualling of the A350 North West of Chippenham)

They also provide transport modelling support to help guide decisions on spatial planning and business case development to assist with funding bids to external bodies

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**Question from Mr Patrick Kinnersly, White Horse Alliance**

**To Councillor Fleur de Rhé-Philippe, Cabinet Member for Economic Development, Skills and Strategic Transport**

#### **Question 4 - Financing of Road Projects**

In relation to the **A350 Yarnbrook and West Ashton Relief Road (YWARR)**, can the Council confirm that the developer of Ashton Park has made a binding commitment to pay £11.594m towards the £17.094m cost of the road, that the Swindon and Wiltshire Local Enterprise Partnership (SWLEP) has formally undertaken to provide £5.5m through the Local Growth Fund and therefore that the Council will not at any point have to contribute to the cost of this road?

In view of uncertainties over the final construction costs of the **YWARR** and other major schemes listed in the table provided by the Council, notably the **Badger to Chequers component of the A350 dualling** and the **M4 J17 improvements** where developer and Council contributions are not known, will the Council please provide a 'worst-case' estimate of total liabilities that it would have to meet from Council budgets if all the listed schemes were to proceed to completion?

#### **Response**

The Council has made no provision to contribute to the scheme, other than to act as a conduit for the Local Growth Fund allocation secured by the Local Enterprise Partnership. Heads of terms for a legal agreement have yet to be decided, however the Council's working assumption is that the developer will bear the remainder of the scheme cost.

The preceding answer confirms that there is no financial liability for the Council in respect of the Yarnbrook/West Ashton scheme – the detailed extent and costing for the other two schemes have yet to be finalised.

#### **Question 5 - Staffing and Expertise in WC Transport Teams**

In its response to our question on this subject the Council produced what appeared to be a comprehensive list of Council and Atkins personnel and their qualifications. However we could not find any post listed for 'Director' or 'Head of Service' for Sustainable Transport. For the sake of completeness please could you confirm that this post still exists and provide the professional qualifications of the post-holder?

## Response

I confirm that the post exists.

Post	Professional Qualifications
Head of Service – Sustainable Transport	Member of Chartered Institute of Highways and Transport