

# SUMMONS

**Meeting:** Council  
**Place:** [Access Full Council meeting online here.](#)  
**Date:** Tuesday 21 July 2020  
**Time:** 10.30 am

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## **Recording and Broadcasting Information**

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## **Public Participation**

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

## PART I

Items to be considered while the meeting is open to the public

1 **Apologies**

To receive any apologies for absence.

2 **Minutes of Previous Meeting** (*Pages 7 - 34*)

To approve as a correct record and sign the minutes of the last meeting of Council held on 16 June 2020.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Announcements by the Chairman**

To receive any announcements through the Chair.

5 **Petitions**

5a) **Petitions Received** (*Pages 35 - 36*)

A petition will be presented to the meeting by Cllr Stewart Palmen.

5b) **Petitions Update** (*Pages 37 - 40*)

To receive an update on petitions.

6 **Public Participation**

The Council welcomes contributions from members of the public. During the ongoing Covid-19 situation the Council is operating revised procedures and the public are able participate in meetings online after registering with the officer named on this agenda, and in accordance with the deadlines below.

[Guidance on how to participate in this meeting online.](#)

Statements

Members of the public who wish to submit a statement in relation to an item on this agenda should submit this electronically to the officer named on this agenda **no later than 5pm on Thursday 16 July.**

State whom the statement is from (including if representing another person or organisation), state points clearly and be readable aloud in approximately 3 minutes. Up to three speakers are allowed for each item on the agenda.

Questions

Those wishing to ask questions are required to give notice of any such questions electronically to the officer named on the front of this agenda no later

than **5pm on 14 July 2020** in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than **5pm on 16 July**.

Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent. Details of any questions received will be circulated to members prior to the meeting and made available at the meeting and on the Council's website; they will be taken as read at the meeting.

## **BUDGET AND POLICY FRAMEWORK**

7 **Wiltshire Council's Response to the Climate Emergency (Carbon Reduction) and Business Plan Update** *(Pages 41 - 62)*

A report from the Chief Executive Officer.

8 **Statement of Community Involvement** *(Pages 63 - 122)*

A report from the Chief Executive Officer.

9 **Treasury Management Annual Outturn Report** *(Pages 123 - 146)*

A report from the Chief Executive Officer.

## **ANNUAL REPORTS AND COUNCIL UPDATES**

10 **Overview and Scrutiny Annual Report** *(Pages 147 - 152)*

To receive a report on Overview and Scrutiny activity.

## **ITEMS FOR COUNCIL**

11 **Designation of Statutory Functions** *(Pages 153 - 164)*

A report from the Chief Executive Officer.

12 **Proposed Changes to the Constitution** *(Pages 165 - 246)*

A report from the Monitoring Officer.

12a) **Part 3B Policy Framework, Wiltshire Pension Fund Committee and Electoral Review Committee Terms of Reference**

12b) **Part 15- Human Resources- Code of Conduct**

12c) **Protocol 2: Wiltshire Pension Fund Committee and Local Pension Board Terms of Reference**

## COUNCILLORS' MOTIONS

### 13 Notices of Motion

To consider the following notices of motions:

13a) **Notice of Motion No 21 -Walking and Cycling** (*Pages 247 - 248*)

To consider the attached motion from Cllr Brian Mathew and Ross Henning.

13b) **Notice of Motion No 22 - Wiltshire Air Ambulance** (*Pages 249 - 250*)

To consider the attached motion from Cllr Brian Dalton and Ian Thorn.

## OTHER ITEMS OF BUSINESS

### 14 Announcements from Cabinet and Committees

a) The Leader, Cabinet members and Chairmen of Committees will be invited to make any important announcements.

b) Councillors will be given the opportunity to raise questions to the Chairmen of Committees or to the Dorset and Wiltshire Fire Authority on the minutes of their meetings, available [here](#).

c) Councillors will be given an opportunity to raise general issues relating to Area Boards but not specific local issues.

### 15 Membership of Committees and Appointment of Chairs/Vice Chairs of Committees

15a) **Membership of Committees**

To determine any requests from Group Leaders for changes to committee membership in accordance with the allocation of seats to political groups previously approved by the Council.

15b) **Appointment of Chairs/Vice Chairs of Committee** (*Pages 251 - 252*)

### 16 Councillors' Questions

Councillors were required to give notice of any such question in writing to the officer names on the first page of this agenda **no later than 5pm** nine clear working days before the meeting – **Tuesday 7 July 2020** in order to be guaranteed a written response.

Any question received after 5pm on 7 July and no later than 5pm four clear working days before the meeting, **Tuesday 14 July 2020**, may only receive a verbal response at the meeting. Any questions received after this date will be received at the next meeting.

Questions may be asked without notice if the Chairman determines the matter is urgent.

Details of any questions received will be circulated to Councillors prior to the meeting and made available at the meeting and on the Council's website.

## **PART II**

**Items during consideration of which it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed.**

**None**

Terence Herbert  
Chief Executive Officer  
Wiltshire Council  
Bythesea Road  
Trowbridge  
Wiltshire

### Council

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#### MINUTES OF THE COUNCIL MEETING HELD ONLINE ON 16 JUNE 2020.

**Present:**

Cllr James Sheppard (Vice-Chairman), Cllr Richard Gamble (Chairman), Cllr Phil Alford, Cllr Ben Anderson, Cllr Pat Aves, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Richard Britton, Cllr Derek Brown OBE, Cllr Andrew Bryant, Cllr Allison Bucknell, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Mary Champion, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Mark Connolly, Cllr Christine Crisp, Cllr Anna Cuthbert, Cllr Kevin Daley, Cllr Brian Dalton, Cllr Jane Davies, Cllr Andrew Davis, Cllr Matthew Dean, Cllr Tony Deane, Cllr Christopher Devine, Cllr Stewart Dobson, Cllr Mary Douglas, Cllr Peter Evans, Cllr Sue Evans, Cllr Nick Fogg MBE, Cllr Peter Fuller, Cllr Sarah Gibson, Cllr Gavin Grant, Cllr Jose Green, Cllr Howard Greenman, Cllr Mollie Groom, Cllr David Halik, Cllr Russell Hawker, Cllr Ross Henning, Cllr Mike Hewitt, Cllr Alan Hill, Cllr Sven Hocking, Cllr Nick Holder, Cllr Ruth Hopkinson, Cllr Atiquel Hoque, Cllr Jon Hubbard, Cllr Chris Hurst, Cllr Peter Hutton, Cllr Hayley Illman, Cllr Simon Jacobs, Cllr Tony Jackson, Cllr Bob Jones MBE, Cllr Johnny Kidney, Cllr Carole King, Cllr Gordon King, Cllr Edward Kirk, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Jim Lynch, Cllr Brian Mathew, Cllr Laura Mayes, Cllr Ian McLennan, Cllr Nick Murry, Cllr Christopher Newbury, Cllr Paul Oatway QPM, Cllr Steve Oldrieve, Cllr Ashley O'Neill, Cllr Stewart Palmen, Cllr Andy Phillips, Cllr Horace Prickett, Cllr Fleur de Rhé-Philippe MBE, Cllr Pip Ridout, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Jonathon Seed, Cllr John Smale, Cllr Toby Sturgis, Cllr Melody Thompson, Cllr John Thomson, Cllr Ian Thorn, Cllr Jo Trigg, Cllr Tony Trotman, Cllr John Walsh, Cllr Bridget Wayman, Cllr Fred Westmoreland, Cllr Philip Whalley, Cllr Stuart Wheeler, Cllr Philip Whitehead, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill

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#### 22 **Election of Chairman 2020-21**

The Chairman opened the meeting and explained that the meeting was being held at an unprecedented time and in unprecedented circumstances. This was the first meeting of Full Council to be held under regulations approved under the Coronavirus Act 2020 to permit virtual (remote) attendance by Members.

Some technical housekeeping matters were then addressed.

The Chairman then opened the meeting proper and called for nominations for the position of Chair of Wiltshire Council for the forthcoming year.

Cllr James Sheppard nominated Cllr Richard Gamble. This was seconded by Cllr Philip Whitehead.

That being the only nomination is was:

**Resolved:**

**That Cllr Richard Gamble be elected Chairman of Wiltshire Council for the forthcoming year.**

The Chairman subsequently read out and signed the declaration of acceptance of office of Chairman of the Council witnessed by the Monitoring Officer.

23 **Election of Vice Chairman 2020-21**

**Cllr Richard Gamble in the Chair.**

The Chairman called for nominations for the position of Vice-Chair of the Council for the forthcoming year.

Cllr Gamble nominated Cllr James Sheppard. This was seconded by Cllr Laura Mayes.

There being no other nominations, it was;

**Resolved:**

**That Cllr James Sheppard be elected Vice Chairman of Wiltshire Council for the forthcoming year.**

The Vice Chairman subsequently read out and signed the declaration of acceptance of office of Vice Chairman of the Council witnessed by the Monitoring Officer.

24 **Apologies**

There were no apologies for the meeting.

It was requested that any Councillors leaving the meeting early email Democratic Services so that the time they left could be recorded in the minutes as required by the constitution.

25 **Minutes of the Previous Meeting**

The minutes of the Meeting held on 25 February 2020 were presented.

**Resolved:**

**That the minutes of the last Council meeting held on 25 February 2020 be approved as a correct record and signed by the Chairman.**

26 **Declarations of Interest**

Cllr Richard Clewer, Cllr Bridget Wayman and Cllr Ian Thorn declared a non-pecuniary interest in agenda item 9, as they were directors of the Stone Circle



Company. As a non-pecuniary interest, they declared they would still participate and vote on the item.

## 27 **Announcements by the Chairman**

The Chairman made the following announcements.

### Covid-19

The Chairman expressed his appreciation to the people of Wiltshire for their resilience and understanding during the difficult times imposed on them by the Covid-19 pandemic. He also paid tribute to council staff, key workers and others who had worked tirelessly to support their communities. Thanks was also expressed to Members for the support they had given their communities.

The Chairman announced that the High Sheriff Major General Ashley Truluck CB CBE had joined the meeting today and had asked to express his thanks to Wiltshire communities. The High Sheriff stated that he was also Chairman of the Wiltshire Community Foundation. He felt it was fortuitous that he wore both hats at this difficult time. It was his third month in post and as yet, due to Covid-19 he had been unable to attend any public meetings. However, he had been taking part virtually where possible and there was some innovative work happening at community level. The Wiltshire Coronavirus Appeal Fund had raised nearly a million pounds so far, this money was to go back in to communities via grants. The High Sherriff thanked Wiltshire Council for their response to the situation as well as the NHS and unsung community heroes. The Chairman thanked the High Sherriff.

The Chairman invited the group leaders to make comments.

Cllr Philip Whitehead, Leader of the Council thanked the High Sheriff for his comments and stated that he would say more under the Covid-19 item later on the agenda.

Cllr Ian Thorn, Leader of the Liberal Democrats, congratulated the Chairman on his election and thanked Cllr Sheppard for his year as Chairman. Cllr Thorn thanked Wiltshire Council staff for their hard work during Covid-19 and residents for their resilience, compassion and support.

Cllr Ernie Clark, Independent Group Leader, congratulated the Chairman on his election and thanked Wiltshire Council officers and community volunteers for their response to Covid-19.

Cllr Ricky Rogers, Labour Group Leader, echoed the pervious comments and thanked all communities across Wiltshire for playing their part. The work to support small businesses had been second to none.

### Events

**Events Attended by the Chairman from Tuesday 25 February 2020 to Monday, 15 June 2020:**

Saturday 29 February 2020	Royal Visit by HRH The Princess Royal to the Royal Corps of Signals Centenary Service at Salisbury Cathedral.
Wednesday 4 March 2020	The Showmen's Guild of Great Britain Western Section's annual Luncheon, Hilton, Swindon
Thursday 5 March 2020	Wiltshire Council Sports and Business Gala Dinner, The Atrium, County Hall.
Monday 9 March 2020	Commonwealth Day Flag Raising Ceremony, County Hall
Wednesday 11 March 2020	Salisbury 2020 STEM-Tech Fair, Salisbury City Hall.
Monday 16 March 2020	The BEM Presentation Ceremony, hosted by HM Lord-Lieutenant of Wiltshire, The Members' Room, County Hall.

**The following engagements were cancelled due to the Coronavirus outbreak:**

Friday 20 March, 2020	Wiltshire Life Awards 2020, STEAM Museum, Swindon
Saturday 4 April 2020	Declaration and Appointment of New High Sheriff of Wiltshire, Maj. Gen. Ashley Truluck, CB,CBE, The Guildhall, Salisbury. (This took place virtually on-line on 25th March, 2020 at the High Sheriff's home.)
Tuesday 28 April 2020	Royal Visit by HRH The Princess Royal to officially open King's Gate Primary School, Amesbury (rescheduled from 5th December, 2019).
Thursday 30 April 2020	Service at Salisbury Cathedral to mark the 800th anniversary of the laying of the foundation stone.
Tuesday 12th May 2020	Royal Garden Party, Buckingham Palace.

**Events Attended by the Vice-Chairman from Tuesday 25 February 2020 to Monday 15 June 2020:**

Monday 9 March 2020	Chippenham Town Council Commonwealth
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	Day Celebrations, Town Hall, Chippenham.
Sunday 15 March 2020	High Sheriff's Service for the Rule of Law, St. John's Church, Devizes.
Thursday 14 May 2020	Devizes Town Council 'virtual' Mayor making ceremony for Cllr. Andy Johnson

#### Former Councillors

The Chairman announced with great sadness the death of former Councillor Lionel Grundy OBE who passed away on Thursday 21 May 2020. Cllr Grundy served on Wiltshire Council from 2009 – 2013, representing Urchfont and the Cannings, and served as Cabinet Member for Children's Services, and was formerly Chairman of Kennet District Council. He was also a Deputy Chief Constable of Wiltshire and served as a police officer for 38 years.

Also, the Chairman announced with great sorrow the sudden death of the Mayor of Devizes Cllr Andy Johnson on Monday 25 May 2020. Cllr Johnson was appointed as Mayor 'virtually' on 14 May 2020 and was Deputy Mayor during 2019-20. Cllr Johnson had lived in the town for 12 years. A few moments silence was held in respect.

The Chairman welcomed Cllr Kevin Daley as the new councillor for Till and Wyllye Valley following the by-election on 10 March 2020. Cllr Daley stated that he was pleased to join a great team.

The Chairman also announced that Paul Kelly (Head of Democracy), Liz Creedy (Head of Corporate Assurance and Programmes) and Robin Townsend (Director for Corporate Services) were leaving the council after many years of service. The Chairman shared his appreciation for Paul, Liz and Robin for their work for Wiltshire over the years, in particular supporting the Salisbury recovery and the council's governance arrangements.

#### Cabinet

The Chairman then invited the Leader to make any announcement in respect of Cabinet and Portfolio Holder responsibilities.

The Leader announced that:

Cllr Phil Alford was appointed Portfolio Holder for the Whole Life Pathway.

There was currently a consultation underway regarding the Tier 1 structure changes the Leader had proposed, the aim was to conclude this as soon as possible or by 1 July 2020. There would be further changes to Cabinet and Portfolio Holders which the Leader would write to advise Members of by 1 July 2020. These changes were to support the proposed Tier 1 structure changes and would result in increased efficiency and, as the numbers would be reduced a reduced cost to Wiltshire Council.

28 **Petitions Received**

**Resolved:**

To note that no petitions had been received for presentation to this meeting.

29 **Petitions Update**

**Resolved:**

To note that no new petitions had been received since the last report to Council on 25 February 2020.

30 **Public Participation**

The Chairman explained the rules for public participation.

There were no public questions received.

There was one public statement received which was published in agenda supplement 1. This statement would be taken under the relevant agenda item (item 9 – Covid 19 Update and Financial Position).

31 **Covid-19 Update and Financial Position**

The Chairman invited Cllr Philip Whitehead, Leader of the Council, to present a report updating on Covid-19 and the financial position of Wiltshire Council.

The Leader started by thanking all communities, partners and businesses in Wiltshire regarding their response to Covid-19. The incident was ongoing, and staff were working extremely hard to facilitate the response. The report to Council contained appendices with 2 sub reports which had been through Cabinet, on 19 May 2020 and 9 June 2020. These reports were summarised by the Leader and included:

- The structure used to respond to COVID-19 including the Local Resilience Forum, the Gold group and the use of existing emergency powers to allow officers to make decisions, although it was stressed that all decisions taken had been fed either through the Leader or through Cabinet;
- Details on the recovery phase which was just beginning, including the usual democratic decision making and scrutiny processes. The continuation of the Local Resilience Forum in case there were further outbreaks;
- Infection rates in the Wiltshire population;
- Creating safer public spaces;
- The Wellbeing Hubs;
- Support to businesses;

- School attendance;
- The Recovery Cells;
- The financial report from 2019-2020 and the financial implications of Covid-19.

The Leader proposed a motion that the recommendation on page 100 of the agenda report be adopted, this was seconded by Cllr Clewer.

The Chairman invited Cllr Graham Wright as Chairman of the Wiltshire Council Covid-19 Response Task group to speak on the report. Cllr Wright stated that from an overview and scrutiny perspective they had scrutinised all of the processes and had consultation with the executive and officers.

The Chairman invited the group leaders to speak.

Cllr Thorn, Leader of the Liberal Democrats began by paying tribute to the staff in Democratic Services and thanked them for organising the meeting. Cllr Thorn also thanked Cllr Whitehead for his openness and response during Covid-19. With regards to the report he thanked all officers for their professionalism and hard work. The serious financial implications were a concern, it was hoped that central government would step in to help. Another issue was democratic deficit and it was hoped that in future there may be a way to involve politicians more in emergency decisions. Cllr Thorn supported the recommendations in the report.

Cllr Ernie Clark, Leader of the Independents, echoed Cllr Thorn's views and thanked all staff for their hard work.

Cllr Ricky Rogers, Leader of the Labour Group, echoed Cllr Thorn's views. Regarding recovery, he felt there would not be a simple back to normal, but a phased, slow return, so it was hoped that Wiltshire Council support would continue.

One public statement had been received from Cllr Ian James of Bremhill Parish Council. This was read out by the Democratic Services Officer and was published in agenda supplement 1.

The Chairman then invited comments from Cabinet Members. Cllr Whitehead stated that the budget problems were revenue rather than capital. However, the HIF Bid would stand us in good stead and decisions would be made on this in open public meetings.

The Chairman then opened the debate regarding the proposed motion that the recommendations in the report be adopted.

Comments made in debate included support for the recommendations and thanks to local communities, staff, partners, town and parish councils and volunteers. A comment was made regarding the underspend on government funding for grants for small business, whether this was still to be claimed or if this funding could remain in place to support recovery. Cllr Cape stated that she felt the HIF Bid was no longer appropriate after Covid-19, this was supported by

Cllr Murry. Cllr Jacobs spoke regarding the grants and stated that there were discretionary grants that were still to be awarded to businesses who had not yet received help. Businesses could apply on the Wiltshire Council website by 22 June 2020. Cllr Hubbard requested that the support that the public and the community of Wiltshire gave to the Covid-19 response be noted. Cllr Clewer stated that for decisions to be made at Cabinet they legally had to be added to the Forward Work Plan at least 28 days prior to the meeting, which added to timescales involved. All decisions made by officers had involved consultation with Cabinet members. It was hoped that the climate emergency would be considered in all aspects of the recovery plan.

Cllr Whitehead, Leader of the Council supported Cllr Clewer's points. Cabinet Members had been involved in decisions throughout the situation, although the decisions were made under the emergency powers already contained in the constitution. Wiltshire Council were continuing to contact businesses to see if they wanted to apply for a grant. The Leader once again wanted to thank the community for their resilience.

**Resolved:**

**That Council:**

- 1. Thank local communities, the voluntary sector, businesses, strategic partners and education settings for their support during these unprecedented circumstances.**
- 2. Acknowledge the significant and exceptional effort of staff working throughout the COVID-19 response.**
- 3. Approve the inclusion of slippage from the 2019/20 Capital Programme (£35.535m) within the 2020/21 Capital Programme, subject to a recommendation from Cabinet on 9 June.**
- 4. Note the two reports to Cabinet and that future reports will be received by Cabinet in the coming months.**

*In accordance with the Constitution this was a recorded vote.*

*Vote 1 - For items 1, 2 and 4:*

*Votes for the motion (88)*

*Votes against the motion (0)*

*Votes in abstention (0)*

*Vote 2 - For item 3:*

*Votes for the motion (87)*

*Votes against the motion (0)*

*Votes in abstention (3)*

32 **Allocation of Seats on Committee to Political Groups and Appointment of Committees**

The Chairman introduced a report on appointments to committees as detailed on pages 161 – 188 of the agenda and in agenda supplements 1 and 2 which contained updates.

Group Leaders had been consulted on the motion being proposed.

The Leader proposed the motion on page 13 of agenda supplement 1 with the slight amendment that paragraph N in the leader's motion should make reference to 'Swindon Borough Council members and co-opted members' of the Police and Crime Panel and referring to the updated list of Committees in agenda supplement 2. This was seconded by Cllr Richard Clewer.

Cllr Ernie Clark proposed an additional substitute of Cllr Hubbard for the Western Area Planning Committee, the Standards Committee, The Police and Crime Panel and the Audit Committee.

There was no debate on the item. It was,

**Resolved:**

- a) To note the report and the legal requirements.**
- b) To re-appoint the following committees in accordance with their Terms of Reference:**

- Appeals Committee
- Area Planning Committees: Eastern, Northern, Southern and Western
- Audit Committee
- Children's Select Committee
- Electoral Review Committee
- Environment Select Committee
- Health Select Committee
- Health and Wellbeing Board
- Investment Sub Committee
- Licensing Committee
- Officer Appointments Committee
- Overview and Scrutiny Management Committee
- Pension Fund Committee
- Police and Crime Panel
- Staffing Policy Committee
- Standards Committee
- Strategic Planning Committee

- c) To re-appoint those Area Boards, constituted as area committees as set out in paragraphs 13 to 15 and Appendix 1 of the report presented and within the Constitution, to comprise the Unitary**

Councillors for that area.

- d) To re-appoint the Local Pension Board established under the Public Service Pensions Act 2013 and consequent amendments to the Local Government Pension Scheme Regulations 2013 with the terms of reference as set out in the Constitution.
- e) To approve a scheme of committee places which sets out the number of seats available to members of the Council and to political groups as set out in the Schedule of Committee Places.
- f) To appoint Councillors to serve on those committees in accordance with the agreed scheme of committee places, until the next occasion membership is reviewed under the provisions of the Local Government & Housing Act 1989 (as attached).
- g) To appoint substitute members (to a maximum of four per group) to the committees referred to above (as attached).
- h) To appoint those councillors representing electoral divisions to their respective area boards as set out in Appendix 1 of the report
- i) To re-appoint four non-voting co-opted members until May 2021 as follows:

Mr Richard Baxter  
Mr Philip Gill MBE  
Mr Michael Lockhart  
Miss Pam Turner

- j) Re-appoint the following persons as Independent Persons each for a four-year term (until 2021):

Mr Tony Drew  
Mrs Caroline Baynes  
Mr Stuart Middleton

- k) To reappoint the following non-elected members to the Children's Select Committee:

<b>Non-Elected Voting Members</b>	<b>Representing</b>
Vacancy	Church of England
Dr Mike Thompson	Clifton Diocese Roman Catholic Church
Vacancy	Parent Governor (Secondary- maintained)
Vacancy	Parent Governor (Secondary – academy)



Vacancy	Parent Governor (Special Educational Needs)
Vacancy	Parent Governor (Primary)
<b>Non-Elected Non-Voting Members</b>	<b>Representing</b>
Maisy Humphrey (Sub Declan Kiely)	School, Children and Young People representatives
Charlotte Corfield	Further Education Representative
Sarah Busby	Secondary Schools Head Teacher Representative
Catriona Williamson	Primary School Head Teacher Representative
John Hawkins	School Teacher Representative

**l) To re-appoint the following co-opted members and councillors to the Wiltshire Pension Fund Committee:**

<b>Name</b>	<b>Representing</b>
Cllr Brian Ford	Swindon Borough Councillor (as determined by Swindon Borough Council)
Cllr Steve Allsopp.	Swindon Borough Councillor (as determined by Swindon Borough Council)
Chris Moore	Employer Representative
Diane Hall	Employer Representative
Stuart Dark	Scheme Member Observer- appointed by Unison
Mike Pankiewicz	Scheme Member Observer- appointed by Unison

**To reappoint the Investment Sub Committee in accordance with its Terms of reference with the following councillors:**

<b>Name</b>	<b>Representing</b>
Cllr Brian Ford	Swindon Borough (as determined by Swindon Borough Council)
Cllr Gordon King	Wiltshire Council member of Wiltshire Pension Fund Committee.

**m) To re-appoint the Local Pension Board under the Public Service Pensions Act 2013 until the expiry of the 4 year term:**

<b>Name</b>	<b>Representing</b>
Mark Spilsbury	Independent Chairman
Rod Lauder	Scheme Member Representative
Barry Reed	Scheme Member Representative
Mike Pankiewicz	Scheme Member Representative
Paul Smith	Employer Member Representative
Cllr Richard Britton	Employer Member Representative
Ian Jones	Employer Member Representative

**n) To re-appoint the following Swindon Borough Council members and co-opted members to the Police and Crime Panel:**

<b>Name</b>	<b>Representing</b>
Cllr Alan Bishop	Swindon Borough Council (as determined by Swindon Borough Council)
Cllr Vinay Manro	Swindon Borough Council (as determined by Swindon Borough Council)
Cllr Junab Ali	Swindon Borough Council (as determined by Swindon Borough Council)
Cllr Abdul Amin	Swindon Borough Council (as determined by Swindon Borough Council)
Mamie Beasant	Independent co-optee
Anna Richardson	Independent co-optee

**o) To appoint Chairmen and Vice-Chairmen of the following meetings:**

<b>Committee</b>	<b>Chairman</b>	<b>Vice-Chairman</b>
Area Planning Committee – Eastern	Mark Connolly	Paul Oatway
Area Planning Committee – Northern	Tony Trotman	Peter Hutton
Area Planning Committee – Southern	Fred Westmoreland	Richard Britton
Area Planning Committee – Western	Christopher Newbury	Jonathon Seed
Audit Committee	Richard Britton	Stewart Dobson
Health and Wellbeing Board (Chairman only)	Philip Whitehead	NA
Licensing Committee	Peter Hutton	Jose Green
Officer Appointments	Philip Whitehead	Richard Clewer

Pension Fund Committee	Tony Deane	Simon Jacobs
Staffing Policy Committee	Stuart Wheeler	Tony Jackson
Standards Committee	Paul Oatway	Howard Greenman
Strategic Planning Committee	Fleur de Rhé-Philippe	Christopher Newbury

**p) To note that the Overview and Scrutiny Management Committee, the Scrutiny Select Committees, the Police and Crime Panel, Electoral Review Committee and the Area Boards will be asked to elect their respective Chairmen and Vice-Chairmen at their first meeting following council.**

**q) To note that the Appeals Committee does not meet as a formal committee. However, three members who have undergone appropriate training are drawn from its membership to form Appeal Panels to consider and determine various types of appeals. No appointment of chairman or vice-chairman to the committee is therefore necessary. Each panel when convened will elect its own chairman.**

**r) That Council appoint the following 6 members to serve as Council representatives on the Dorset and Wiltshire Fire and Rescue Authority:**

<b>Conservatives (4)</b>	<b>Liberal Democrat (1)</b>	<b>Independent (1)</b>
Peter Hutton	Bob Jones	Ernie Clark
Christopher Newbury		
Paul Oatway QPM		
Pip Ridout		

*The motion was passed unanimously.*

**33 Notices of Motion**

No notices of motion had been received.

**34 Urgent Executive Decisions taken by Cabinet**

The Chairman stated that this item was to note there had been no urgent executive items taken by Cabinet in the last year since the last annual report to Council. The report was at pages 189-192 of the agenda.

The Chairman proposed a motion that Council notes the report stating that no decisions have been taken under special urgency provisions in the period since the last annual meeting of Council. This was seconded by Cllr James Sheppard.

**Resolved:**

**That Council note the report stating that there had been no urgent executive items taken by Cabinet in the last year since the last annual report to Council.**

35 **Announcements from Cabinet and Committees**

There were no announcements.

There were no questions to be referred in relation to the committee minutes or minutes of the Dorset and Wiltshire Fire Authority.

There were no general issues raised relating to Area Boards.

36 **Councillors' Questions**

Two questions had been received from Councillors, these were from Cllr Brian Mathew and Cllr Jon Hubbard and were detailed, along with the written responses in agenda supplement 2.

Cllr Mathew stated that he had received a written response and had no supplementary question.

Cllr Hubbard stated that he had received a written response and asked what material changes there had been to the constitution or laws relating to the use of part two, between when senior management issues were discussed under the last administration and those under the current administration.

Cllr Whitehead stated a full written answer would be supplied however confirmed the administration only restricts Members attendance on the advice of statutory officers. It was explained the question was in reference to a recent cabinet decision on the reorganisation of the Tier 1 roles, access was restricted due to the confidential nature for individuals involved. However, following the meeting, the information had been released to all Members.

37 **Schedule of Council Meetings**

The next scheduled meeting would be on 21 July 2019. Further meeting dates were listed in the agenda pack.

(Duration of meeting: 10.30 am - 12.30 pm)

The Officer who has produced these minutes is Tara Shannon of Democratic Services, direct line 01225 718352, e-mail [tara.shannon@wiltshire.gov.uk](mailto:tara.shannon@wiltshire.gov.uk)

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

## Full Council Meeting – Tuesday 16 June 2020 – Recorded Votes

### Agenda Item 9 - Covid-19 Update and Financial Position

That the following recommendations be adopted:

1. Thank local communities, the voluntary sector, businesses, strategic partners and education settings for their support during these unprecedented circumstances.
2. Acknowledge the significant and exceptional effort of staff working throughout the COVID-19 response.
3. Approve the inclusion of slippage from the 2019/20 Capital Programme (£35.535m) within the 2020/21 Capital Programme, subject to a recommendation from Cabinet on 9 June.
4. Note the two reports to Cabinet and that future reports will be received by Cabinet in the coming months.

<b>Councillor Name</b>	<b>Vote 1 Items - 1, 2 and 4</b>	<b>Vote 2 Item - 3</b>
Phil Alford	Non-voting	For
Ben Anderson	For	For
Pat Aves	For	For
Chuck Berry	For	For
Ian Blair-Pilling	For	For
Richard Britton	For	For
Derek Brown	For	For
Andrew Bryant	For	For
Allison Bucknell	For	For
Clare Cape	For	Abstain
Trevor Carbin	For	Abstain
Mary Champion	For	For
Pauline Church	For	For
Ernie Clark	For	For
Richard Clewer	For	For
Mark Connolly	For	For
Christine Crisp	For	For
Anna Cuthbert	For	For
Kevin Daley	For	For
Brian Dalton	For	For
Jane Davies	For	For
Andrew Davis	For	For
Matthew Dean	For	For
Tony Deane	Non-voting	For
Christopher Devine	For	For
Stewart Dobson	For	For
Bill Douglas	Apologies	Apologies

Mary Douglas	For	For
Peter Evans	For	For
Sue Evans	For	For
Nick Fogg	Non-voting	Non-voting
Peter Fuller	For	For
Richard Gamble	For	For
Sarah Gibson	For	For
Gavin Grant	For	For
Jose Green	For	For
Howard Greenman	For	For
Mollie Groom	Non-voting	For
David Halik	For	For
Russell Hawker	For	For
Ross Henning	For	For
Mike Hewitt	For	For
Alan Hill	For	For
Sven Hocking	For	For
Nick Holder	For	Non-voting
Ruth Hopkinson	For	For
Atiqul Hoque	For	For
Jon Hubbard	For	For
Chris Hurst	For	For
Peter Hutton	For	For
Hayley Illman	For	For
Tony Jackson	For	For
Simon Jacobs	For	For
Bob Jones	For	For
Johnny Kidney	For	For
Carole King	For	For
Gordon King	For	For
Edward Kirk	For	For
Jerry Kunkler	For	For
Jacqui Lay	For	For
Jim Lynch	For	For
Brian Mathew	For	For
Laura Mayes	For	For
Ian McLennan	For	For
Nick Murry	For	Abstain
Christopher Newbury	For	For
Ashley O'Neill	For	For
Paul Oatway	For	For
Steve Oldrieve	For	For
Stewart Palmen	For	For
Andy Phillips	Non-voting	Non-voting
Horace Prickett	For	For
Fleur de Rhe Philipe	For	For

Pip Ridout	For	For
Ricky Rogers	For	For
Tom Rounds	For	For
Jonathon Seed	For	For
James Sheppard	For	For
John Smale	Non-voting	For
Toby Sturgis	For	For
Melody Thompson	For	For
John Thomson	For	For
Ian Thorn	For	For
Jo Trigg	For	For
Tony Trotman	For	For
John Walsh	For	For
Bridget Wayman	For	For
Fred Westmoreland	For	For
Philip Whalley	For	For
Stuart Wheeler	For	For
Philip Whitehead	For	For
Suzanne Wickham	For	For
Christopher Williams	For	For
Graham Wright	For	For
Robert Yuill	For	Non-voting

Vote 1 - For items 1, 2 and 4:

Votes for the motion (88)

Votes against the motion (0)

Votes in abstention (0)

Vote 2 - For item 3:

Votes for the motion (87)

Votes against the motion (0)

Votes in abstention (3)

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Approved by Council June 2020

## **Strategic Planning Committee (11)**

Conservative Group (6)	Liberal Democrat Group (4)	Labour Group (0)	Independent (1)
Fleur de Rhé-Phillipe	Sarah Gibson		Ernie Clark
Stewart Dobson	Carole King		
Christopher Newbury	Andrew Bryant		
Tony Trotman	Ross Henning		
Fred Westmoreland			
Andrew Davis			
Substitutes	Substitutes		Substitutes
Ian Blair-Pilling	Clare Cape		Nick Murry
David Halik	Chris Hurst		Russell Hawker
Stuart Wheeler	Ruth Hopkinson		Graham Wright
James Sheppard	Stewart Palmen		Chris Devine

## **Area Planning Committee – East (8)**

Conservative Group (7)	Liberal Democrat Group (0)	Labour Group (0)	Independent (1)
Mark Connolly			Nick Fogg
Paul Oatway			
James Sheppard			
Richard Gamble			
Peter Evans			
Stewart Dobson			
Ian Blair-Pilling			
Substitutes			Substitutes
Jerry Kunkler			Ernie Clark
Anna Cuthbert			Graham Wright
Chris Williams			George Jeans

## **Area Planning Committee – North (11)**

Conservative Group (8)	Liberal Democrat Group (3)	Labour Group (0)	Independent (0)
Tony Trotman	Chris Hurst		
Christine Crisp	Gavin Grant		
Toby Sturgis	Brian Mathew		
Howard Greenman			
Peter Hutton			
Chuck Berry			
Ashley O'Neill			
Mollie Groom			
Substitutes:	Substitutes		
Philip Whalley	Bill Douglas		
Melody Thompson	Nick Murry		
Jacqui Lay	Ruth Hopkinson		
Ben Anderson	Bob Jones		

### **Area Planning Committee – South (11)**

Conservative Group (7)	Liberal Democrat Group (1)	Labour Group (1)	Independent (2)
Fred Westmoreland	Brian Dalton	Ian McLennan	Chris Devine
Richard Britton			George Jeans
Leo Randall			
John Smale			
Jose Green			
Mike Hewitt			
Sven Hocking			
Substitutes	Substitutes	Substitutes	Substitutes
Tony Deane	Trevor Carbin	John Walsh	Ernie Clark
Bridget Wayman			Graham Wright
Robert Yuill			

### **Area Planning Committee – West (11)**

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)
Christopher Newbury	Trevor Carbin		Ernie Clark
Jonathon Seed	Sarah Gibson		
Suzanne Wickham	Stewart Palmen		
Andrew Davis			
Edward Kirk			
Pip Ridout			
Peter Fuller			
Substitutes	Substitutes		Substitutes
Toby Sturgis	Ian Thorn		Russell Hawker
David Halik	Gordon King		Graham Wright
Kevin Daley	Steve Oldrieve		George Jeans
Philip Whitehead	Jim Lynch		Jon Hubbard

### **Licensing Committee (12)**

Conservative Group (8)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)
Peter Hutton	Ian Thorn		George Jeans
Jose Green	Trevor Carbin		
Sue Evans	Jim Lynch		
Mike Hewitt			
Pip Ridout			
Peter Evans			
Allison Bucknell			
Kevin Daley			
Substitutes	Substitutes		Substitutes
Howard Greenman	Clare Cape		Ernie Clark
Anna Cuthbert	Gavin Grant		Nick Murry
Atiqul Hoque	Steve Oldrieve		Graham Wright
	Stewart Palmen		

### **Overview and Scrutiny Management Committee (15)**

Conservative Group (9)	Liberal Democrat Group (3)	Labour Group (1)	Independent (2)
Alan Hill	Jo Trigg	John Walsh	Graham Wright
Christine Crisp	Ruth Hopkinson		Jon Hubbard
Stewart Dobson	Gordon King		
Kevin Daley			
Howard Greenman			
John Smale			
Pip Ridout			
Tony Trotman			
Chuck Berry			
Substitutes	Substitutes	Substitutes	Substitutes
Suzanne Wickham	Clare Cape	Ricky Rogers	Ernie Clark
Anna Cuthbert	Brian Dalton		George Jeans
Jacqui Lay	Gavin Grant		Chris Devine
	Ian Thorn		

### **Children's Select Committee (13)**

Conservative Group (8)	Liberal Democrat Group (3)	Labour Group (0)	Independent (2)
Mary Champion	Jo Trigg		Chris Devine
	Chris Hurst		Jon Hubbard
Jacqui Lay	Hayley Spencer		
Nick Holder			
Phil Whalley			
Andrew Davis			
Fred Westmoreland			
Mary Douglas			
Suzanne Wickham			
Substitutes	Substitutes		Substitutes
Stewart Dobson	Pat Aves		Nick Fogg
James Sheppard	Clare Cape		Ernie Clark
Peter Evans	Trevor Carbin		Russell Hawker
	Jim Lynch		

### **Environment Select Committee (13)**

Conservative Group (8)	Liberal Democrat Group (3)	Labour Group (1)	Independent (1)
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Derek Brown	Bob Jones	Ian McLennan	Nick Murry
Tom Rounds	Brian Mathew		
Tony Jackson	Steve Oldrieve		
Peter Evans			
Jacqui Lay			
Stuart Wheeler			
Peter Fuller			
Mike Hewitt			
Substitutes	Substitutes	Substitutes	Substitutes
Mollie Groom	Brian Dalton	Ricky Rogers	George Jeans
Jose Green	Ross Henning		Ernie Clark
Sue Evans	Clare Cape		Russell Hawker
	Stewart Palmen		

### **Health Select Committee (13)**

Conservative Group (8)	Liberal Democrat Group (3)	Labour Group (0)	Independent (2)
Mary Champion	Gordon King		Graham Wright
Christine Crisp	Clare Cape		Andy Phillips
Pip Ridout	Gavin Grant		
Howard Greenman			
Tom Rounds			
Chuck Berry			
Mollie Groom			
Fred Westmoreland			
Substitutes	Substitutes		Substitutes
Mike Hewitt	Pat Aves		Nick Murry
Peter Fuller	Trevor Carbin		Ernie Clark
Anna Cuthbert	Ian Thorn		George Jeans
Suzanne Wickham	Steve Oldrieve		Russell Hawker

**Standards Committee ( 11)**

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)
Paul Oatway	Ruth Hopkinson		Ernie Clark
Howard Greenman	Bob Jones		
Fred Westmoreland	Andrew Bryant		
Peter Evans			
Derek Brown			
Peter Fuller			
Stuart Wheeler			
Substitutes	Substitutes		Substitutes
Richard Britton	Trevor Carbin		Jon Hubbard
Peter Hutton	Chris Hurst		Graham Wright
Sue Evans	Gordon King		Nick Fogg
	Brian Mathew		George Jeans

**Police and Crime Panel (7)**

Conservative Group (5)	Liberal Democrat Group (1)	Labour Group (0)	Independent (1)
Richard Britton	Ross Henning		Nick Murry
Peter Hutton			
Jonathon Seed			
John Smale			
Tom Rounds			
Substitutes	Substitutes		Substitutes
Peter Evans	Sarah Gibson		Matt Dean
Sue Evans	Ruth Hopkinson		Jon Hubbard
Tony Trotman	Gordon King		
Anna Cuthbert	Jim Lynch		

**Audit Committee (11)**

Conservative Group (7)	Liberal Democrat Group (2)	Labour Group (1)	Independent (1)
Richard Britton	Ian Thorn	John Walsh	Andy Phillips
Stewart Dobson	Gavin Grant		
Stuart Wheeler			
Mike Hewitt			
Pip Ridout			
Edward Kirk			
Nick Holder			
Substitutes	Substitutes	Substitutes	Substitutes
	Jim Lynch	Ricky Rogers	Jon Hubbard
Anna Cuthbert	Ross Henning		
Peter Evans	Ruth Hopkinson		
	Jo Trigg		

**Appeals Committee (8)**

Conservative Group (5)	Liberal Democrat Group (2)	Labour Group (0)	Independent (1)
Allison Bucknell	Carole King		Chris Devine
Paul Oatway	Bill Douglas		
Fred Westmoreland			
Stuart Wheeler			
Peter Fuller			
Substitutes	Substitutes		Substitutes
Mike Hewitt	Pat Aves		Ernie Clark
Tony Jackson	Ian Thorn		Graham Wright
Jose Green	Jim Lynch		
Andrew Davis	Brian Mathew		

**Staffing Policy Committee (9)**

Conservative Group (6)	Liberal Democrat Group (2)	Labour Group (1)	Independent (0)
Stuart Wheeler	Carole King	Ricky Rogers	
Tony Jackson	Hayley Spencer		
Mike Hewitt			
Richard Clewer			
Philip Whitehead			
John Smale			
Substitutes	Substitutes	Substitutes	
Fleur de Rhé-Philippe	Jo Trigg	Ian McLennan	
Peter Evans	Bob Jones		
David Halik	Gordon King		
Tony Trotman	Ian Thorn		

**Officer Appointments Committee (5)**

Conservative Group (4)	Liberal Democrat Group (1)	Labour Group (0)	Independent (0)
Richard Clewer (Vice Chair)	Steve Oldrieve		
Simon Jacobs			
Philip Whitehead (Chair)			
Pauline Church			
Substitutes	Substitutes		
Laura Mayes	Brian Dalton		
Bridget Wayman	Jo Trigg		
Allison Bucknell	Bob Jones		
Ian Blair-Pilling	Ian Thorn		



### **Pension Fund Committee (5)**

Conservative Group (3)	Liberal Democrat Group (1)	Labour Group (0)	Independent (1)
Tony Deane	Gordon King		George Jeans
Simon Jacobs			
Christopher Newbury			
Substitutes	Substitutes		Substitutes
Fleur de Rhé-Philippe	Ian Thorn		Matt Dean
Derek Brown	Bob Jones		
	Sarah Gibson		
	Gavin Grant		

### **Electoral Review Committee (10)**

<b>Conservative Group (6)</b>	<b>Liberal Democrat Group (2)</b>	<b>Labour Group (1)</b>	<b>Independent (1)</b>
Richard Clewer	Gavin Grant	Ian McLennan	Graham Wright
Stuart Wheeler	Clare Cape		
Christopher Newbury			
Ashley O'Neil			
Ian Blair- Pilling			
Jonathon Seed			
Substitutes	Substitutes	Substitutes	Substitutes
Jacqui Lay	Ruth Hopkinson	Ricky Rogers	Nicky Murry
Peter Fuller	Ian Thorn		

### **Health and Wellbeing Board**

*Note: This is not subject to the rules of political proportionality and is not included in the Council's scheme of committee places.*

<b>Conservative Group</b>	<b>Liberal Democrat Group</b>	<b>Labour Group</b>	<b>Independent Group</b>
Leader Philip Whitehead (Chair)	Cllr Gordon King		
Cabinet Member for Children, Education and Skills- Cllr Pauline Church			

Cabinet Member for Adult Social Care, Public Health and Public Protection – Cllr Laura Mayes			
Portfolio Holder for Public Health and Protection Cllr Ben Anderson			

**Wiltshire Council**

**Council**

**21 July 2020**

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## **Petition for Presentation**

### **Petitions Received**

Cllr Stewart Palmen will present a petition to Council, the petition relates to a zebra-crossing in Newtown, Trowbride and is available to view [here.](#)

In accordance with the Constitution, this petition has sufficient signatures to be presented to Council, however does not reach the threshold for debate.

The petition has been referred to the Highways and Transport service for consideration in consultation with the Cabinet Member.

### **Proposal**

**That Council receives this petition and notes a response will be provided by the Highways and Transport Service.**

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**Libby Johnstone**  
**Democracy Manager (Democratic Services)**

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**Wiltshire Council**

**Council**

**21 July 2020**

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## **Petitions Update**

### **Petitions Received**

As of 9 July 2020, 1 new petition has been received by Wiltshire Council since the last report to Council on 16 June 2020 -as referred to in item 5a on this agenda.

### **Proposal**

**That Council notes this update on petitions.**

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**Lisa Moore**  
**Democratic Services Officer**

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NAME	DATE RECEIVED	RESPONDENTS	ACTION
Redesign Crossing on Newtown, Trowbridge	06.07.20	790 <a href="#">online</a>	<p>Petition referred to the Cabinet Member for Highways and Transport who has responded.</p> <p>Warning sign relocated in 2019 to improve visibility. The issue was previously discussed at CATG Jan 2020, and it was agreed the wider area would be subjected to a 20mph speed limit review.</p> <p>The matter will be considered again by CATG once meetings resume.</p> <p>The Council is liaising with the Police to review accident data.</p>

Note: This does not include petitions received in respect of regulatory matters ie planning and licensing which are dealt with under different procedures.

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**Wiltshire Council**

**Full Council**

**21 July 2020**

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**Subject:** **Wiltshire Council Carbon Reduction**  
Update on Council's Response to the Climate Emergency

**Cabinet Member:** **Cllr Richard Clewer - Deputy Leader and Cabinet Member for Corporate Services, Heritage, Arts & Tourism, Housing, Communities**

**Key Decision:** **Non Key**

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## **Executive Summary**

At its meeting held on 26 February 2019 Full Council resolved to acknowledge that there is a climate emergency and to seek to make the county of Wiltshire carbon neutral by 2030.

A commitment was made to provide six-monthly progress updates on actions the council is taking to reduce carbon generation in Wiltshire. The first update was provided in November 2019. This report provides an update on progress since then.

At its meeting on 26 November 2019, Full Council received a motion to amend the Council's Business Plan 2017-27 and the Leader committed to give prominence on the climate emergency in the plan. The plan will need to undergo a thorough review due to the impacts of the Covid-19 pandemic and the upcoming elections in May 2021. The report below recommended to Cabinet therefore proposes a Climate Emergency addendum to the current plan pending the development of a new Business Plan. The report (below) will be considered by Cabinet at its meeting on 14 July 2020 and the minutes from that meeting will follow.

The addendum to the Business Plan was considered by Overview and Scrutiny at its meeting on 8<sup>th</sup> July and an extract from the minutes is attached as an appendix.

## **Proposals**

1. That Council amends the Business Plan 2017-2027 to include a Climate Emergency addendum as detailed in paragraph 8 and Appendix 1 of this report.
2. That Council notes the actions taken in response to the climate emergency since November 2019.

**Reason for Proposals**

1. To ensure that the current Business Plan reflects the council's acknowledgement of the climate emergency and its commitment to addressing climate change.
2. To provide Council with an update on actions taken in response to the climate emergency.

Terence Herbert  
**Chief Executive Officer**

## Wiltshire Council

### Cabinet

14 July 2020

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**Subject:** **Wiltshire Council Carbon Reduction**  
Update on Council's Response to the Climate Emergency

**Cabinet Member:** **Cllr Richard Clewer - Deputy Leader and Cabinet Member for Corporate Services, Heritage, Arts & Tourism, Housing, Communities**

**Key Decision:** **Non Key**

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### Purpose of Report

1. To provide Cabinet with an update on actions taken in response to the climate emergency and to include this priority as an addendum to the council's Business Plan 2017-2027.

### Relevance to the Council's Business Plan

2. The programme of work to seek to make the county of Wiltshire carbon neutral by 2030 will contribute to all four business plan priorities of:
  - i. Growing the economy
  - ii. Strong communities
  - iii. Protecting the vulnerable
  - iv. Working with our partners as an innovative and effective council

The update in paragraphs 12-49 of this report is therefore structured against these headings.

### Background

3. At its meeting held on 26 February 2019 full Council debated the following notices of motion:

- 12b) Acknowledging a Climate Emergency and Proposing the Way Forward;
- 12c) Environment and Global Warming.

The council resolved to acknowledge that there is a climate emergency and to seek to make the county of Wiltshire carbon neutral by 2030.

The [minutes](#) of the meeting are available online (see pages 21 to 24). Cabinet has also pledged to make Wiltshire Council carbon neutral by 2030.

4. As part of this motion, the council resolved that Cabinet should report to Full Council on a six-monthly basis with the actions the council is taking and will take to address the climate emergency and reporting these against the Carbon / Renewables Baseline audit. The first six-monthly [report](#) was presented to Full Council on 29 November 2019.
5. At its meeting on 26 November 2019, Full Council received a motion to amend the council's Business Plan 2017-27 and the Leader committed to give prominence on the climate emergency in the plan.
6. A Global Warming and Climate Emergency Task Group has been established by Environment Select Committee, chaired by Councillor Graham Wright and made up of nine councillors. The task group is developing recommendations and a plan to seek to achieve the target of making the county of Wiltshire net carbon neutral by 2030.
7. Updates on the task group's work are reported to Environment Select Committee. The most recent [update](#) was presented on 4 March 2020.

### **Main Considerations for the Council**

8. The council's Business Plan will need to undergo a thorough review due to the impacts of the pandemic and the upcoming elections in May 2021. To ensure that the plan gives prominence to the climate emergency it is therefore proposed that a new section is added as an addendum to the current plan, pending the development of a new Business Plan for 2021 onwards. The proposed addendum is included at Appendix 1.
9. Since the last update in October/November 2019, the council has been very active in tackling this agenda. The new post of Head of Carbon Reduction has been filled since 1 June 2020 to provide capacity and leadership and facilitate the development of a strategy for Wiltshire. An annual staff and operational budget of £350k has been allocated to drive carbon reduction within the council and through working with partners.
10. Protecting the environment is integral to the new Recovery Coordinating Group's work to restore communities; public health and wellbeing; and environmental and economic resilience following the response to COVID 19. There are three cross-cutting objectives for the Strategic Recovery Plan:
  1. ensure appropriate interventions to address inequalities and build social mobility
  2. ensure the effects of deprivation are considered and interventions are developed
  3. enable appropriate interventions to support carbon reduction
11. The Recovery Coordinating Group will have theme groups, for which the carbon reduction agenda will be a fundamental driver. The economy theme will drive the green economy in Wiltshire and ensure appropriate green infrastructure; the environmental agenda ensures high levels of community engagement through the recovery for the community resilience theme; and the health and wellbeing theme will benefit from active travel and air quality improvements.

## **Growing the Economy: Highly Skilled Jobs (Employment)**

12. The council has worked proactively with Penso Power, an innovative UK renewable energy and battery storage company, to enable it to develop the largest battery storage scheme in Europe at Minety. Energy storage facilitates a greener electricity system by helping to balance the intermittency of renewable generation. Work started onsite in December 2019 and the facility is expected to enter operation this autumn (2020) with 100MW capacity, with a further 50MW capacity being built on adjacent land which will enter operation in 2021. The full value of the investment will be close to £60m, making it one of the largest foreign direct investments into the county in recent years. The council is now supporting the company in looking for other suitable sites and engaging with the Department of International Trade.
13. Birchall Tea company was supported by the council to relocate to Solstice Park, Amesbury through planning and help with recruitment and training. The company always had an ambition to keep its carbon footprint to the minimum and worked closely with Nationwide Engineering, the developers, to ensure this ambition was met. In [June 2020](#) Birchall Tea became the first tea company in the world to officially join the UN's Climate Neutral Now Initiative, which invites organisations to work towards global climate neutrality by addressing their own climate footprint. It has also become the first in the world to achieve the Carbon Neutral International Standard, obtained by measuring and offsetting its greenhouse gas emissions, supporting verified volunteer reforestation projects around the world. This means that all of Birchall's products - including its award-winning Great Rift Breakfast Tea - are now completely Carbon Neutral. An added, unexpected bonus is that with the climate control measures the company is using the tea is keeping much better, resulting in reduced waste.

## **Growing the Economy: Housing and Environment**

14. The council's Housing Board is committed to building 1,000 new council homes over the next 10 years to a zero carbon standard. The approach will aim to go beyond the Passivhaus Standard, utilising the fabric of the building for maximum efficiency, together with energy generation through solar panels, where the council is the developer and this approach is feasible. A pilot of two new homes is going ahead in Durrington to test this approach and the lessons learned will be used to shape the rest of the programme. The July Housing Board will also consider investing in existing council housing stock to increase its energy efficiency, with a view to a future Cabinet meeting considering the revised investment programme and council housing new build programme in autumn 2020.
15. The Wiltshire Core Strategy (WCS) 2015 contains a number of policies that aim to achieve the goal of seeking to make the county of Wiltshire carbon neutral by 2030. The strategy offers a significant opportunity to influence greenhouse gas emissions and has an important role in shaping communities that are resilient to the predicted impacts of climate change such as higher temperatures and increased flood risk.

16. The policies of the WCS are being reviewed to determine their effectiveness and whether changes are required to ensure conformity with the National Planning Policy Framework and associated Planning Practice Guidance. A best practice review has also been undertaken which focuses in particular on policies that have been recently found sound by planning inspectors and subsequently adopted by other councils.

17. The following five key policy themes have been identified:

- tackling flood risk and water management;
- enhancing green/blue infrastructure;
- delivering sustainable design and construction;
- encouraging sustainable, renewable energy generation and management;
- promoting sustainable transport, active travel and improving air quality.

18. The work undertaken to date indicates that an ambitious, plan-led approach to tackling climate change mitigation and adaptation is deliverable. However, further evidence will be needed to ensure draft policies are sound and provide sufficient certainty moving forward – e.g. understanding the viability of carbon neutral new development; delivering a decarbonised and sustainable energy strategy; tackling retrofitting of existing building stock.

### **Growing the Economy: Transport and Infrastructure**

19. The council is currently rolling out a £12m programme to convert streetlights across Wiltshire to LEDs, with approximately 8,000 units replaced so far out of a total of 42,000. Since 2013/14, energy consumption has been reduced by 21% thanks to part-night lighting, dimming and the use of LEDs for new and replacement units. During this period carbon emissions have more than halved despite a growth in the number of streetlights as new developments are built. The 42,000 new LED units are projected to reduce energy consumption by 67% and carbon emissions by 83% by 2022/23 compared with the 2013/14 baseline.

20. The council has applied for funding from the Department for Transport's (DfT) Restoring Your Railway Fund for four key rail projects across the county. It was one of only 10 successful applicants nationally in round 1 of the [Ideas Fund](#) which exists to restore lost rail connections to communities. The funds will be used to develop a strategic outline business case for improving rail access for the Devizes community area by providing a station near Lydeway on the Berks & Hants line which passes within three miles of the town. Devizes is the largest town in Wiltshire that does not have access to the rail network. Its branch line closed in the 1960s. The station would be served by an extension of the current GWR Paddington – Bedwyn service through to Westbury.

21. The council is waiting to hear more from the DfT on its two other round 1 bids. One is for developing Westbury station by reinstating a fourth platform. The other is for developing route capacity improvement proposals for the Swindon-Westbury route on the section around Melksham that was single-tracked after the Beeching-era withdrawal of the local passenger service. The council has also recently submitted a bid in round 2 of the Ideas Fund for restoring secondary train services on the Great Western Mainline. As well as

improving connectivity between Bristol to Oxford (and potentially further east) this would help realise new stations at Corsham and Royal Wootton Bassett / Swindon West. It would also potentially help realise new stations at Swindon East, Grove (Oxfordshire), Saltford and St Anne's Park (West of England).

22. The council has worked with Salisbury Reds to secure three new electric buses for the city's park and ride services - a total investment of £1.2 million. This was made possible through a successful bid for £600,000 of Government funding under the Low Emission Bus Scheme. The buses will help provide greener and cleaner journeys, improving air quality in the area. When fully charged, each bus should be able to travel for around 160 miles.
23. The Department for Transport has announced its intention to publish a Transport Decarbonisation Plan later this year. In its recent document '[Setting the Challenge](#)', it has outlined the following key objectives for the plan which will guide the council in developing its fourth Local Transport Plan:
- Accelerating modal shift to public and active transport
  - Decarbonisation of road vehicles
  - Decarbonising how we get our goods
  - Place-based solutions
  - UK as a hub for green transport technology and innovation
  - Reducing carbon in a global economy

### **Strong Communities: Community Wellbeing**

24. The council's Household Waste Management [Strategy](#) 2017-2027 states a commitment to reduce the carbon impact of waste and recycling services in Wiltshire (see page 1).
25. Progress on the priorities within the council's household waste strategy is measured and reported through an [annual action plan](#) reported to Cabinet (see item 69). The council has reduced its carbon impact in the following ways:
- Moved to a comingled collection of recycling from 9 March 2020, thereby removing 32 older 'kerbsider' vehicles from waste fleet. The total number of vehicles used to collect kerbside recycling has reduced by almost 50%. Vehicles now in use are carbon efficient Euro 6 vehicles, reducing the overall carbon emissions associated with the waste collection service, and contributing to an improvement in air quality.
  - The total amount of municipal solid waste collected in Wiltshire in 2019/20 has reduced by 11% (27,600 tonnes) compared to the waste collected in 2014/15. This means that the residents in Wiltshire are creating less waste for the council to collect.
  - In 2019/20, the council only sent 16% of waste collected to landfill, compared with 20% in 2014/15. The majority of non-recyclable household waste collected in Wiltshire is processed for energy recovery.
  - The council subsidises the purchase of home food composters to residents in Wiltshire. These composters divert food and garden waste from the waste stream, therefore avoiding the need for the council to collect and treat this waste. As the compost produced is then used in residents' gardens, the carbon saving of residents using these composters

in high. So far in 2020, 1325 food composters have been sold, compared with 333 sales during the same period last year.

26. It is too early to formally evaluate the impact of the new comingled recycling service due to the impacts of the pandemic, but early indications are that recycling collected from the kerbside is increasing. However overall recycling rates during the lockdown period have been impacted by the closure of household recycling centres which have now reopened but with reduced capacity.

### **Strong Communities: Safe Communities (Protection)**

27. Green and blue infrastructure plays a key role in both carbon storage and adapting to a changing climate. It includes a range of green and blue assets in rural and urban areas - from country parks, rivers, canals and woodlands to urban parks, green roofs and street trees. A draft 20 year vision for Wiltshire's network was developed with around 45 internal and external stakeholders at a workshop held on 26 February 2020. The vision has been informed by the UN Sustainable Development Goals which are reflected in the following themes: climate change; biodiversity; health and well-being.

28. A draft Green and Blue Infrastructure Strategy for Wiltshire is being worked on and will be consulted on widely towards the end of this year. The settlement level part of the strategy is being informed by the recent town and parish council survey on open space and green infrastructure, and involves bringing the council's map database of open space and green infrastructure assets up to date.

### **Strong Communities: Personal Wellbeing (Prevention)**

29. Following the review and approval of the Wiltshire wide Air Quality Strategy in November last year the council has moved on to reviewing the Wiltshire Air Quality Action Plan (AQAP) with the objective of having a new plan in place by the early part of 2021. The Action Plan focuses on the 8 Air Quality Management Areas in Wiltshire.

30. The current plan is very much a community action-based document and this will be retained to a degree. However, we are mindful of changes to the legislative framework which will be strengthened by the proposed Environment Bill. We are currently obliged to work toward air quality objectives. In recent years Government has increasingly looked to local government to produce innovative solutions to resolve exceedances of UK and EU air quality standards. The Environment Bill will deliver a step change and Local Authorities will be expected to deliver detailed AQAPs with actions, targets and dates for achievement of objectives. Services and outside agencies will be expected to form Air Quality Partnerships (AQP) that will cooperate to achieve air quality standards. Recent emphasis has been on achieving these in the shortest possible time, having regard to judgements from the Supreme Court. A multi service working group which includes Highways England and others is driving this project forward and ensuring that air quality integrates into other key policies and strategies.



31. The council has made significant progress in seeking funding for improved cycling and walking opportunities as detailed below. Details are correct at the time of writing this report, however these schemes are evolving rapidly as the country recovers from the pandemic.
32. Wiltshire Council will implement five road reallocation projects funded by the Department for Transport (DfT) to give more space to cyclists and pedestrians. The five projects add up to £227,000 worth of investment, which accounts for the first allocation of funding from DfT. Further projects around the county will fall into the next round of funding, of around £900,000, provided they meet the criteria for the next phase. The funding is designed to help authorities use temporary interventions to create an environment that is safe for both walking and cycling, allowing people to get around while maintaining social distance and avoiding overcrowding on public transport. The five schemes were shortlisted based on the busiest bus routes in the county, with those routes that could not accommodate a cycleway without significant costs or land acquisition being discounted. The five schemes included in the first round are:
- Salisbury cycleways to link Harnham to the city centre, allowing cyclists easy access out of the city.
  - A segregated cycleway and footway on the B3108 between Winsley and Bradford on Avon.
  - On the A420 in Chippenham, a segregated cycleway linking Bumpers Farm to the town centre.
  - Creation of an on-road 3.5km route for cyclists and walkers, linking Purton with Swindon's Lydiard Park.
  - A segregated cycleway on the A361 Hilperton Road in Trowbridge, from near the fire station into advisory cycle lanes from Stancomb Avenue to Hilperton Road roundabout, of more than 1km in total.
33. Using separate funding, the council is also progressing a social distancing scheme in Malmesbury town centre that will benefit both cyclists and pedestrians. As part of this trial, a one-way footway system for pedestrians will be installed on both sides of High Street.
34. The council will also be seeking feedback soon on an ambitious plan to prioritise walking and cycling in the centre of Salisbury.
35. The council is working on developing a permanent off-road route for cyclists and walkers on the 2 miles between Royal Wootton Bassett and Windmill Hill Business Park in Swindon. In 2017, the council successfully bid to Highway England's Cycling Designated Fund and £3.5m funding was secured to take the project forward. Whilst land negotiations are ongoing with regard to access arrangements over some areas of land, it is hoped that the project can be delivered by 2022.

### **Protecting the Vulnerable: Early Intervention**

36. [Warm and Safe Wiltshire](#) is an energy advice service provided by Wiltshire Council and Swindon Borough Council in partnership with Dorset & Wiltshire Fire and Rescue Service and managed by the Centre for Sustainable Energy (CSE). The service provides residents across the county, primarily in fuel poverty, with information and support to help them live in warmer, safer and more comfortable homes.

37. Since April 2018, Warm and Safe Wiltshire has given advice to 2,200 households on a wide variety of topics including: insulation and heating improvements, switching energy suppliers, claiming the Warm Home Discount, securing additional benefits and local grants like the Surviving Winter Fund. This has saved residents over £275,723 on energy bills and increased income. Warm and Safe Wiltshire has referred over 400 households to heating and insulation contractors to help keep homes warmer, lower bills and reduce carbon emissions.

### **Working with Partners as an Innovative and Effective Council: Community Involvement**

38. The council's area boards have hosted a number of well-attended special climate change-themed meetings as set out in Appendix 2.

39. An online survey of residents was carried out in autumn 2019 as part of research for the Wiltshire Community Area Joint Strategic Assessment. Residents were asked to choose their top 5 priorities from a list of options and 6260 responses were received. Three out of the top five priorities across the county were linked to the environment: climate change and renewable energies came out top with 32.2% of respondents putting it in the top 5; waste and recycling came third (29.6% of respondents); and wildlife and biodiversity came fifth (24.7% of respondents). These findings will feed into the council's plans in its recovery from the pandemic.

### **Working with Partners as an Innovative and Effective Council: Performance**

40. Since April 2020, the council has secured all the electricity on its corporate contract from a green tariff.

41. The council has committed £5.2m to a corporate energy efficiency and generation programme. A range of technologies and opportunities have been identified as set out in this Cabinet [report](#).

42. Preliminary figures for the council's carbon footprint from 2019/20 show that emissions from leisure centres and the corporate estate totalled 7352 tonnes of carbon dioxide equivalent (tCO<sub>2e</sub>) compared with 8072 tCO<sub>2e</sub> in 2018/19.

### **Working with Partners as an Innovative and Effective Council: Commercialism**

43. The council has allocated £3.5m to fund renewable energy projects in the county and in January 2020 it [established](#) the Stone Circle energy company. The company will help the council achieve carbon offset by the production of sustainable energy that will be sold to third parties.

## **Working with Partners as an Innovative and Effective Council: Delivering Together**

44. In June 2020, Wiltshire Council became a founder member of a newly-launched network to promote the voice of the countryside in climate change discussions. The Countryside Climate Network is part of [UK100](#) and aims to ensure that the voice of rural knowledge and experience on climate action is listened to in Westminster. It asks that rural councils are an active participant in transforming the national economy into one that saves, rather than harms, our environment. The network calls for investment, such as the government's delayed £100bn infrastructure fund, to be targeted at rural areas to help fight climate change.
45. The council has signed up to working closely with the Local Government Association (LGA) and the County Councils Network to develop a tool that measures the council's levels of carbon emissions. The tool will create a standard, comparable measurement for all councils in the country, which can then be used to baseline carbon emissions and report on them regularly.
46. The council is working with the Department for Business, Energy and Industrial Strategy (BEIS) to evaluate and deliver the opportunity for a Heat Network at the Porton Down Campus in South Wiltshire. The council and the Department are co-funding £110,000 towards detailed development of the scheme with the council's contribution being sourced from revenues generated by its Science Park which opened in 2018. The project aims to deliver low carbon heat across the campus and is expected to include the development of a new energy centre at this large and nationally important science and technology hub.
47. The Wiltshire Public Service Board, which brings together all the major public sector partners in the county, received a presentation on how the council is tackling the climate emergency at its meeting on 4 December 2019. Other partners will be invited to share what they are doing on this topic at future meetings.
48. The council continues to share best practice with other local authorities through the County Council Network, ADEPT and the South West inter-authority group on climate change.
49. The council is in discussion with Southampton University's Energy and Climate Change Division with a view to collaborating on research projects in Wiltshire.

### **Overview and Scrutiny Engagement**

50. As set out in paragraph 6 of this report, a Global Warming and Climate Emergency Task Group has been established, chaired by Councillor Graham Wright and made up of nine councillors.
51. Since the beginning of 2020 the task group has been investigating:
  - local planning policies and the development of sustainable, connected communities.

- local transport and how to deliver practical greener transport solutions.
  - community energy and local energy generation through renewable sources.
  - the council's plans to build new houses and ensuring that these are energy efficient.
  - the potential impacts of electric vehicles and the new charging infrastructure.
52. The task group is continuing to examine how to achieve the target of making the county of Wiltshire net carbon neutral by 2030 and formulating its recommendations.
53. The members of the task group discussed the proposed addendum to the council's Business Plan at their meeting on 29 June 2020. This is also being considered by Overview and Scrutiny Management Committee at its meeting on 8 July 2020.

### **Safeguarding Implications**

54. There are no safeguarding implications arising from this report.

### **Public Health Implications**

55. There are no direct public health implications arising from the report itself. Some of the actions we are taking (for example on air quality and active travel) will, however, have potential to have a positive impact on the health of the population.

### **Procurement Implications**

56. There are no procurement implications arising from this report.

### **Equalities Impact of the Proposal**

57. There is no equalities impact arising from this report.

### **Environmental and Climate Change Considerations**

58. This report sets out the council's response to environmental and climate change considerations following the acknowledgement of a climate emergency and agreement by Full Council to seek to make the county of Wiltshire carbon neutral by 2030.

### **Risks that may arise if the proposed decision and related work is not taken**

59. As Full Council recognised on 26 February 2019, the risks from climate change are such that Wiltshire Council cannot wait for national government to act where it can take action itself. If the council's Business Plan does not reflect this reality, there is a risk that the council will not be adequately prepared.

## **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

60. A commitment has been made by the Leader to ensure the Business Plan reflects the climate emergency. Given the current position regarding Covid-19 an addendum is the most pragmatic and proportionate approach to ensuring the carbon reduction agenda is given sufficient weight and consideration now. A new Business Plan will be developed over the next 12 months, which will fully integrate how the council will address the climate emergency as a core part of the council's future business.

## **Financial Implications**

61. There are no financial implications arising from this report as all the budgets mentioned have already been allocated.

## **Legal Implications**

62. There are no legal implications arising from this report.

## **Workforce Implications**

63. There are no workforce implications arising from this report.

## **Options Considered**

64. The council has considered amending the main body of the Business Plan as requested in the motion to Full Council on 26 November 2019. However, due to the necessity to thoroughly review the Business Plan in the coming 12 months it was felt more appropriate to insert a climate emergency addendum at this time.

## **Conclusions**

65. Since Full Council resolved to acknowledge that there is a climate emergency and to seek to make the county of Wiltshire carbon neutral by 2030 a number of areas of work have been progressed. This report provides an update and proposes an addendum to the current Business Plan to reflect the importance of this issue.

## **Sam Fox, Director of Economic Development and Planning**

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3 July 2020

## **Appendices**

Appendix 1: Proposed addendum to the Business Plan 2017-2027

Appendix 2: Feedback from community area events

## **Background Papers**

None.

## Appendix 1

### **Business Plan 2017-27: Climate emergency addendum**

From its inception in 2009, Wiltshire Council committed to tackling carbon emissions by signing the Nottingham Declaration on climate change. The council produced an ECO Strategy in 2011 and signed up to Climate Local, the successor to the Nottingham Declaration, in 2014. In October 2019, the council was named the most climate-friendly council in England and Wales by Friends of the Earth having been assessed in different categories including renewable energy, public transport, lift-sharing, energy efficiency at home, waste recycling, and tree cover.

In February 2019 Wiltshire Council resolved to acknowledge the climate emergency and to seek to make the county of Wiltshire carbon neutral by 2030. A Climate Emergency Task Group was set up to gather evidence and come up with recommendations on achieving net zero. Wiltshire Council's Cabinet subsequently committed to make the council carbon neutral by 2030.

A new carbon reduction strategy will be prepared to enable the council to meet these commitments. The plan will be evidence and data led and a baseline assessment will be undertaken to assist in identifying need and determining priorities. It is proposed that the plan will include a community led approach which engages, empowers, enables and communicates with Wiltshire communities and businesses.

Since the climate emergency was confirmed in Wiltshire, the council has progressed the following areas, recognising that this is the start of a journey:

- Committed to invest £5.2m to make its buildings more energy efficient
- Hosted a number of well-attended special climate change-themed area board meetings
- Secured all the electricity on its corporate contract from a green tariff from April 2020
- Supported the bid and invested to bring electric buses to Salisbury
- Bid for significant funding to improve public transport and cycle networks
- Set up Stone Circle Energy Company and committed to invest £3.5 million in sustainable energy projects across the county
- Committed to develop 1000 new council homes to a zero carbon standard
- Funded a climate change team in the 2020/21 budget and appointed a Head of Carbon Reduction
- Committed to invest £12m on a major public highway LED light replacement project which is projected to reduce carbon emissions by 83% compared with 2013/14
- Joined forces with other councils through the Countryside Climate Network to ensure that the rural voice on climate action is listened to in Westminster
- Established that climate change and renewable energy is the top priority for residents surveyed in 2019
- Worked with partners to develop the vision for a green infrastructure network in Wiltshire
- Encouraged the public to make a Green Pledge

Carbon reduction will be a key theme in the council's recovery from Covid-19. As well as developing a new carbon reduction strategy, the council is carrying out a review of its Local Plan and developing its fourth Local Transport Plan. Carbon reduction will be an integral theme within these documents. The council is currently developing a Green Infrastructure Strategy. From this we will develop a woodland and tree planting policy.

The council is engaging with other public sector organisations through the Wiltshire Public Service Board and with businesses through the Swindon and Wiltshire Local Enterprise Partnership (SWLEP). The SWLEP has published its emerging Local Industrial Strategy which includes commitments to improving the strategic energy infrastructure, decarbonising our economy and helping to deliver the national climate change targets. The council will continue to engage with communities to work collaboratively towards achieving the country's decarbonisation goal.



### Community Area Events

Since the climate emergency has been acknowledged by the council, the following environment themed events have been held in connection with eleven of the area boards, either

- as part of community area board meetings
  - in advance of community area board meetings
  - separate to a planned community area board meeting but with the engagement of area board members and community engagement managers.
1. Bradford on Avon area board held an environment themed meeting on 19 June 2019 which was attended by representatives of voluntary groups based in the community area. The event was successful in part due to the enthusiasm of one of the members of the area board and the support of the town council which has also declared a climate emergency.
  2. On 4 November 2019 Salisbury area board held an eco-fair, arranged jointly with Salisbury City Council which has also declared a climate emergency. This was followed by a climate change themed area board meeting at which Wiltshire Council and Salisbury City Council presented the work they are doing to tackle climate change. This was followed by a workshop to consider ideas on how to approach climate change as a community. Many of the groups which had stalls at the eco-fair were represented at the area board and engaged in the workshop.

On 26 February 2020 Salisbury City Council and Salisbury Area Board held a Climate Change forum, focusing on:

- improving walking and cycling in the city
- planting more trees in the city
- reducing food waste in the city

Outcomes:

- Recognise and increase public engagement through regular updates: at area board and City Council meetings, through press and social media, and by staging public events to highlight the work of volunteers and their projects.
  - Maintain and increase the volunteer base, generating more potential climate friendly projects.
  - Monitor the outcomes through presentations to the AB / SCC on those projects as they develop
3. 6 January 2020 - Melksham area board did not choose to hold a dedicated climate workshop, but instead had an item on climate emergency as part of an agenda that also included an update on kerbside recycling and a proposal for the community management of a network of public open spaces, among other

business. Although some questions were taken, there was limited opportunity to invite contributions from those environmental groups present, as time did not permit. There is some interest locally in this agenda, including from Melksham Town Council which has declared a climate emergency and has a high profile tree planting initiative.

4. South West Wiltshire area board had an agenda item on eco-friendly communities with presentations from Wiltshire Council and local initiatives and groups on 28 November 2019. The agreed intention following that meeting is to appoint a champion or set of champions to research, produce and maintain a directory of local recycling/reuse/repair outlets and initiatives, and to look to organise future events on this theme.
5. Amesbury area board invited groups to have stands and provide information during the 30 minutes set aside for networking in advance of the area board meeting on 21 November 2019. There was a presentation from Wiltshire Council in advance of a climate emergency workshop jointly facilitated by a member of the area board and a representative from Extinction Rebellion. Over an hour was allocated to this in advance of the standard area board agenda. Twelve themes emerged from the workshop and the area board is planning to consider two themes at each of the next six area board meetings.
6. Royal Wootton Bassett and Cricklade area board held an environmental fair in advance of an environment themed meeting which ran in parallel to the standard area board agenda on 27 November 2019. This comprised a number of community discussions on environmental issues including reducing carbon emissions. The event was led by a Royal Wootton Bassett environmental group who worked with the community engagement manager to ensure the right links were made and groups invited. The group continues to lead the work on climate change in the community area, retaining their links to the council and others through the community engagement manager.
7. Southern Wiltshire area board had an agenda item on community based eco-projects on 20 November 2019, titled 'the village to the world via Wiltshire'. This reflected the view of the area board that local projects contribute to the global response to the climate emergency as well as being worthwhile in their own right. There was a presentation on the work of Wiltshire Council followed by presentations from a range of local environmental groups. A local champion has been recruited to produce and maintain a directory of recycling/reuse/repair projects and initiatives, to use as a focus for future events and work
8. Warminster area board held a community area climate forum on Thursday 9 January 2020 in advance of a standard community area board meeting. This was arranged by the chair of the area board working with the community engagement manager and a small number of local volunteer groups. The agenda was a mix of

alternating presentations and workshops and a significant number of people attended. The subsequent area board agenda was not environment themed and the majority of workshop attendees left before the area board meeting started. During the climate forum, it was agreed that the results of the forum would be circulated and attendees would be encouraged to meet again as a smaller group to discuss any actions that could be taken locally to help towards Wiltshire's climate change goals.

9. Devizes area board held an environment themed meeting with presentations from Wiltshire Council and Warm and Safe Wiltshire. Local environmental groups had been invited to present the actions that they are taking in response to the climate emergency. Due to previous items overrunning and pressure of time, this item was cut from the agenda. The chairman apologised and said that the agenda for the next area board meeting would allocate the majority of time to this item. The environmental groups have offered to work with the community engagement manager to design the agenda. This meeting had been scheduled for 16 March 2020 but was cancelled due to emerging advice on COVID-19.
10. Chippenham area board held a meeting on 3 February 2020 which was preceded by an eco-exhibition and displays which had twenty different community groups, schools, local businesses, local authorities and external organisations exhibiting. The area board agenda included a presentation from Wiltshire Council on work in response to the climate emergency which was followed by a workshop which was run by Zero Chippenham. Many people involved in the exhibition stayed for the meeting and participated in the workshop.
11. Westbury area board held a meeting on 6 February 2020 at which there was a presentation by Wiltshire Council on the response to the climate emergency and the target to seek to make the county of Wiltshire carbon neutral by 2030. This was followed by a roundtable discussion to identify local action to ensure Westbury contributes to the goal of seeking to make the county of Wiltshire carbon neutral by 2030. It was agreed that the results would be circulated to all attendees and people would be invited to form a local Climate/Air Quality Group to identify any local actions that could be taken to address any of the points raised.
12. Pewsey area board had committed to holding an environment themed event during spring 2020. This had been scheduled for 4 April. Unfortunately, due to COVID-19, it had to be cancelled but they are looking to reschedule it during 2021. Pewsey are currently establishing a Community Energy Network.

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## **MINUTES EXTRACT OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 8 JULY 2020.**

### **45 Business Plan 2017-27: Climate Emergency Addendum and Update**

On 26 November 2019 a motion was received by Full Council on proposed amendments to the council's Business Plan 2017-2027. The motion was referred to the Leader of the Council following his comment that work would be undertaken on the next draft of the Business Plan to give prominence to the Climate Emergency, and there would be discussion with the Global Warming and Climate Emergency Task Group.

Ahead of the review of the Business Plan, which would in any case be required due to the impact of the Covid-19 pandemic, an addendum to the current Business Plan had been prepared pending development of the plan for 2021 onwards.

As the Environment Select Committee was not presently meeting, the Committee was asked to receive the proposed addendum as detailed in the agenda supplement.

The Deputy Leader of the Council, with responsibility for response to the Climate Emergency, Councillor Richard Clewer, along with the Leader of the Council, Councillor Philip Whitehead, presented the addendum to the Business Plan, detailing the steps that had already been undertaken by the council to seek to make the council area carbon neutral by 2030 and other actions and objectives.

The Committee discussed the draft addendum, which would be considered by Full Council on 21 July 2020. There was discussion of recent announcements on insulation schemes, the timeframe of 6-9 months for a baseline carbon calculation, the level of ambition in the addendum and any updated Business Plan, that implementation plans would be discussed with Overview and Scrutiny and the significant steps toward carbon reduction which had already taken place.

At the conclusion of discussion, it was,

#### **Resolved:**

**To note the draft Business Plan 2017-27 Climate Emergency addendum, which will be considered by Full Council on 21 July 2020, and the input of the Global Warming and Climate Change Task Group in its development.**

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**Wiltshire Council**

**Full Council**

**21 July 2020**

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**Subject: Statement of Community Involvement**

**Cabinet Member: Cllr Toby Sturgis Cabinet Member for Spatial Planning, Development Management and Property**

**Key Decision: Key**

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## **Executive Summary**

The Statement of Community Involvement (SCI) is a statutory document that must be reviewed every five years. The Council's current SCI was last updated July 2015 and while it generally remains, fit for purpose, since then further legislative changes have been made about its content that need to be considered.

The SCI has therefore been reviewed to bring it into compliance with legislation and improve its format. It will allow for communities, stakeholders and the public to understand how to participate in planning matters and has been written in a format to provide information on when engagement will take place, how it will take place and how comments made will be used. It takes into consideration communication and engagement through social media and digital platforms, as well as more traditional methods and reflects the desire of the Council to encourage people to engage in place shaping for their communities through early engagement in plan making and on planning applications.

In addition to the revised SCI, temporary arrangements also need to be put in place in the light of the COVID-19 situation and to ensure that plan-making and decision making on planning applications can continue, and community engagement is reasonable and effective in these circumstances.

The SCI temporary arrangements set out, where necessary, amendments to the SCI to promote effective community engagement by means which are reasonably practicable while adhering to government guidance targeted at controlling the spread of COVID-19.

Adoption of the revised SCI and temporary arrangements is timely, as it will enable the consultation on the Local Plan review programmed this year to take place on the in accordance with an up to date SCI.

Cabinet received a revised SCI and temporary arrangements at its meeting on 14 July and the report is included below.

**Proposal(s)**

That Council:

- (i) Adopts the Statement of Community Involvement as set out in **Appendix 1**.
- (ii) Adopts the Statement of Community Involvement 'Temporary Arrangements' as set out in **Appendix 2**.
- (i) Delegates authority to the Director for Economic Development and Planning in consultation with the Cabinet Member for Spatial Planning, Development Management and Property to: make amendments to (i) and (ii) in the interests of clarity and accuracy before publishing it on the Council's website; and determine when the Temporary Arrangements in (ii) cease to have effect.

**Reason for Proposal(s)**

To ensure that a revised SCI is in place that meets legislative requirements, is up to date and fit for purpose. Alongside adoption of the SCI, temporary arrangements will need to be in place, until they are no longer needed, due to the COVID-19 situation to ensure community involvement continues to take place in a safe way.

**Terence Herbert**  
**Chief Executive Officer**



## Wiltshire Council

### Cabinet

14 July 2020

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**Subject:** Statement of Community Involvement

**Cabinet Member:** Cllr Toby Sturgis Cabinet Member for Spatial Planning, Development Management and Property

**Key Decision:** Key

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### Purpose of Report

1. To:

- (i) Approve a revised Wiltshire Statement of Community Involvement, which sets out how the Council will engage with the community and stakeholders on planning matters;
- (ii) Approve Temporary Arrangements to (i) in response to COVID-19.
- (iii) Recommend that Council on 21 July 2020 formally adopt the revised Statement of Community Involvement and Temporary Arrangements.
- (iv) Recommends that Full Council, delegates authority to the Director for Economic Development and Planning to: make minor amendments to (i) and (ii) in the interests of clarity and accuracy before publishing it on the Council's website; and determine when the Temporary Arrangements in (ii) cease to have effect

### Relevance to the Council's Business Plan

2. The Wiltshire Business Plan 2017-2027 seeks to create strong communities in Wiltshire both through the delivery of growth to provide resilient and sustainable places, and to enable those who live, work and do business in Wiltshire to shape their communities themselves.
3. Wiltshire Council's Statement of Community (SCI) Involvement has community involvement in place-shaping at its heart. It sets out when and how communities and stakeholders can be involved in the Council's planning duties for the future use of land in its area.

### Background

4. The existing SCI was adopted by Council on 14 July 2015 (papers can be accessed via this [link](#)).
5. The SCI sets out how the Council will engage with the community and stakeholders on plan making and decision taking on planning applications. It is

a statutory document that the Council, as Local Planning Authority, is required to prepare and keep up to date.

6. The SCI is a statutory document which the Council is required to prepare under Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) and whilst this is a required document to support plan making and decision taking on planning applications, there is no prescribed format, nor is there any requirement to consult when reviewing and updating an SCI<sup>1</sup>.
7. Since the 2015 SCI was adopted, changes to legislation have been made requiring SCIs to be reviewed every five years from the date of adoption. In addition, the Neighbourhood Planning Act 2017 introduced new provisions requiring the SCI to set out the local planning authority's policies for giving advice and assistance for the preparation of neighbourhood plans.
8. The Government's [planning practice guidance](#) in response to the COVID-19 pandemic advises that:

*“Local planning authorities will need to assess their Statements of Community Involvement to identify which policies are inconsistent with current [guidance on staying at home and away from others](#) or any superseding guidance”; and “should then make any temporary amendments that are necessary to allow plan-making to progress, and that continue to promote effective community engagement by means which are reasonably practicable.”*

9. For decision making, the [guidance](#) also reflects temporary regulations for publicity arrangements in relation to planning applications and consents that provide local planning authorities with greater flexibility.

### **Main Considerations for the Council**

10. The current SCI was adopted on 14 July 2015 and is thus reaching its five year anniversary. With the proposed consultation on the Local Plan Review this year, this updated version of the SCI is considered timely.
11. The revised SCI is set out at **Appendix 1**. There are no major changes to the content from the adopted 2015 version, which continues to provide a basis for the SCI. Changes are made to:
  - (i) the layout and form of the document to make it easier to understand and use;
  - (ii) the engagement methods to reflect the wider use and potential of social media and digital communication, as well as more traditional forms; and
  - (iii) reflect the latest legislation and guidance contained in the Government's planning practice guidance, in particular the support of the Council in relation to neighbourhood planning.

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<sup>1</sup> Planning Practice Guidance Plan-making <https://www.gov.uk/guidance/plan-making>. Paragraph 035 Reference ID: 61-035-20190723

12. In addition to the revised SCI, temporary arrangements also need to be put in place in the light of the COVID-19 situation and to ensure that plan-making and decision making on planning applications can continue, and community engagement is reasonable and effective in these circumstances. The interim arrangements are set out at **Appendix 2** and will sit alongside the SCI temporarily replacing some of the policies within it. The main alterations for plan making relate to face to face engagement methods and the availability of hard copies at deposit points. For decision making, these reflect the methods that have been in place already in line with the temporary regulations.
13. For all consultations and community involvement, the Council will carefully consider whether it is safe, feasible and appropriate to carry this out in a way that does not prejudice the ability of people to be engaged in terms of fairness and equality.

### **Overview and Scrutiny Engagement**

14. The Chairman and Vice-Chairman of the Environment Select Committee were given a briefing on 1 July 2020 on the general principles underlying the SCI and temporary arrangements under COVID-19, which they agreed with. It was noted that the detailed papers will be published in the Cabinet agenda.

### **Public Health Implications**

15. Planning has, at its heart, sustainable development to meet the employment, housing and infrastructure needs of the community to help foster their wellbeing; and has potential to reduce the inequalities that impact negatively on the health of the population. Well planned development, with high quality design, open space, recreation facilities and appropriate infrastructure all supports healthy communities. Engaging with the community and stakeholders, including public health bodies, will ensure that their views and needs are taken into consideration in plan making and decisions about how places are shaped.
16. The temporary amendments to the SCI are in direct response to the COVID-19 situation and designed to ensure that consultation is undertaken in a safe way having regard to national guidance. These arrangements will need to remain in place until such time as it is safe to return to the full SCI.

### **Procurement Implications**

17. There are no direct procurement implications arising from this report.

### **Equalities Impact of the Proposal**

18. The purpose of the SCI is to ensure that everyone who wishes to has the ability to be engaged in and to help shape the areas in which they live and work through both plan making and in decisions made for individual planning applications. The SCI recognises the Equality Act 2010, and that the Council will promote equality and diversity in undertaking its duties and not unfairly discriminate against anyone who wishes to participate in the planning system

## **Environmental and Climate Change Considerations**

19. The SCI will ensure a variety of stakeholders, including environmental bodies, and members of the community are involved in plan making and planning decisions; enabling their views on such matters to be taken into consideration. Digital methods of communication and engagement has benefits e.g. reducing the need to travel.

### **Risks that may arise if the proposed decision and related work is not taken**

20. It is important that Wiltshire maintains an up to date SCI setting out how the community will be involved in planning. This is a legislative requirement and failure to maintain an up to date SCI could result in intervention by the Secretary of State.
21. If the SCI is not updated, the Council will not have a clear set of consultation procedures for the Local Plan review, other development plan documents or for planning applications which comply with the latest legislation. An update is now due as the adopted SCI must be reviewed every five years.
22. The Council is required to demonstrate that it has complied with an up to date SCI during the examination of development plan documents. A revised SCI is needed in time for the consultation on the Local Plan review due to commence this year.
23. Putting the temporary arrangements in place alongside the SCI will ensure that community involvement can occur in a way that is safe to do so during the pandemic consistent with guidance.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

24. If the SCI and temporary arrangements are approved and recommended for adoption by full Council, the Council will need to comply with them in undertaking related consultations. The SCI should be monitored, and further reviews may be appropriate in advance of it being five years old.
25. The temporary arrangements will need to cease when it is safe to do so in line with government guidance about COVID-19, and the full SCI used as intended.

## **Financial Implications**

26. Updating the SCI will ensure that the Council can undertake consultation on planning matters in the most efficient and effective way, helping ensure that the financial costs of consultation can be minimised. For plan making this means having enough flexibility to develop appropriate consultation strategies proportionate to the plan that is being prepared.

## **Legal Implications**

27. Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) provides that a Local Planning Authority must prepare a SCI. The SCI is also prepared to secure compliance with the Town and Country Planning (Local Planning)(England) Regulations 2012 and with regard to requirements of the National Planning Policy Framework and Planning Policy Guidance.
28. The Neighbourhood Planning Act 2017 (Commencement No3) Regulations 2018 brought in force changes required to be made to SCIs prescribed by the Neighbourhood Planning Act 2017 (namely sections 6 and 13 of the Act which amended section 18 Planning and Compulsory Purchase Act 2004.)
29. Updating the SCI will ensure that the Council is compliant with Regulation 10A Town and Country Planning (Local Planning) (England) Regulations 2012 for a 5 year review of the current SCI and new requirements which came into force since the 2015 SCI was adopted.

### **Workforce Implications**

30. The SCI and temporary arrangements will have workforce implications for services across the Council particularly in the Directorate of Economic, Development and Planning, in so far as they will need to ensure they implement the SCI consistent with their duties.

### **Options Considered**

31. The options for the Council are limited given that there is a statutory requirement to review the SCI every five years and that review is now due. In addition, there is an immediate need to ensure that there are temporary arrangements in place that adapt the SCI to the current COVID-19 situation to ensure community involvement takes place in a safe way.

### **Conclusions**

32. There is a requirement to review the SCI every 5 years to ensure it remains robust and fit for purpose. The current SCI is generally considered to be fit for purpose but a change in format to make it easier to use, and revisions are needed to reflect the latest legislative requirements and communication methods. The updated SCI will ensure that the best use of resources is made, both in terms of financial and staffing resources to ensure efficient and effective plan and decision making; and so that consultation can be meaningful and appropriate, particularly with the local community.
33. On adoption the revised SCI will not be able to be brought into full effect immediately due to the ongoing restrictions around the COVID-19 situation and the need to involve the community and stakeholders in plan making and planning decisions in a safe way. In these circumstances, a second document setting out temporary arrangements should also be adopted.

**Sam Fox (Director - Economic Development and Planning)**

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[georgina.clampitt-dix@wiltshire.gov.uk](mailto:georgina.clampitt-dix@wiltshire.gov.uk), Tel: 01225 713472

Date of report: June 2020

## **Appendices**

Appendix 1: Wiltshire Council Statement of Community Involvement, June 2020

Appendix 2: Wiltshire Council, Statement of Community Involvement - Temporary Arrangements, June 2020

## **Background Papers**

None

# Statement of community involvement

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## Wiltshire Council

Information about Wiltshire Council services can be made available on request in other languages including BSL and formats such as **large print** and audio.

Please contact the council on **0300 456 0100**, or by email on **customerservices@wiltshire.gov.uk**

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customerservices@wiltshire.gov.uk

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# Statement of Community Involvement

June 2020

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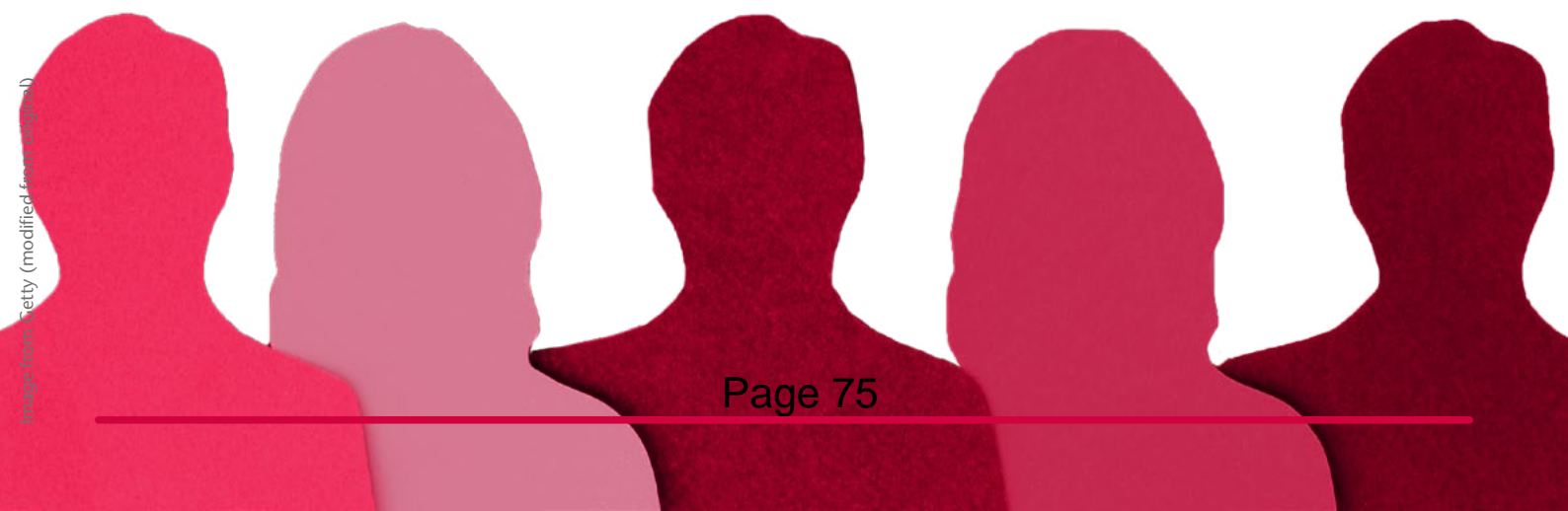
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# 1. Introduction

- 1.1. Planning affects us all, shaping the places we work and live along with the services and facilities we use. Planning decisions shape our lives and it is important that everyone can comment on and be involved in making these decisions. We need residents, businesses and other organisations to use local knowledge and expertise to help shape places and provide ideas as to what works well and what doesn't work as well so that we understand what you feel is best when making decisions in Wiltshire.
- 1.2. Wiltshire Council, as the local planning authority, must maintain a Statement of Community Involvement (SCI). The SCI is a legal requirement under the Planning and Compulsory Purchase Act 2004 and sets out how we will engage with our local communities and stakeholders on planning matters including both plan-making and decision taking.
- 1.3 We will work with local communities, businesses and other interested parties so that everyone can be well informed and understands how they can contribute, engage with and influence planning policy and decisions on planning applications.
- 1.4. Although this is a planning document the principles in the Statement of Community Involvement will also steer consultation on other relevant plans and policies such as the Local Transport Plan (LTP) and the Community Infrastructure Levy (CIL).

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## 2. The planning system

2.1. The local planning authority is responsible for deciding where and how development takes place under a planning policy framework, made up of national policy (the National Planning Policy Framework and Planning Practice Guidance) and local policy as set out in their Local Plans and, the parish and town council's, Neighbourhood Plans. Policies in these plans are collectively known as the development plan.

2.2. The planning system is plan-led and decisions are made in line with the development plan, prepared in accordance with national policy, unless material considerations suggest otherwise. Our consultation approach therefore seeks local people to be involved in both shaping local policy, which is the starting point for making decisions, and in decision making on individual planning applications.

### Plan Making and Place Shaping:

#### Development Plan Documents (DPDs)

2.3. The Planning and Compulsory Purchase Act 2004 requires all local planning authorities to prepare what is called a 'development plan', referred to as development plan documents (DPDs).

2.4. Development plans can consist of an individual document or a series of planning documents however, taken together, these documents form the Local Plan for an area and provide a vision and framework for its future development. More specifically the documents must set out our priorities for land use and development and provide a comprehensive set of policies to address both strategic priorities and non-strategic planning matters across Wiltshire.

2.5 Our Local Development Scheme sets out the programme for development plan document preparation. It provides a starting

point for the community and stakeholders to find out what documents are being prepared, timeline for their preparation and consultation opportunities.

#### Supplementary Planning Documents (SPDs)

2.6. Local planning authorities can choose to develop separate documents to provide additional detailed guidance and principles for development, to amplify the policies set out in DPDs. SPDs can be used to provide further guidance for development on specific sites or on a particular issue, such as design. SPDs are a material consideration and must be considered when making planning decisions.

### Development Management:

#### Planning Applications

2.7. Planning applications are required where specific development is being undertaken at a specific location, which can range from householder extensions to their homes to proposals for larger schemes such as new shopping centres, offices and housing developments. These applications must be submitted for determination in accordance with the policies set out in the development plan alongside other material considerations.

## Community engagement requirements

- 2.8. There are different requirements for consultation for each of these areas of planning and this SCI sets out who we will consult with and how we will do this.
- 2.9. Further information in relation to both plan making and planning applications can be found on our website [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)
- 2.10. If you still have questions the teams can be contacted via email and phone as outlined below.

### For plan-making

spatialplanningpolicy@wiltshire.gov.uk  
01225 713223

### For planning applications

developmentmanagement@wiltshire.gov.uk  
0300 456 0114

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## 3. Who do we consult?

3.1. We are committed to open and honest dialogue with the community and try to include as many groups, organisations and individuals in the planning process as possible. This section details who we consider to be the Wiltshire community and how we will consult.

### Plan Making and Policy Formulation

3.2. 'Our community' means residents, businesses, community and interest groups, town and parish councils, landowners, developers, adjoining local authorities, government agencies and any other individuals, groups and organisations interested in the development and use of land in Wiltshire. We have developed a list of consultees based on our past experience and previous consultation exercises. This list draws on central government advice, previous local plan making and other community planning processes. Anyone can request to be added to or removed from the list at any time by contacting the team as listed above.

3.3. The Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulation 18) sets out requirements for the consultation process in relation to plan-making and we must consult with certain bodies for some matters.

3.4. As well as these required bodies we also consult with "such residents or other persons carrying on business in the local planning authority's area from which the local planning authority consider it appropriate to invite representations" .

3.5. Sometimes issues will have a very localised impact within a certain parish or group of parishes, so consultation is

carried out on an area basis rather than with the whole Wiltshire community when this happens. This is subject to fulfilling the minimum legal requirements.

### Planning Applications

3.6. For individual planning applications we are required to undertake a formal period of public consultation, prior to a decision. Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out requirements for the consultation process in relation to the different types of planning applications and any publicity necessary, for example when work affects a Listed Building. These are the minimum requirements which must be adhered to and will vary according to the scale, type of application and its location. Further information on the legal requirements for publicity can be found at [www.legislation.gov.uk/ukxi/2015/595/contents/made](http://www.legislation.gov.uk/ukxi/2015/595/contents/made)

### Our Existing Community Links

3.7. We have established strong links with communities through the Area Boards to inform decisions and shape local services.

3.8. There are 18 Area Boards across Wiltshire who provide a valuable way of identifying local priorities, discussing proposals, collecting evidence, publicising information and involving the community and its elected representatives in the development of plan and policy making.

3.9. The Area Boards have extensive links with town and parish councils, representatives of business, the voluntary sector, local people and community leaders, to develop community led-action plans which can form part of the evidence base

for the Local Plan.

- 3.10.** There are a range of strategic partnership bodies that we work with to develop more specific strategies and actions to improve the wellbeing of the people of Wiltshire. Examples include the Swindon and Wiltshire Local Enterprise Partnership, the North Wessex Downs Area of Outstanding Natural Beauty Council of Partners and the Stonehenge and Avebury World Heritage Site Partnership.
- 3.11.** Town and parish councils are the most local tier of democratic representation, providing a key link with local communities and are important consultees both for plan making and informing decisions on planning applications through providing important local knowledge. Town and parish councils also have the power to prepare neighbourhood plans, parish plans, village design statements and similar documents and many have already chosen to make such plans. A list of those parishes with adopted Neighbourhood Plans can be found on the Councils' website.
- 3.12.** The Wiltshire Assembly meets on a yearly basis bringing together around 300 partners to identify and agree actions to tackle topical issues of importance to Wiltshire. There is the opportunity for presentations or exhibitions if appropriate to the theme of the meeting.

## 4. How do we consult?

4.1. We particularly want to ensure that those who may not always be involved have their opportunity to speak out on planning matters, so we are keen to hear from those under represented groups including:

### Under represented groups

Children and young people

Young adults

Lone parents

Those who don't speak English as their first language

Black and minority ethnic people

The Traveller community including Irish Traveller and Romany Gypsy community

Liveaboard boaters / boat dwellers

The military

People and community groups facing rural isolation

Residents who work outside Wiltshire

People who work in Wiltshire but live elsewhere

Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community

Carers

4.2. We will work with other teams within the Council and with partner organisations to ensure we can reach as many different groups in society as possible.

4.3. In undertaking our statutory duties, we will also ensure that we meet the requirements of the Equality Act 2010. We will promote equality and diversity, and not unfairly discriminate against anyone who wishes to participate in the planning system.

4.4. We will use a variety of consultation methods, ensuring that those used are proportionate to the scale and impact of the proposal, appropriate to those we need to consult and within available

resources. Some examples of such methods are illustrated within Figure 1 below.



4.5. We need to ensure our consultation is valid and therefore we will need to ask for the names and addresses of consultees and any organisations that they represent (if appropriate). We may also need further information to help us understand who is responding so we can ensure wide involvement from the community and to help monitor our ways in which we consult to ensure we are reaching the right groups.



## **Duty to cooperate and cross-boundary working**

- 4.6. We also have to work with our neighbouring authorities under the 'Duty to Cooperate' which requires councils to consider planning issues that extend beyond their own administrative boundaries. For example, we work closely with Swindon Borough Council on preparing our respective local plans and have prepared joint minerals and waste DPDs. In the south, a small part of Wiltshire is within the New Forest National Park which falls under the jurisdiction of the New Forest National Park Authority for planning purposes. All neighbouring authorities will be consulted on planning documents and planning applications, where appropriate.

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## 5. What can I comment upon?

5.1. As well as explaining what we will do to involve local people, this document tells you what you can comment upon and how we will use the information provided to help make decisions. There are two processes, one for comments made on Local Plans and other planning policy documents and a second process for dealing with comments made on individual planning applications. The details for each are below as there are different requirements and ways to comment for each process.

### Plan making and place shaping



Figure 2 The Local Development Framework

- 5.2. Figure 2 illustrates the Local Development Framework (LDF) which includes, at its heart, what is known as ‘the development plan’ which is the main consideration when determining planning applications. The development plan is made up of several documents, some with individual themes, which together provide a vision and framework for the future of Wiltshire and set out policies for both land use and development.
- 5.3. The LDF also includes other process documents including this Statement of Community Involvement (SCI) and the Local Development Scheme (LDS) which sets out the timescale for the production of development plan documents. The LDS, SCI along with monitoring documents are not subject to meeting the consultation measures outlined within the SCI.
- 5.4. Approved Supplementary Planning Documents (SPDs) in Wiltshire include the Waste Storage and Collection SPD and the Revised Planning Obligations SPD. SPDs can be used to provide further guidance for development on specific sites or on specific issues and, once adopted, are also a material consideration when determining planning applications.
- 5.5. Neighbourhood Plans once they are ‘made’ also form part of the development plan and a list of those adopted can be found on the council’s website. Although neighbourhood plans in Wiltshire are prepared by parish and town councils, the local planning authority has responsibility

for certain parts of the process, which is set out later in this SCI.

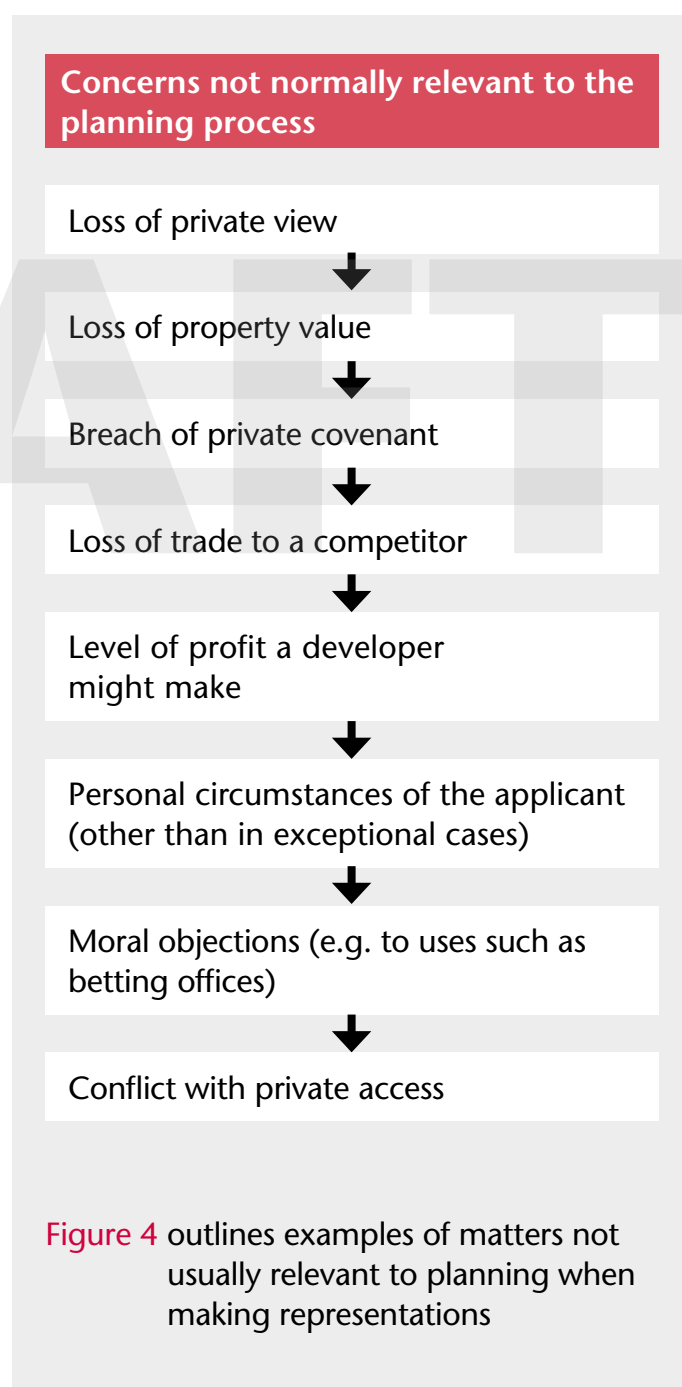
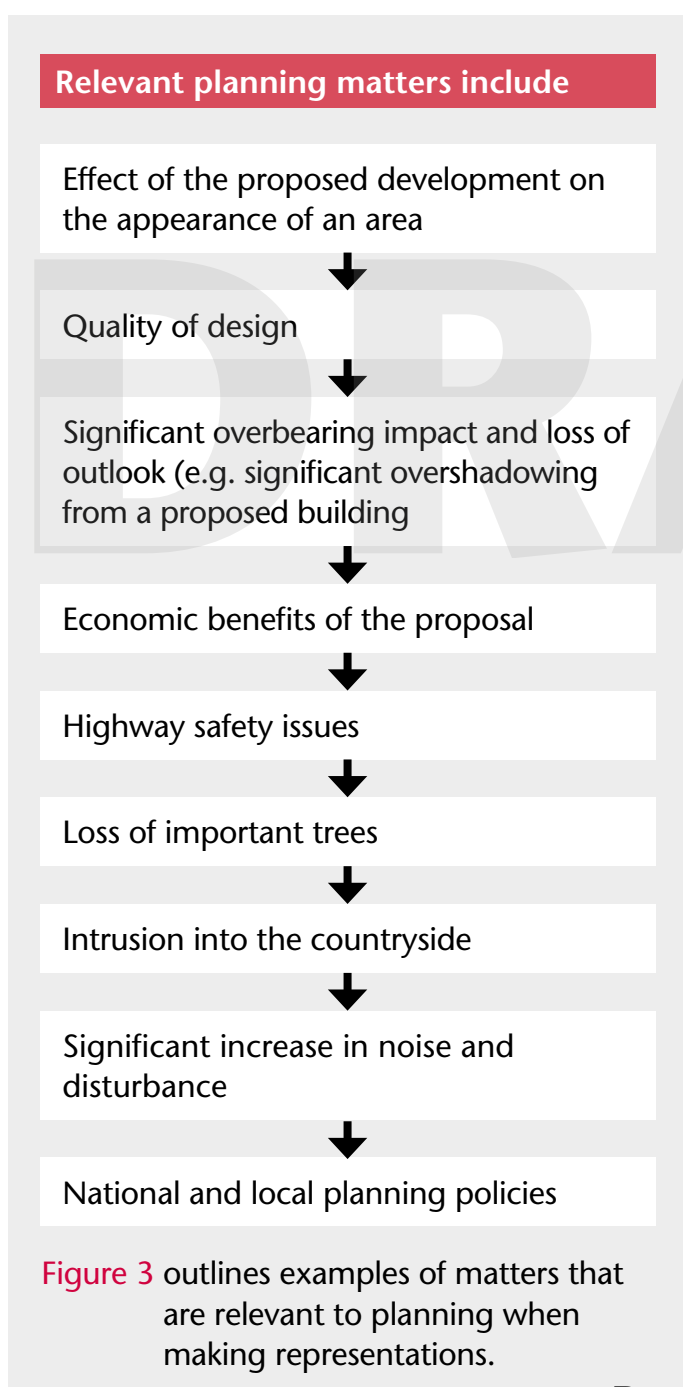
## Development Management

- 5.6. Planning applications for a specific development in a specific location need to be determined having regard to the policies in the development plan and other material considerations. There are different requirements for consultation for the different types and scales of development and these are set out later within this SCI.

## 6. What is the best way to make a comment?

6.1. We would prefer you to contact us electronically as this saves time and cost. With both planning applications and the plan making process ways in which you can respond, along with timescales, will be set out in the information published when consulting. Oral, defamatory or anonymous comments cannot be taken into consideration, only relevant planning matters. Some examples of relevant planning matters are illustrated within Figure 3 and Figure 4 outlines those matters not usually relevant to planning.

6.2. When comments are received they will be uploaded to the relevant part of the website once some personal information, such as email addresses and personal signatures, have been removed where necessary.



## 7. How do I get more involved?

7.1. Flow charts setting out the formal procedures for development plan documents, supplementary planning documents and neighbourhood plans; mapped to the regulatory stages, are attached at Appendices 1 - 3. Figures 5 - 7 illustrate the stages at which community involvement takes place for each respective process.

### Development Plan Documents

7.2. Producing a development plan document (DPD) is a lengthy process given there is a significant amount of technical evidence required and a wide range of input received from a variety of sources throughout the process. It is important that time is taken to consider all the evidence and involve the right people at the right time given the decisions made will have a long-term impact.

7.3. Throughout the process there will be ongoing engagement and exchange of information with key organisations and groups together with formal consultation periods during which anyone in the community can make comments. During periods of formal consultation all documents produced for consultation will be provided online with relevant documents and information made available for inspection at the principal Wiltshire Council offices and at other places in the area as we consider appropriate.

7.4. At key stages technical evidence will be published online as part of the evidence base and Sustainability Appraisal carried out to inform the preparation of the DPD.

7.5. Sustainability Appraisal is required by law and has a separate consultation procedure set out in the relevant regulations (Appendix 4) and is usually carried out alongside the stages of publication and consultation within the DPD preparation process.

7.6. There are minimum legal standards which we must achieve when preparing development plan documents which are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. However, we intend to go beyond these requirements and ensure that there is ongoing engagement and exchange of information with key organisations throughout plan preparation together with the formal periods of consultation (minimum 6 weeks for Development Plan Documents and 4 weeks for Supplementary Planning Documents).

7.7. Informal consultation will take place at an early stage to identify local issues and options for the future with formal consultations occurring as the plan goes through draft stages of preparation. Wherever possible Wiltshire will make every effort to undertake consultations outside August and the end of year holiday periods. However, where this is unavoidable, due to the need to make progress on development plan preparation, we will ensure a reasonable part of the consultation period lies outside of key holiday periods. The figures overleaf illustrate the key stages of the process.

## Development Plan Document production

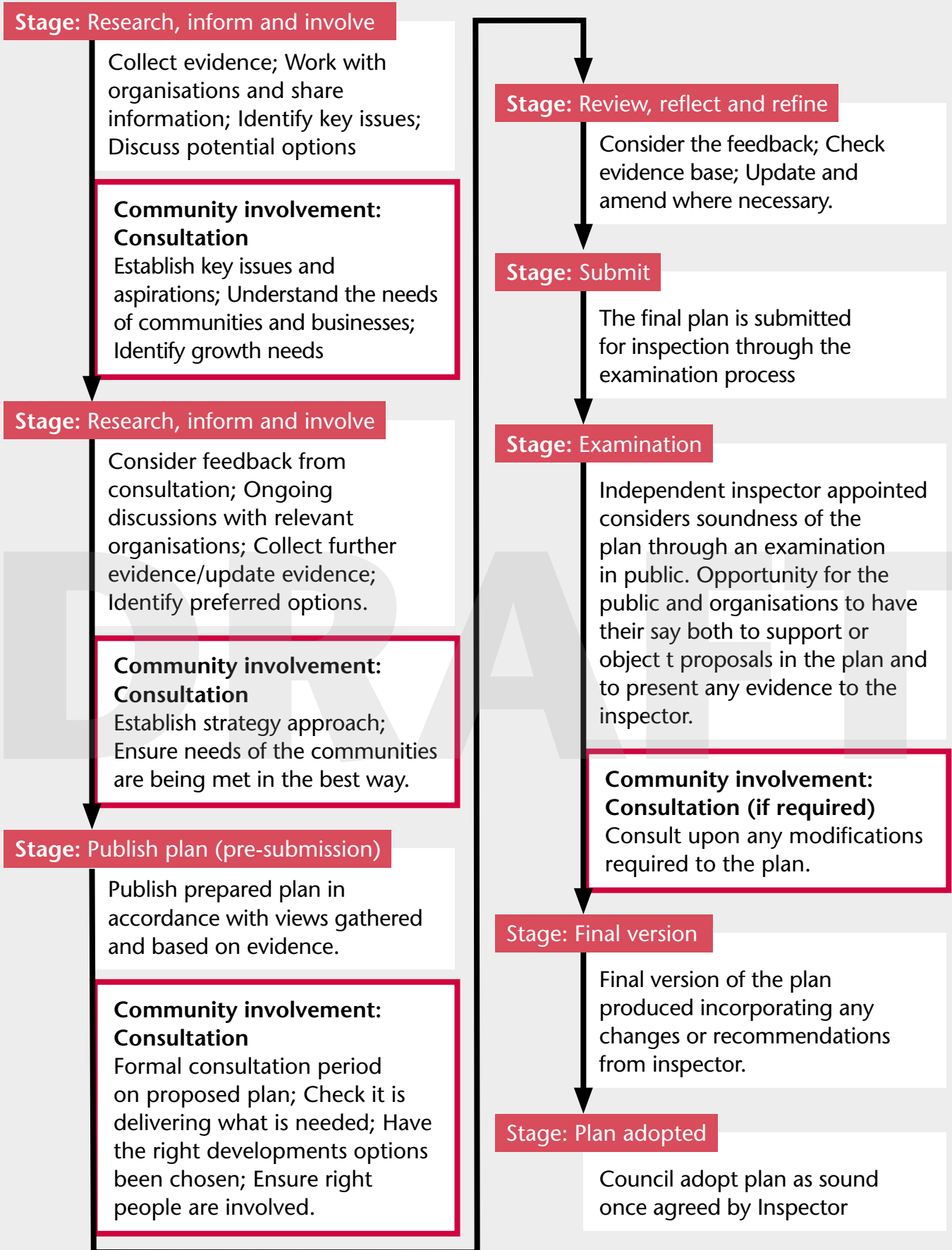


Figure 5 Illustrates the key stages and opportunities for community involvement in the preparation of Development Plan Documents

**7.8.** When undertaking consultation as part of Development Plan Document preparation, the minimum requirements for consultation are set out in the Town and Country Planning (Local Planning) England Regulations 2012 Part 6. Sections 18, 19, 20 and 22 relate to consultation on local plans. These legislative stages can be viewed at Appendix 1.

## Supplementary Planning Documents

**7.9.** Illustration of the specific legislative stages of SPD production can be found at Appendix 2. There is a need to gather evidence, engage with relevant bodies, interested parties and the public but there is only one formal stage of consultation when comments are invited and there is no public examination by an appointed Inspector.

**7.10.** The Council will consider comments made through the consultation stage and will incorporate necessary changes to the document prior to adoption as Wiltshire policy. Although engagement and consultation will be undertaken, this may be targeted and made proportionate to the SPD subject matter, dependent upon the scale and impact of what is set out in the SPD. If the SPD relates to a specific topic or geographic area then a more targeted consultation may be undertaken.

## Neighbourhood Planning

**7.11.** Neighbourhood planning enables communities to shape how their area will develop. A local parish or town council has the power to prepare a Neighbourhood Development Plan (NDP), Neighbourhood Development Order (NDO) or Community Right to Build Order.

**7.12.** A NDP sets out planning policies for the neighbourhood area which inform decisions on planning applications. A NDO grants planning permission in full or outline for a specific type of

development in a particular area, for example permission for a new building on a specific site. A Community Right to Build Order is a type of NDO and can be created by a local community organisation, and so not restricted to a town or parish council

**7.13.** The parish or town council, known as the Qualifying Body (QB), will lead neighbourhood planning in their area and may choose to establish a steering group to support them in preparing the plan. A steering group is made up of those who live and work in the neighbourhood area and they work together to produce the plan, engaging with their community.

**7.14.** Both NDP and NDO are prepared in consultation with residents and other stakeholders to reflect the aspirations and needs of the community. Community consultation is a key part of the process and is looked at during the examination of the plan, once submitted. The responsibility for ensuring that adequate consultation takes place during the preparation of a draft neighbourhood plan lies with the neighbourhood plan group itself. However, the local planning authority has responsibility for specific stages of the process, which is set out in legislation.

**7.15.** Neighbourhood planning was introduced by the Localism Act 2011 and further strengthened by the Neighbourhood Planning Act 2017. Neighbourhood plans must be prepared in accordance with legislation as set out in the Neighbourhood Planning (General) Regulations 2012 (as amended) and The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016. These legislative stages can be viewed at Appendix 3.

**7.16.** Preparing a neighbourhood plan involves several key stages. Figure 6 sets out the key stages in the preparation of a NDP or NDO and who is responsible for the community involvement.

7.17. A NDP becomes 'made' following an examination by an Independent Examiner and a referendum of the local community. Once 'made', the NDP becomes part of the statutory Development Plan. Legislation allows for made NDPs to be modified, requiring certain stages to be completed depending on the nature of the modification. Further information about each of these stages and the processes

involved, together with useful resources for neighbourhood planning, is available on the Wiltshire Council website.

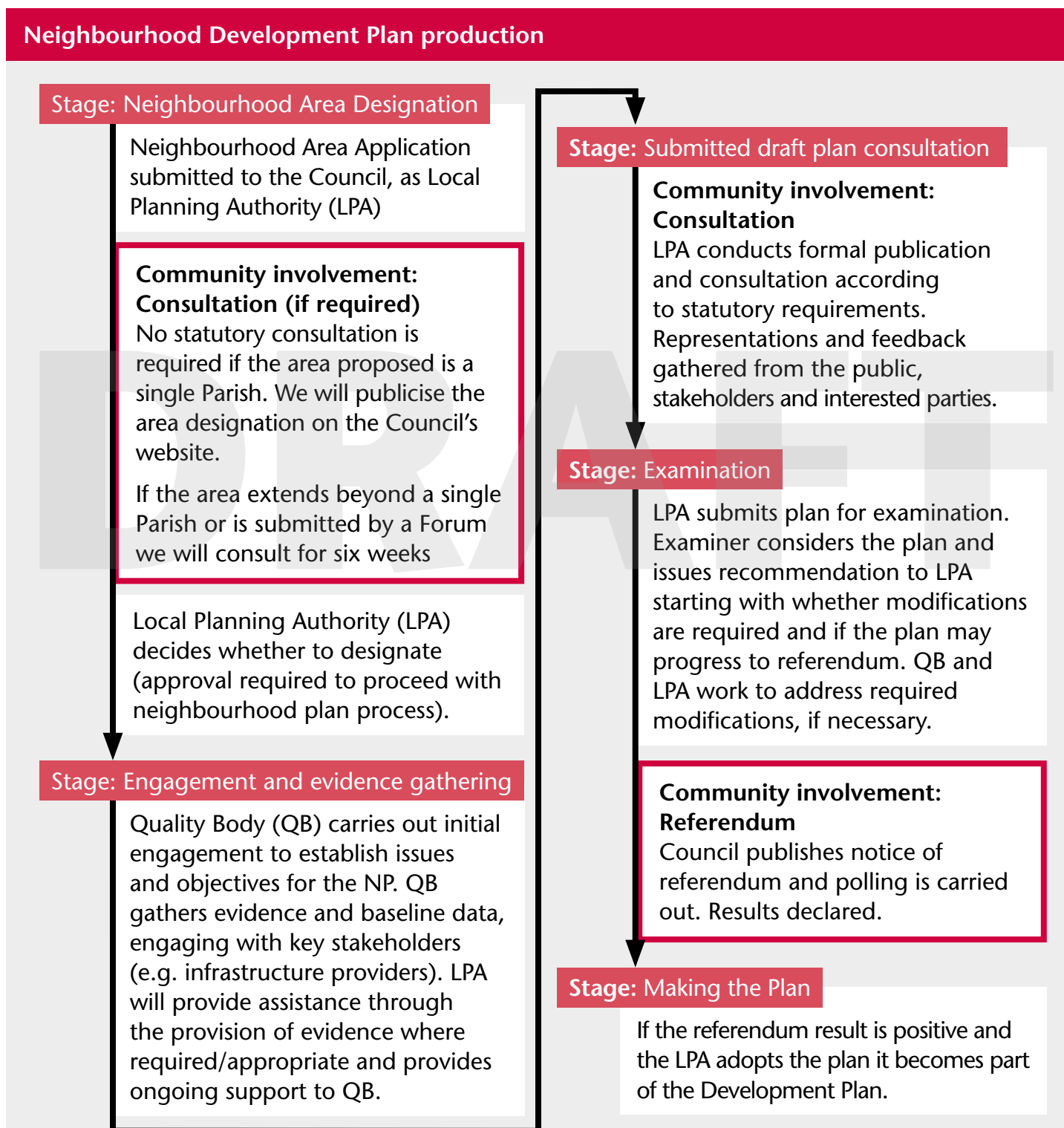


Figure 6 Illustrates the key stages and opportunities for community involvement in the preparation of neighbourhood plan



**7.18.** There may also be other opportunities to be involved in decision making at the community level through the preparation of evidence for neighbourhood planning work or for Village Design Statements, Parish Plans or similar community led plans which are undertaken by some communities.

### **How Wiltshire Council supports Neighbourhood Planning**

**7.19.** Wiltshire Council actively supports neighbourhood planning and is committed to providing advice and support to groups who wish to prepare neighbourhood plans and orders.

**7.20.** The complexity of a neighbourhood plan can vary depending on the local circumstances. Support provided to groups will therefore be tailored to their needs, and subject to available resources, which will include:

- A named contact officer, termed a 'link officer', who will provide guidance and support during the neighbourhood planning process
- Provide information and data to communities about neighbourhood planning as appropriate where necessary
- Attend meetings where the council's specific input is appropriate
- Provide comments on emerging NDP policies, or draft NDOs
- Provide advice on how to undertake community engagement and who to consult in relation to NDP and the additional requirements for NDO.

**7.21.** In addition to the support offered above, we will fulfil the necessary statutory requirements as set out in the relevant regulations in the formal process of developing and eventually making a NDP and bringing into legal force a

NDO. Wiltshire Council will exercise its responsibilities in relation to relevant parts of the neighbourhood planning process, making decisions in a timely manner within prescribed time periods. Further information on the statutory stages can be viewed at Appendix 3.

### **Master planning**

**7.22.** We will involve the community in the development of a masterplan for a site or area as it is essential that communities help to shape how the built environment around them takes shape. Involvement in this process may take several forms depending on the type and scale of development proposed but will need to be a collaborative approach between the council, community, other stakeholders and landowners/developers to ensure that an overall strategy is agreed which takes account of the physical, social, economic and environmental needs of the area. There are no prescribed ways in which masterplans are developed but there are three broad stages as illustrated in Figure 7.

**Stage: Inception meeting with all relevant community groups**

- Need to establish scope for the masterplan
- Set timescale and limits for the project
- Agree partnership working



**Stage: Ongoing working together**

- Analysis of issues
- Consultation on draft
- Testing of proposals
- Refinement of ideas



**Stage: Updating community on progress**

- Consultation with community on any revisions or changes to masterplan

**Figure 7** Illustrates indicative summary of community involvement within master planning process

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## 8. How will you inform me?

8.1. It is important that we gain views from those most likely to be affected both by plan making and for individual applications and the ways in which we publicise and provide information on these is different.

### Plan making

8.2. You can find all formal consultations in relation to DPDs and SPDs on the Council's website and/or interactive consultation portal where relevant consultation documents can be viewed or downloaded.

8.3. Details of how to comment through the consultation portal are provided online and registration is necessary: [consult.wiltshire.gov.uk/portal](https://consult.wiltshire.gov.uk/portal)

8.4. Throughout the DPD preparation process there are informal and formal stages that require public consultation. During each consultation the scope will be made clear and there will often be a list of questions available to direct your responses. For example, the scoping or ('Regulation 18') stage is in the early stages of plan-making and can be far reaching as we ask for comments on what the plan ought to contain whereas as we move through the process consultation becomes more focussed with the examination focusing

on the issues of 'soundness' and legal compliance.

8.5. We will use various ways to obtain comments and feedback during the development of planning policy and the various stages will require different levels of consultation, some formal and set out in legislation and some less formal. However, for each we are seeking to increase the knowledge of residents and communities about matters which may affect them. This provides opportunities for those interested to give us their opinions, share local knowledge and to formally engage through means such as workshops, exhibitions and public participation events.

8.6. We will select the most appropriate methods to achieve the aim of the consultation depending on the bespoke requirements of the community involvement we are undertaking. Examples of methods we may deploy when undertaking community involvement are illustrated in Figure 8.

## Document deposit points

Documents will be made available for reading as is appropriate for the consultation. Deposit points may include Wiltshire council hubs and libraries.

## Online

- Our website will be updated to publicise the progress of emerging planning documents
- Our website and consultation portal is the recommended way to view documents and make comments online.

## Direct notification

Notification to interested bodies may include the following as appropriate:

- Invitation to comment
- Invitation to consultation/information events
- Notification to those individuals or bodies that the council considers would have an interest in the subject matter of the consultation

(In some instances, legislation may state who is to be consulted)

## Face-to-face consultation

Face to face consultation methods may include the following as appropriate:

- Presentations
- Exhibitions or information events for members of the public to discuss proposals and find out how to make representations.
- For more specific issues requiring in depth discussion more involved engagement methods may be necessary including bespoke meetings and conversations or focus group sessions
- Virtual exhibitions
- Video conferencing and webinars
- Interactive meetings

## Media advertising

Media advertising may be undertaken as proportionate to the consultation, examples including:

- Radio
- TV and video
- Newspaper publications
- Social media utilisation to advertise and advise about the consultation.

**Figure 8** Example methods of community engagement that may be undertaken when progressing plan making consultations

## Planning applications

- 8.7. Details of each planning application received are displayed on our website. The website also allows comments to be submitted on planning applications electronically and this is strongly encouraged as the most appropriate channel for submission of representations. When a decision is made, copies of both the decision and officer's report are made available on the website.
- 8.8. Once a planning application has been made valid and registered, the assessment of it can commence. Part of the process involves consultation which may include consulting with specialist organisations such as Natural England, Environment Agency and utility providers and consulting with internal Council teams, such as education, ecology, highways. These consultations are to establish whether the proposal is acceptable as it stands; what mitigation may be required to satisfactorily deal with its impacts, or whether the development would be contrary to the policies of the development plan and would have an unacceptable impact on important aspects of the environment and people's lives.
- 8.9. We also consult with the community through Town and Parish Councils. We notify immediate neighbours that share a common boundary with the site where we consider they may be affected by a proposal. We arrange for the display of site notices at the site in the circumstances where they are required by the planning legislation. Some types of applications also require formal publicity through advertising in a local newspaper.
- 8.10. The above requirement to consult on planning applications is set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015 which also sets out the minimum period for advertisement before the local planning authority can make a decision which is normally 21 days (not including bank holidays). Discussion with applicants may be undertaken to seek to improve an application, or to narrow the focus of any disagreement. Such negotiations are not unusual and do not prejudice the outcome of an application. Where they result in additional or changed information being received as part of the consideration process, there may be a limited period of further consultation with consultees and/or communities of such changes. There is no minimum requirement for this further consultation period and it will be carried out if new issues are raised that could lead to further comments.
- 8.11. We also encourage developers and applicants to engage with communities both via Town and Parish Councils and with neighbours, when appropriate, before submission of a planning application. This might be in the form of a public meeting or display of materials (online and/or at a public exhibition) when local people can make the developer aware of any views they have prior to the submission of an application. A reasonable time frame should be allowed by the developer for feedback. This will enable the developer to consider amending the plans in response to such suggestions before submission. The government have stated that such engagement is discretionary, but it is strongly encouraged by the Council prior to the submission of applications for ten or more houses, or other large development on sites of 1 hectare or more. If a developer submits an application that is considered to be unacceptable in principle, due to conflict with the policies of the development plan, it may be refused without further discussion with the applicant/agent.

## Permitted Development

- 8.12. Certain types of work or development may take place without the need for planning permission from Wiltshire

Council. Some forms of development do not require permission from the Council as they are 'Permitted Development' and thus have permission granted by the government through the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or through a local authority grant of permission (local development order, neighbourhood development order or community right to build order). Other forms of development are also permitted but require a 'prior notification' to the Council of the intention to undertake works. The Council will comply with the statutory requirements for publicity that apply to these applications but may not be able to undertake further notification due to the short time scales that the government allow Councils in these cases.

### **Pre-application Discussions**

- 8.13. We encourage pre-application discussions for all types of application with the objective to advise whether the principle of development is acceptable and to clarify any supporting information and level of detail required for us to determine a possible application. Due to the sensitive nature of these very early discussions these will usually be confidential. However, as previously stated, applicants are encouraged to involve the community as early as possible in the process of developing their ideas especially where major development proposals are being brought forward. Town and Parish Councils are also encouraged to take advantage of pre-application discussions with developers and applicants when offered.

### **Minerals and Waste Applications**

- 8.14. Although applications for minerals and waste follow the same procedures as for other applications and such uses are often temporary uses of land, the impact of some proposals can last for many years.

In such cases we will encourage sites operators for these forms of development to form local liaison groups between the Council, local community and operator to provide a forum for feedback and for the community to raise issues and concerns arising from the site's activities.

### **Planning Conditions**

- 8.15. Once a planning application has been determined, if permission is granted, conditions may be attached. If these require the submission of further details, the Council will publicise the agreed details on the web site but will not carry out any public consultation on them as the principle of the development has already been agreed.

### **Appeals**

- 8.16. If an application is refused, the applicant has the right of appeal (there is no third-party right of appeal if an application is approved). If an appeal is lodged, the Council will forward to the Planning Inspectorate who are responsible for determining the appeal a copy of all the representations received so that the Inspector can take them into account. The Council will notify those who have made representations on the application of the appeal to enable them to send any further additional comments they may wish to make to the Planning Inspectorate.

## 9. What Happens to the comments I make?

- 9.1. We will take any comments made into account both for plan making and decision taking; and where appropriate changes will be incorporated in the subsequent drafting of documents or we will seek to negotiate amendments or to discuss your comments with relevant organisations to seek their views, e.g. environment agency regarding flooding. All comments will be visible on the consultation portal or against the relevant planning application once they have been processed.
- 9.2. We prefer comments to be made to us online as this is quicker and means that your comments are more readily available, but we understand that not everyone can or wishes to contact us online and therefore written or emailed comments can be made but we cannot take your views by telephone or via social media.
- 9.3. The comments made by individuals and organisations will be balanced against evidence, comments from statutory bodies (based on their expertise), legal requirements, national and local policies, needs and interests.
- 9.4. Inevitably there will be times when the Council do not consider alterations to planning policy documents or planning applications is necessary.
- 9.5. In the case of plan making, individuals and groups will have a further opportunity to make their views known through the public examination process (see Figure 5 and Appendix 1).
- 9.6. The independent examination ascertains whether the DPD is sound and legally compliant. The examination usually involves informal discussions in the form of round table sessions which are held to discuss specific issues before the inspector. However, this stage and how it is conducted will be up to the discretion of the inspector to decide the scale, type and nature of discussions, as well as the timescale for people to be involved in the independent examination. The inspector will decide whether a hearing is necessary. We will publicise information about the progress of an examination on the website, including any information about a hearing. The inspector will have access to all the written comments made at the publication stage and will also have a report written by us summarising the main issues and the responses to them. Although the Inspector may still wish to hear verbal presentations from interested parties. The inspector may subsequently require us to make modifications to the plan before it goes on to be adopted by full council.
- 9.7. For individual planning applications consultation is slightly different. Some developers may wish to carry out pre-application consultation in a local area but there is no statutory requirement to do so, nor is any such consultation undertaken by the Council. However, we will encourage local consultation at an early stage where possible to ensure residents and communities are involved in formulating proposals and to raise awareness of schemes coming forward in the locality at the earliest opportunity.
- 9.8. Once a formal planning application has been made and is valid then the local authority will carry out consultation on that application according to the type and nature of the proposal and following the legislative requirements as previously described.
- 9.9. When comments are received they will be attached to the relevant file or consultation document and made available for others to see after removing personal information in line with the Council's privacy notices.

## 10. How will this Statement of Community involvement be updated?

- 10.1.** This SCI will be monitored to ensure it meets any legislation and guidance set out at national level and remains effective. We will look at consultation methods and seek to ensure all community involvement is appropriate and proportionate. We will seek to capture information about who has been involved in consultation in the past to help to focus resources in the most appropriate manner to build strong and resilient communities where everyone can help shape the places in which they live, work and socialise.
- 10.2.** Should we need to amend the SCI we will do so in an expedient manner and will ensure that the SCI reflects the needs of the community as well as complying with legislation.

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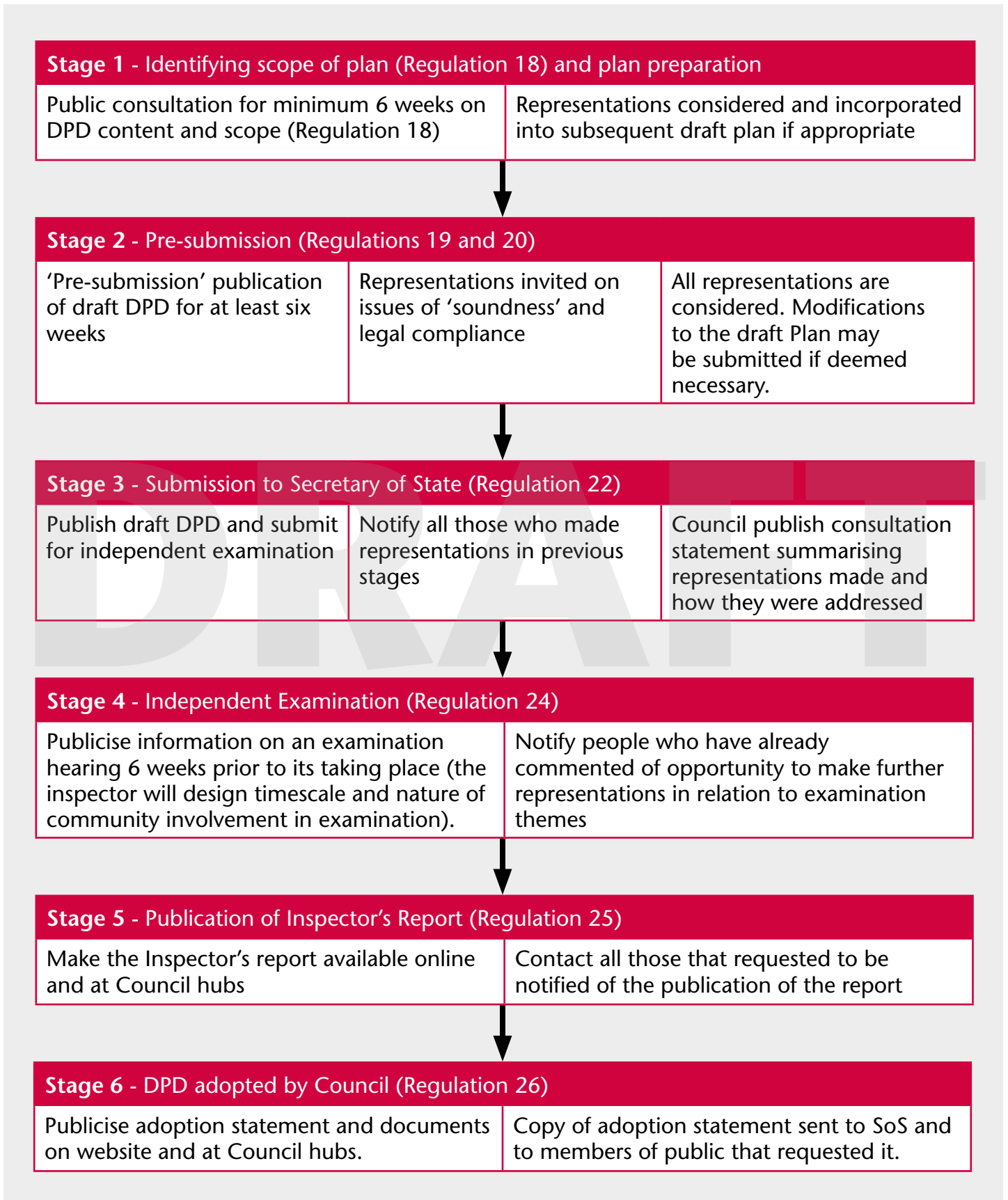


# Appendix

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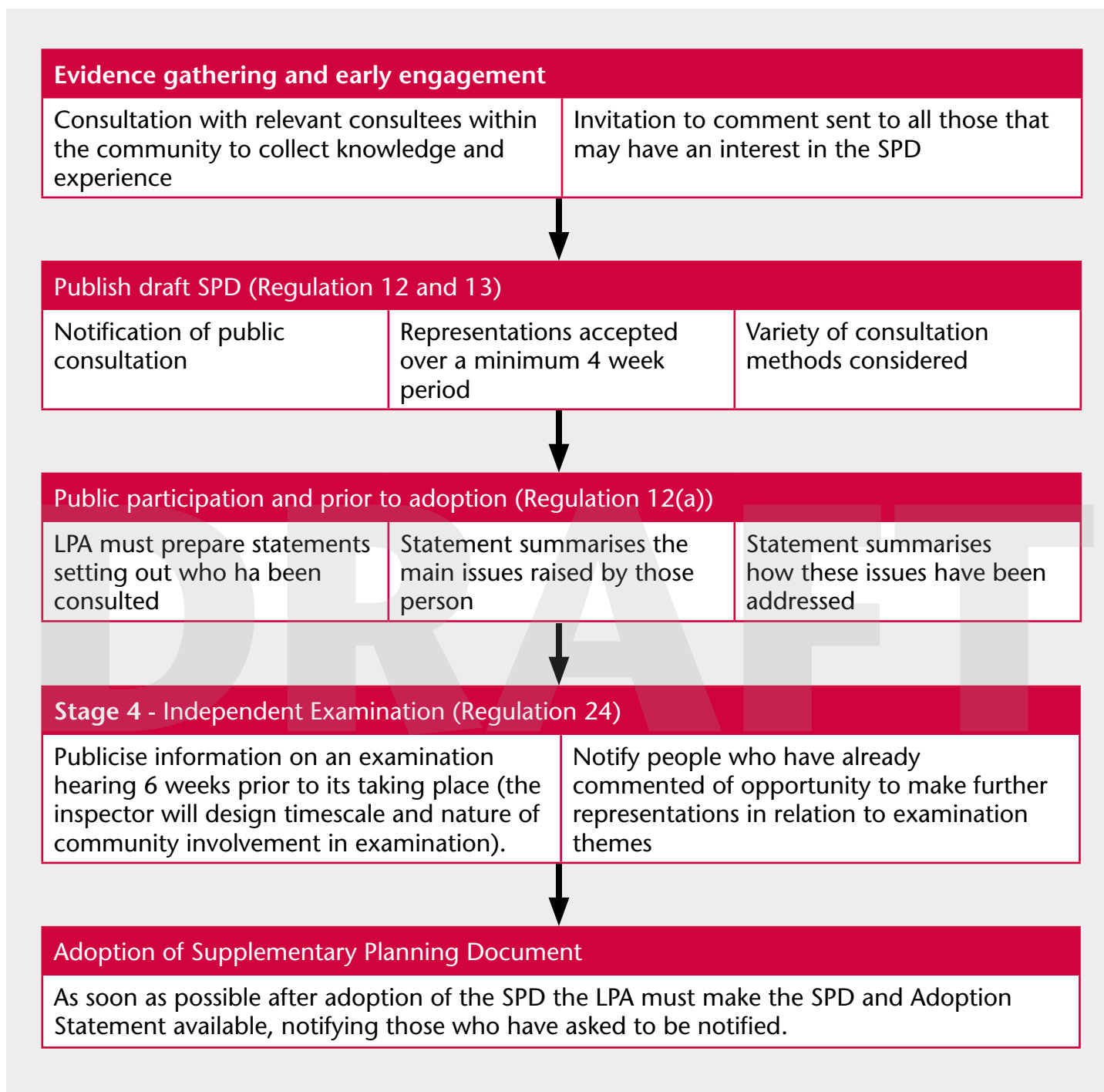
# Appendix 1: Legislative stages of Local Plan preparation

These stages reflect those as set out in Town and Country Planning (Local Planning) England Regulations 2012 Part 6.



## Appendix 2: Legislative stages of Supplementary Planning Document production

These stages reflect those set out in Town and Country Planning (Local Planning) (England) Regulations 2012 Part 5.



## Appendix 3: Legislative stages of Neighbourhood Plan production

These stages reflect those set out in the Neighbourhood Planning (General) Regulations 2012.

### Scoping stage: Early community engagement and evidence gathering

Community representatives are involved in Steering Group or in specific tasks

Qualifying Body (QB) desk-based research and community involvement to identify local issues and potential solutions

### Neighbourhood area designation application (Regulations 5 - 12)

QB submit application to Council, as Local Planning Authority (LPA)

LPA to validate application, where necessary publicise and consult for not less than 6 weeks.

LPA publicise the neighbourhood area designation decision

### Plan drafting stage - Developing vision, objectives and policies

Ongoing informal consultation with the local community and LPA

A variety of consultation methods are used

### Regulation 14 consultation

QB invite comments from those that have an interest in the NPD

Wiltshire Council is a consultee and will provide a formal response.

QB incorporate changes based on consultation results.

### QB submit NDP to LPA (Regulation 15 and 16)

LPA publicise the NDP for minimum of 6 weeks (Regulation 16)

Comments are submitted to LPA on the draft Plan for examination

### Examination (Regulation 17 and 18)

LPA forwards comments and draft plan to Examiner and uses website to publicise the progress of the NDP throughout examination

Examiner considers comments and written statements. Sometimes an exploratory meeting and/or a public hearing is held and LPA will publicise the procedure

### Referendum (The Neighbourhood Planning (Referendums) Regulations 2012)

QB make any necessary changes to the NDP, as recommended by the Examiner and the LPA

Council organise a referendum in neighbourhood area, inviting all on electoral roll to vote on the NDP

### Making of the plan (Regulation 19 and 20)

Outcome of the referendum is publicised on council website.

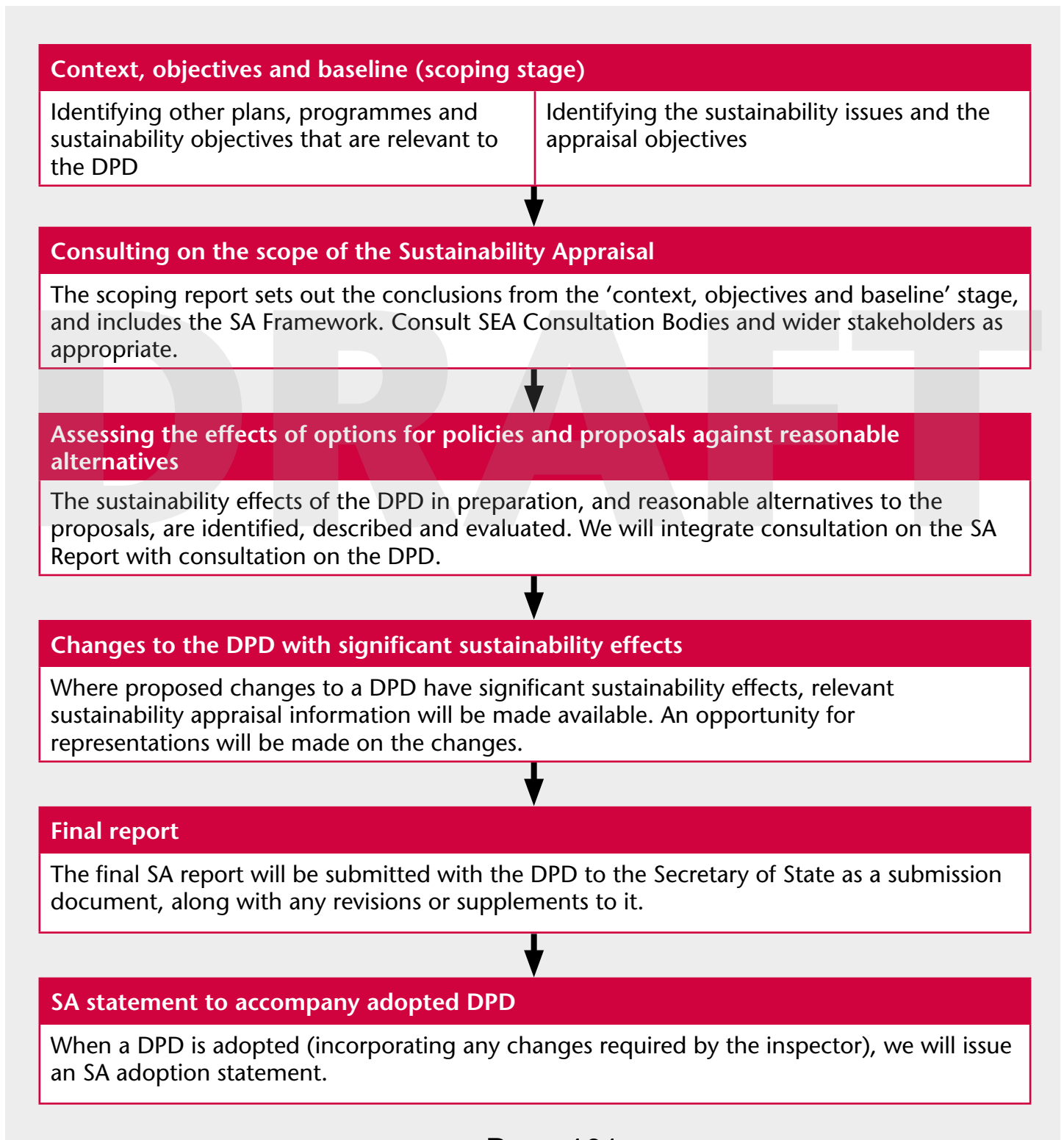
LPA publicise the decision and notify interested bodies.

## Appendix 4: Sustainability Appraisal process

Current legislation requires that all DPDs are subject to a Sustainability Appraisal (SA) and that a report on the findings of the SA is published alongside the DPD.

A SA performs a key role in providing a sound evidence base for the DPD; it assesses the social, economic and environmental effects of plans and ensures that sustainable development is treated in an integrated way in the plan preparation process.

For ease of reference, this SCI provides an illustration below highlighting a number of the key stages for community involvement during the preparation of the SA.



## Appendix 5: Glossary of terms

A brief explanation of the key terms in the Statement of Community Involvement (SCI) is provided in this glossary.

### **Annual Monitoring Report (AMR)**

A report on how we are performing on the implementation of the development plan document policies e.g. statistics on housing land supply. It includes a review of the Local Development Scheme's timetable and monitors the success of development plan document policies.

### **Core Strategy**

The core strategy sets out the long-term vision for the area and provides the strategic policies and proposals that will deliver that vision. This will be updated as part of the Local Plan Review

### **Development Plan**

The development plan is a single or number of documents that together provide adopted planning policy for Wiltshire. It comprises - Development Plan Documents produced by us, saved policies in the former district local plans (which will be replaced with the Local Plan Review) and Neighbourhood Plans. Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

### **Development Plan Document (DPD)**

These are planning policy documents prepared by us as a local planning authority, that set out the approach to development in the local area. In Wiltshire these are the Wiltshire Core Strategy, Chippenham Site Allocations Plan and various minerals and waste policy documents. DPDs are subject to community involvement, consultation and independent examination.

### **Independent Examination**

Development Plan Documents are subject to an examination by a planning inspector to rigorously test legal compliance and overall 'soundness.'

### **Local Development Documents (LDD)**

Individual documents that take the form of Development Plan Documents or present guidance in the form of Supplementary Planning Documents (SPDs).

### **Local Development Scheme (LDS)**

The LDS sets out the timetable for preparing the Local Plan. This includes details of the topics to be covered by individual DPDs.

### **Local Plan**

This is the plan for the future development of the local area, drawn up by us in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Core strategies or other planning policies, considered to be development plan documents form part of the local plan. The term includes old policies which have been saved under the 2004 Act.

### **Local Plan Review**

This is the current ongoing update of the adopted Wiltshire Local Plan. This will replace saved policies in the former Local Plans of the former District Authorities in Wiltshire which remain in place until such time as replaced.

### **Local Transport Plan (LTP)**

The LTP is a statutory document that steers the development of national transport policies at the local level.

### **Minerals and waste development plan documents**

Jointly prepared development plan documents that set out the planning policy and proposals for Wiltshire and Swindon with regards to mineral extraction and waste management.

## **National Planning Policy Framework (NPPF)**

This sets out the Government's planning policies for England and how these are expected to be applied. It provides guidance for local planning authorities and decision makers, both in drawing up plans and making decisions about planning applications. It must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. This is accompanied by Planning Practice Guidance which sets out how the NPPF is to be interpreted.

## **Neighbourhood Planning**

This was introduced by the Localism Act 2011, and it gives new rights and powers for local communities to shape new development by coming together to prepare neighbourhood plans. A neighbourhood planning process can be used to prepare a Neighbourhood Development Plan, a Neighbourhood Development Order or a Community Right to Build Order, or a combination of the three.

## **Neighbourhood Development Plan (NDP)**

A plan generally prepared by a parish council, which establishes planning policies for the development and use of land in a defined area. A neighbourhood development plan must be in conformity with the Local Plan, and will undergo examination and a referendum. Adopted development plan documents and 'made' (i.e. adopted) neighbourhood development plans comprise the development plan for Wiltshire.

## **Planning Inspectorate (PINS)**

The Planning Inspectorate holds independent examinations by appointed Planning Inspectors to determine whether Development Plan Documents are 'sound'. The Planning Inspectorate also handles planning and enforcement appeals.

## **Policy and Proposals Map**

We produce a map which illustrates all the policies and proposals contained within adopted Development Plan Documents. The map must be revised every time a new DPD is adopted.

## **Planning Practice Guidance**

The Government's detailed online, web based guidance on national planning policies, which adds detail to the National Planning Policy Framework.

## **Sound/soundness**

This describes where a DPD (in full) is considered to 'show good judgement' and also to fulfil the expectations of legislation, as well as conforming to national policy.

## **Statement of Community Involvement (SCI)**

This is a document that sets out how we will consult and involve the public in preparation of local development documents and in the determination of planning applications. The SCI is part of the Local Development Framework.

## **Strategic Environmental Assessment (SEA)**

An appraisal of the environmental impacts of policies and proposals, required by European legislation. We use a combined SEA and sustainability appraisal.

## **Strategic Housing and Employment Land Availability Assessment (SHELAA)**

The SHLAA is a register of potential housing and employment sites and is the outcome of a high-level assessment. It gives basic information on the sites and provides an indication of how housing and employment requirements could potentially be met. It is used as part of the evidence base for development documents and is a basis for further assessment.

## **Supplementary Planning Document (SPD)**

These are generally topic specific documents which provide further information and details to support the implementation and delivery of policies in development plan documents. For example we are currently working on an Affordable Housing SPD. Supplementary Planning Documents are part of the Local Development Framework but as they only implement adopted policy rather than introduce new policy they are not part of the development plan. They can be used as a 'material consideration' in the determination of planning applications.

## **Sustainability Appraisal (SA)**

This is required under national legislation for emerging policy and include consideration of social and economic impacts as well as impacts on the environment. Wiltshire uses a combined SA and Strategic Environmental Assessment.

## **Wiltshire Community**

The Wiltshire community is made up of all the people who live, work, or have an interest in Wiltshire and its continued development. We keep a database of all the people and organisations interested in the Local Plan or planning applications. This database is continually evolving as organisations are added or removed.

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# Statement of Community Involvement

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Wiltshire Council**

**For further information please visit the following website:  
[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy.htm](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy.htm)**

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# Statement of community involvement

## Temporary arrangements

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## Wiltshire Council

Information about Wiltshire Council services can be made available on request in other languages including BSL and formats such as **large print** and audio.

Please contact the council on **0300 456 0100**, or by email on **customerservices@wiltshire.gov.uk**

如果有需要我們可以使用其他形式（例如：大字體版本或者錄音帶）或其他語言版本向您提供有關威爾特郡政務會各項服務的資訊，敬請與政務會聯繫，電話：0300 456 0100，文本電話：(01225) 712500，或者發電子郵件至：  
customerservices@wiltshire.gov.uk

يمكن، عند الطلب، الحصول على معلومات حول خدمات مجلس بلدية ويلتشرير وذلك بأشكال (معلومات بخط عريض أو سماعية) ولغات مختلفة. الرجاء الاتصال بمجلس البلدية على الرقم ٠٣٠٠٤٥٦٠١٠٠ أو من خلال الاتصال النصي (تيكست فون) على الرقم ٧١٢٥٠٠ (٠١٢٢٥) أو بالبريد الإلكتروني على العنوان التالي:  
customerservices@wiltshire.gov.uk

ولتشاركونس (Wiltshire Council) کی سروسز کے بارے معلومات دوسری طرزوں میں فراہم کی جاسکتی ہیں (جیسے کہ بڑی چھپائی یا آڈیو ہے) اور درخواست کرنے پر دوسری زبانوں میں فراہم کی جاسکتی ہیں۔ براہ کرم کونسل سے 0300 456 0100 پر رابطہ کریں، ٹیکسٹ فون سے (01225) 712500 پر رابطہ کریں یا customerservices@wiltshire.gov.uk پر ای میل بھیجیں۔

Na życzenie udostępniamy informacje na temat usług oferowanych przez władze samorządowe hrabstwa Wiltshire (Wiltshire Council) w innych formatach (takich jak dużym drukiem lub w wersji audio) i w innych językach. Prosimy skontaktować się z władzami samorządowymi pod numerem telefonu 0300 456 0100 lub telefonu tekstowego (01225) 712500 bądź za pośrednictwem poczty elektronicznej na adres: customerservices@wiltshire.gov.uk

# Statement of Community Involvement

## Temporary arrangements

June 2020

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# 1. Introduction

- 1.1. Wiltshire Council, as the local planning authority, must maintain a Statement of Community Involvement (SCI). The SCI is a legal requirement under the Planning and Compulsory Purchase Act 2004 and sets out how we will engage with our local communities and stakeholders on planning matters including both plan-making and decision taking.
- 1.2. Wiltshire Council adopted a revised Statement of Community Involvement INSERT DATE. This document sets out temporary amendments to that document in the light of the coronavirus (COVID-19) pandemic.
- 1.3. Following the outbreak of COVID-19 the government introduced measures to help combat the spread of the virus for which all members of society are required to adhere. The Ministry for Housing Communities and Local Government has also issued some COVID-19 guidance to Council's outlining the implications for local planning authorities<sup>1</sup>. These implications impact the way in which Wiltshire Council can engage with communities and the ability to comply with the procedures set out in within the SCI.
- 1.4. Local authorities are required to assess their SCI to identify which policies are inconsistent with current guidance on staying at home and away from others or any superseding guidance targeted at controlling the spread of COVID-19<sup>2</sup>.
- 1.5. This statement sets out, temporary amendments to the SCI that are necessary to allow the community and stakeholders to continue to engage with planning matters, adapting to restrictions on activities, and so that plan preparation and decision making on planning applications can continue effectively with good community engagement through reasonably practicable means.
- 1.6. When assessing the necessary amendments, Wiltshire Council must give regard to current legislation governing many of the planning activities undertaken to ensure conformity is maintained while having regard to Government guidance and advice, for example:
  - Plan making: The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)
  - Neighbourhood Planning: Neighbourhood Planning (General) Regulations 2012 (as amended)
- 1.7. In some instances, superseding legislation<sup>3</sup> has been issued in response to COVID-19 guidance allowing for greater flexibility when undertaking the methods of community involvement that would normally occur when carrying out planning duties.
- 1.8. Although the SCI primarily deals with planning matters, the principles within also steer consultation on other certain other plans such as the Local Transport

<sup>1</sup> Planning Practice Guidance, available from <https://www.gov.uk/guidance/coronavirus-covid-19-planning-update>

<sup>2</sup> Planning Practice Guidance, paragraphs 77 – 78 <https://www.gov.uk/guidance/plan-making#covid19>

<sup>3</sup> Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, which postpones all neighbourhood plan referendums due between 16 March 2020 and 5 May 2021 until 6 May 2021. Also, new temporary regulations allowing for flexibility to take other reasonable steps to publicise applications through the Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020.

Plan and the Community Infrastructure Levy. Consequently, the principles within this statement also cover the interim arrangements Wiltshire Council will seek to deploy when undertaking the community involvement necessary to progress these documents.

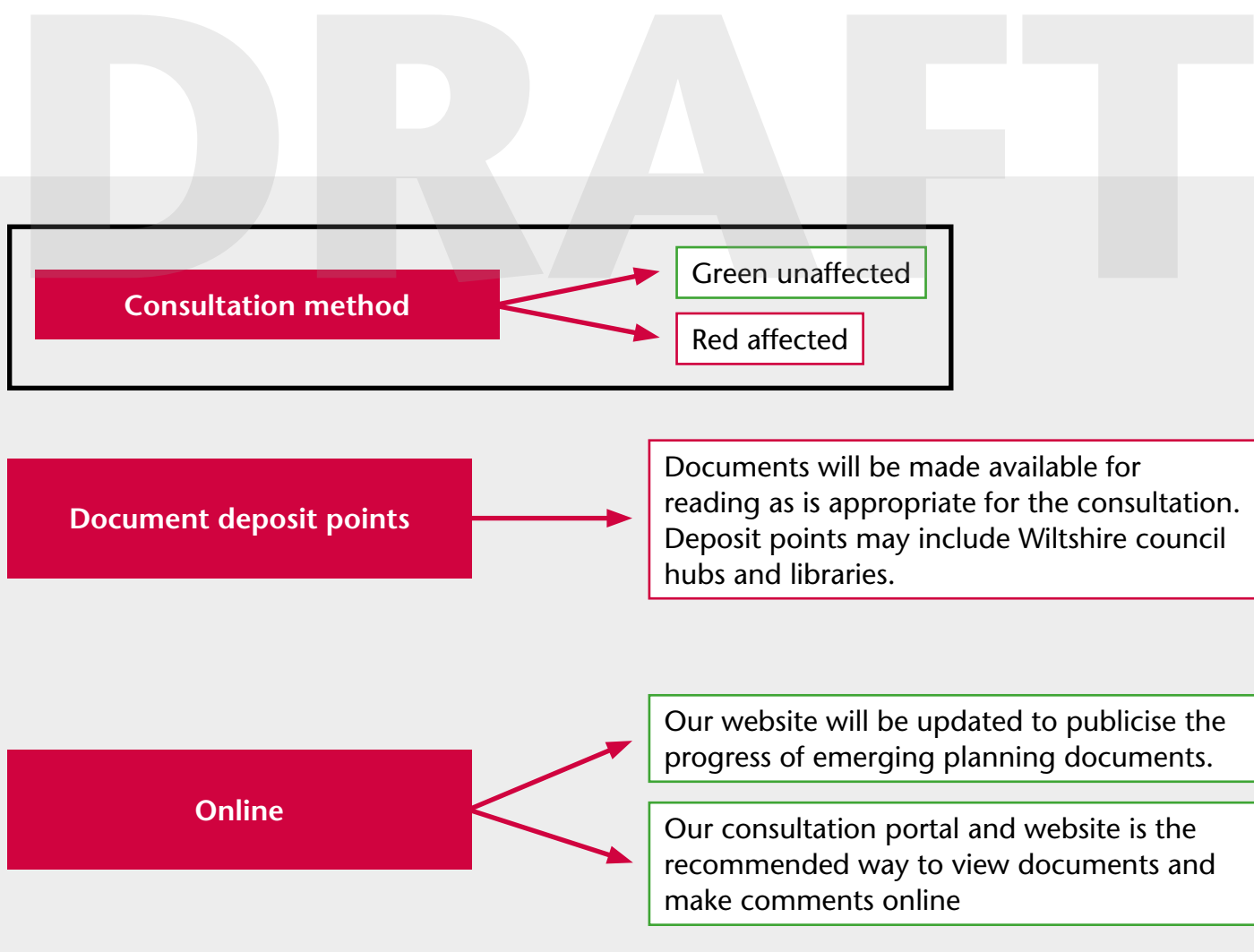
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## 2. Statement of interim arrangements

### Plan Making

- 2.1. Local planning authorities should make any temporary amendments to the SCI that are necessary to allow their plan-making to progress, and that continue to promote effective community engagement by means which are reasonably practicable<sup>4</sup>.
- 2.2. Wiltshire Council is committed to ensuring effective community engagement forms an integral part of plan making. As part of this commitment, Wiltshire Council use a variety of consultation methods, ensuring that those used are proportionate to the scale and impact of the proposal, appropriate to those we need to consult and within available resources.
- 2.3. Figure 1 provides a non-exhaustive list of the most commonly used methods regularly relied upon by the community. It shows which of these we anticipate are affected by current restrictions, and require review, in accordance with COVID-19 Guidance.



<sup>4</sup> Planning Practice Guidance, paragraph 78 <https://www.gov.uk/guidance/plan-making>

**Direct notification:**  
Notification to interested bodies may include the following as appropriate.

Invitation to comment

Invitation to consultation/information events

Notification to those individuals or bodies that the council considers would have an interest in the subject matter of the consultation

**Face-to-face consultation:**  
Face to face consultation methods may include the following as appropriate.

Presentations

Exhibitions or information events for members of the public to discuss proposals and find out how to make representations

For specific issues requiring in depth discussion more involved engagement methods may include meetings, conversations or focus group sessions

Virtual exhibitions

Video conferencing and webinars

**Media advertising:**  
Media advertising may be undertaken as proportionate to the consultation, examples including.

Radio

TV and video

Newspaper publications

Social media utilisation to advertise and advise about the consultation.

Figure 1 illustrates a non-exhaustive list of engagement methods utilised by Wiltshire Council and the likelihood of impact of government COVID-19 guidance upon these methods

2.4. Figure 1 illustrates that the impact of COVID-19 guidance, which restricts Wiltshire Councils ability to undertake conventional face-to-face community consultation along with the ability of the public to safely access reading material at deposit point locations.

2.5. When assessing appropriate interim arrangements, Wiltshire Council have considered the principles outlined within Planning Practice Guidance<sup>5</sup> and have investigated Wiltshire Council's ability to exploit available online engagement methods to their full potential.

### Document deposit points

2.6. When undertaking consultation during the preparation of a development plan document, accessing published material is a key constituent. While web based access is the preferred means of making information available, the Council also in normal circumstances makes hard copies of relevant documents available at deposit points for public viewing. These are Wiltshire Council's principal offices and at such other places within Wiltshire as the local planning authority consider appropriate<sup>6</sup>.

2.7. COVID-19 guidance currently means that such provision may not be safe or unable to take place due to restrictions on movement and/or public buildings being closed. If such availability is not possible, Wiltshire Council will seek to implement pragmatic measures ensuring availability is maintained for those members of society that may rely upon such methods because they do not have access to the internet.

2.8. If such an eventuality arises, Wiltshire Council will seek to ensure ease of online documents and means to respond, utilising innovative solutions to maximise understanding and access while ensuring response methods are easy to undertake for all members of society.

2.9. For members of the community and stakeholders without internet access, Wiltshire Council will deploy the most pragmatic solutions to make hard copies of documents accessible to them at the time. This may include sending hard copies on request. However, Wiltshire Council would continue to actively encourage documents to be accessed online to minimise the environmental impact of undertaking any such consultation.

2.10. Should anyone be unable to submit a response online or by email and be unable to leave their home to post a response, the Council will consider bespoke measures on a case by case basis to enable people to respond.

### Face-to-face consultation

2.11. Face-to-face consultation represents a valued community engagement method utilised by Wiltshire Council when undertaking consultation, assisting the ability to inform communities and gather information. Methods regularly deployed by Wiltshire Council include presentations, exhibitions, information events and bespoke meetings. COVID-19 guidance has implications for such methods.

2.12. In response Wiltshire Council will utilise online engagement methods, targeting those who may rely upon a form of face-to-face contact, tailoring the method used to the needs of identified groups. Such measures may include, for example:

- Virtual presentations: For example, the use and dissemination of pre-recorded video presentations to replace those that may normally be delivered to parish/town councils.
- Video conferencing: For example, the use of digital technology to enable virtual meetings to take place.

<sup>5</sup> Planning Practice Guidance, paragraph 78 available from: <https://www.gov.uk/guidance/plan-making>

<sup>6</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), regulation 35 available from: <http://www.legislation.gov.uk/uksi/2012/767/regulation/35/made>

- Social media: For example, the use of Facebook to publicise details of a consultation, explaining how representations can be submitted targeting those who rely upon social media to gather information.
- Explanatory videos: For example, the dissemination of prerecorded videos of informative content to assist understanding of the purpose and content of a consultation. Such content may be released to the public as a replacement to exhibitions that would normally be open to public participation.

**2.13.** Any solutions used will be proportionate to the scale and impact of the plan. Each approach will be appropriate to those we need to consult and within available resources, both Wiltshire Council's and those we are targeting.

### Supplementary Planning Documents (SPD)

**2.14.** Similar engagement and consultation methods are undertaken for SPD preparation, although this will be proportionate to its subject matter.. Dependent upon the relevance of the SPD content to particular groups in the community, different stakeholders or areas of Wiltshire will be targeted. When progressing SPDs, similar pragmatic responses to COVID-19 guidance will be sought to that outlined above for progressing plan making.

### Neighbourhood Planning

**2.15.** Parish and town councils (known as Qualifying Bodies (QBs) have the power to prepare Neighbourhood Development Plans (NDPs), Neighbourhood Development Orders (NDOs) or Community Right to Builder Orders. While it is the QBs responsibility to ensure meaningful community engagement is undertaken in preparing

a draft NDP or NDO, we will continue to provide support and advice on who to consult and how to undertake this having regard to the Government's COVID-19 guidance.

**2.16.** We will continue to work proactively with groups and communities to progress plans as pragmatically as possible, advising on how it is best to do so whilst adhering to necessary regulations and guidance.

### Consultation

**2.17.** Wiltshire Council, as local planning authority, is directly responsible for certain stages in the neighbourhood planning process.

**2.18.** These are highlighted in the SCI and include responsibility for publicising and consulting on relevant applications for neighbourhood areas and NDP or NDO proposals (under Regulation 16 of the Neighbourhood Plan Regulations<sup>7</sup>). In undertaking Regulation 16 consultations we are required to publicise the proposal and publish details of where and when documents can be inspected. It is not mandatory for copies of documents to be made available at a physical location and we will focus on online methods using our website and/or consultation portal. We will also work with the QB to ensure that hard copies of the draft NDP or NDO are available for those members of the community without access to the internet.

**2.19.** We will ensure that, when exercising our neighbourhood planning responsibilities, a range of advertisement methods are used where possible. We will work with the qualifying body to identify the best possible means to do this having regard to COVID-19 guidance. This will ensure communities are well informed about the proposal and how to comment, ensuring no groups within the community are disadvantaged. Measures may include the

<sup>7</sup> Neighbourhood Planning (General) Regulations 2012 (as amended), Regulation 16, available from: <http://www.legislation.gov.uk/ukxi/2012/637/regulation/16/made>

following:

- Placement of posters at locations remaining open to the public explaining how to access consultation material and how to comment
- Utilisation of advertisement in free to receive local parish newsletters, where applicable, to target those who may not have internet access.

### Examinations

**2.20.** Examinations form a key legislative stage of NDP progression and it is Wiltshire Council's responsibility to appoint an independent examiner to conduct an examination of a NDP. It is already expected that the examination of a draft NDP will include a public hearing only in more exceptional circumstances. It is now true more than ever examinations should be conducted by written representations<sup>8</sup>.

**2.21.** If an examiner considers that oral representations are necessary then, in response to COVID-19 guidance, these should not take place in person. Wiltshire Council will work with the QB and independent examiner to ensure that, wherever possible, oral representations can still take place by video conferencing or other suitable technologies.

### Referendums

**2.22.** In order to form part of the Development Plan a NDP must successfully pass through referendum and be formally

'made' by Wiltshire Council.

**2.23.** Following COVID-19 guidance and restrictions on movement, all NDP referendums are currently suspended until 6 May 2021<sup>9</sup>.

**2.24.** Where Wiltshire Council has issued a decision statement<sup>10</sup> detailing its intention to send a neighbourhood plan to referendum, government guidance<sup>11</sup> outlines that the NDP can be given significant weight in decision-making, so far as the plan is material to the application in question.

### Development management

**2.25.** Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out requirements for the consultation process in relation to the different types of planning applications and any publicity necessary, for example when work affects a Listed Building.

**2.26.** Following the introduction of COVID-19 guidance, new temporary regulations<sup>12</sup> have been introduced allowing for flexibility to take other reasonable steps to publicise applications where the Council cannot discharge previous specific requirements for site notices, neighbour notifications or newspaper publicity.

**2.27.** Wiltshire Council is committed to providing the best service possible in these stretching circumstances and are continuing to process planning

<sup>8</sup> Planning Practice Guidance, paragraph 107, available from <https://www.gov.uk/guidance/neighbourhood-planning--2>

<sup>9</sup> In line with Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, available from <http://www.legislation.gov.uk/uksi/2020/395/contents/made>

<sup>10</sup> As set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012

<sup>11</sup> Planning practice guidance on neighbourhood planning, paragraph 107, available from: <https://www.gov.uk/guidance/neighbourhood-planning--2#the-neighbourhood-planning-referendum>

<sup>12</sup> Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020, available from: <http://www.legislation.gov.uk/uksi/2020/505/contents/made>

applications to help keep the local economy moving while also adhering to COVID-19 regulations.

**2.28.** Following the COVID-19 guidance, Planning Officers are now working from home, so communication with them via e-mail is now encouraged. Additionally, face-to-face events and physical meetings have to be cancelled but Wiltshire Council will exploit technology (for example virtual meetings, email and telephone conversations), where possible, to ensure that discussions and consultations can go ahead. Measures being taken to ensure community engagement continues include the following:

- Applicants and interested parties are encouraged not to send hard copies of applications or documents to the offices. Applicants are encouraged to submit applications online via the planning portal [www.planningportal.co.uk](http://www.planningportal.co.uk) whilst those making representations on applications are encouraged to do so online using the links from the Council's published online details of the application concerned
- We are relying on postal neighbour notification to fulfil the consultation requirements and comply with legislation. Documents are available to view on our website as usual
- Site notices will only be put up for applications where required to comply with statutory requirements such as listed buildings, prior approvals and major development. For these, site notices will be sent to the applicant/

agent directly for them to display on site, or where they do not live locally, the council will arrange for the site notice to be displayed

- There will be no face to face meetings until further notice, with alternative methods utilised where possible
- Applicants are encouraged to include photographs of the site and surroundings as part of the application, ideally these should include the existing buildings and contextual shots of adjacent properties and the adjoining land looking both into and out of the application site. This is to assist the Planning Officer with their assessment in the absence of site visits.
- We will continue to deal with a high percentage of applications under delegated powers
- Planning committees are proceeding as Virtual Committees, arranged on an ad-hoc basis and arranged when required and workload permits. If an application is required to be considered by a planning committee, the applicant/agent and those who have made representations will be advised of the date and procedure in advance.

## 3. Summary

- 3.1. This statement sets out the interim arrangements Wiltshire Council believe are necessary to enable the continuation of community involvement in planning activity while adhering to government guidance targeted at controlling the spread of COVID-19.
- 3.2. For all consultations and community involvement, the Council will carefully consider whether it is safe, feasible and appropriate to carry this out in a way that does not prejudice the ability of people to be engaged in terms of fairness and equality. The Council may in some cases need to adjust its timescales for document preparation accordingly and Wiltshire Council will keep the Local Development Scheme under review as the impact of COVID-19 becomes clearer. Updates will be published on the Council's website as appropriate.
- 3.3. Wiltshire Council will keep these arrangements under constant review with the intention of any subsequent amendments and actions taken to either move back towards the protocols as currently outlined with the July 2020 SCI or to respond to any subsequent government guidance to control the spread of COVID-19.

## 4. Contact us

- 4.1. If you still have questions the teams can be contacted via email and phone.

**Spatial Planning**

spatialplanningpolicy@wiltshire.gov.uk  
01225 713223

**Neighbourhood Planning**

NeighbourhoodPlanning@wiltshire.gov.uk  
01225 713223

**Development Management**

developmentmanagement@wiltshire.gov.uk  
0300 456 0114

DRAFT



# Statement of Community Involvement

Temporary arrangements

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**Full Council**

**21 July 2020**

**Subject: Treasury Management Outturn Report 2019/2020**

**Cabinet member: Cllr Pauline Church – Cabinet member for Finance and Procurement, and Commercial Investment**

**Key Decision: Non Key**

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## **Executive Summary**

The Council has adopted a Treasury Management Strategy and an Annual Investment Strategy for 2019/2020 at its meeting on 5 February 2019.

The Treasury Management Strategy requires an Annual Outturn Report reviewing the Treasury Management activities for the year. The report covers the period from 1 April 2019 to 31 March 2020 and will be presented to Cabinet at its meeting on 14 July 2020, the report to Cabinet is included below.

The Council has continued to finance capital expenditure through maximising the use of capital receipts, capital grants and internal borrowing.

Overall, the Council is under borrowed by £153.874 million. This has avoided the Council having to pay out external interest costs in the order of £2.735 million. This under borrowed position is factored into the revenue budget. Against budget, there is a net underspend in respect of the net position on interest receivable/payable of £0.345 million. This has been accounted for in the overall revenue outturn position for 2019/2020 reported to Cabinet at its meeting on 9 June 2020.

The Council did not breach any of its performance indicators during 2019/2020.

## **Proposals**

That Council:

- a) Notes that the contents of this report are in line with the Treasury Management Strategy 2019/2020.

**Reasons for Proposals**

To give members an opportunity to consider the performance of the Council against the parameters set out in the approved Treasury Management Strategy for 2019/2020.

**Terence Herbert – Chief Executive Wiltshire Council**

**14 July 2020**

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**Subject: Treasury Management Outturn Report 2019/2020**

**Cabinet member: Cllr Pauline Church – Cabinet member for Finance and Procurement, and Commercial Investment**

**Key Decision: Non Key**

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## **PURPOSE OF REPORT**

1. The Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2019/2020. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities, (the Prudential Code).
2. During 2019/2020 the minimum reporting requirements were that the Council should receive the following reports,
  - an annual treasury strategy in advance of the year (05/02/2019)
  - a mid-year treasury update report (19/11/2019)
  - an annual review following the end of the year describing the activity compared to the strategy (this report)
3. The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.
4. This Council confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports before they were reported to full Council.
5. This report summarises the following,
  - Capital activity during the year;
  - Impact of this activity on the Council's underlying indebtedness, (the Capital Financing Requirement);
  - The actual prudential and treasury indicators;

- Overall treasury position identifying how the Council has borrowed in relation to this indebtedness, and the impact on the investment balances;
- Summary of interest rate movements in the year;
- Detailed debt activity;
- Detailed investment activity.

### Overall Treasury Position

6. During 2019/2020, the Council complied with its legislative and regulatory requirements. The key actual prudential and treasury indicators detailing the impact of capital expenditure activities during the year, with comparators, are as follows,

Prudential and Treasury Indicators	2018/2019 Actual £ million	2019/2020 Original £ million	2019/2020 Actual £ million
<b>Capital Expenditure</b>			
General Fund	91.308	156.991	97.407
HRA	14.980	15.944	12.558
<b>Total</b>	<b>106.288</b>	<b>172.935</b>	<b>109.965</b>
<b>Capital Financing Requirement</b>			
General Fund	402.120	466.056	418.361
HRA	119.865	123.122	115.121
<b>Total</b>	<b>521.985</b>	<b>589.178</b>	<b>533.482</b>
Gross Borrowing	343.123	366.455	335.123
External Debt	343.323	366.475	335.143
PFI Liability	48.066	45.920	44.485
<b>Over/(under) borrowing</b>	<b>(130.796)</b>	<b>(176.803)</b>	<b>(153.874)</b>
<b>Investments</b>			
Longer than one year	0.000	0.000	0.000
Under one year	101.913	66.203	79.519
<b>Total</b>	<b>101.913</b>	<b>66.203</b>	<b>79.519</b>
<b>Net Borrowing</b>	<b>241.210</b>	<b>300.252</b>	<b>255.604</b>

7. Other prudential and treasury indicators are to be found in the main body of the report.
8. The financial year 2019/2020 continued the challenging investment environment of previous years, namely low investment returns.

## The Council's Capital Expenditure and Financing

9. The Council undertakes capital expenditure on long term assets. These activities may either be,
- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions) which has no resultant impact on the Council's borrowing need; or,
  - If insufficient funding is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.
10. The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

<b>General Fund</b>	<b>2018/2019 Actual £ million</b>	<b>2019/2020 Original Budget £ million</b>	<b>2019/2020 Actual £ million</b>
Capital expenditure	91.308	156.991	97.407
Financed in year	89.281	78.058	63.539
<b>Unfinanced Capital Expenditure</b>	<b>2.027</b>	<b>78.933</b>	<b>33.868</b>

<b>HRA</b>	<b>2018/2019 Actual £ million</b>	<b>2019/2020 Original Budget £ million</b>	<b>2019/2020 Actual £ million</b>
Capital expenditure	14.980	15.944	12.558
Financed in year	14.980	12.687	12.558
<b>Unfinanced Capital Expenditure</b>	<b>0.000</b>	<b>3.257</b>	<b>0.000</b>

## The Council's Overall Borrowing Need

11. The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's indebtedness. The CFR results from the capital activity of the Council and resources used to pay for the capital spend. It represents the 2019/2020 unfinanced capital expenditure (see above table) and prior years' net or unfinanced capital expenditure which has not yet been paid for by revenue or other resources.
12. Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital programme, the treasury team organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies (such as the Government through the Public Works Loans Board, or the money markets), or utilising temporary cash resources within the Council.

## The Capital Financing Requirement (CFR)

13. The Council's (non HRA) underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision (MRP), to reduce the CFR. This is effectively a repayment of the non-Housing Revenue Account (HRA) borrowing need. There is no statutory requirement to reduce the HRA CFR. This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. External debt can also be borrowed or repaid at any time, but this does not change the CFR.
14. The total CFR can also be reduced by,
- The application of additional capital financing resources, such as unapplied capital receipts; or,
  - Charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP)
15. The Council's 2019/2020 MRP Policy (as required by the MHCLG Guidance) was approved as part of the Treasury Management Strategy Statement on 5 February 2019.
16. The Councils CFR for the year is shown below and represents a key prudential indicator. It includes PFI and leasing schemes on the balance sheet., which increases the Council's borrowing need. No borrowing is actually required against these schemes as a borrowing facility is included in the contract.

	<b>2019/2020 Estimate £ million</b>	<b>2019/2020 Actual £ million</b>
CFR – General Fund	466.056	418.361
CFR – HRA	123.122	115.121
<b>Total CFR</b>	<b>589.178</b>	<b>533.482</b>
<b>Movement in CFR (from 2018/2019)</b>	<b>38.207</b>	<b>11.498</b>
<b>Represented by</b>		
Net Financing Need (General Fund)	78.933	33.868
Net Financing Need (HRA)	3.257	0.000
<b>Total Net Financing Need</b>	<b>82.190</b>	<b>33.868</b>
Less MRP/VRP	(12.088)	(10.789)
Less Other Long Term Liabilities (PFI)	(2.895)	(3.581)
Less Other Financing Movements	(29.000)	(8.000)
<b>Movement in CFR</b>	<b>38.207</b>	<b>11.498</b>

17. Borrowing activity is constrained by prudential indicators for gross borrowing and the CFR and by the authorised limit.



## Gross Borrowing and the CFR

18. In order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the CFR in the preceding year (2018/2019) plus the estimates of any additional capital financing requirement for the current (2019/2020) and the next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure.
19. This indicator would allow the Council some flexibility to borrow in advance of its immediate capital needs in 2019/2020.
20. The table below highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator. Following on from the under/over funding of the CFR, the table also details the Council's under borrowing position.

	<b>2018/2019 Actual £ million</b>	<b>2019/2020 Budget £ million</b>	<b>2019/2020 Actual £ million</b>
Gross borrowing position	343.123	366.455	335.123
CFR	521.985	589.178	533.482
<b>(Under)/over funding of CFR</b>	<b>(178.862)</b>	<b>(222.723)</b>	<b>(198.359)</b>
PFI Liability	48.066	45.920	44.485
<b>(Under)/Over Borrowing</b>	<b>(130.796)</b>	<b>(176.803)</b>	<b>(153.874)</b>

21. To illustrate the benefit of having an under borrowed position: if the Council was to externally borrow £153.874 million (over 25 years at current PWLB rate of 2.68%), this would result in external annual interest costs in the order of £4.124 million. The interest foregone on the use of internal funds would be £1.389 million (based on current average interest rate of 0.90% as at 31/03/2020). This produces a benefit of £2.735 million.

## Authorised Limit

22. The authorised limit is the affordable borrowing limit required by s3 of the Local Government Act 2003. Once this has been set, the Council does not have the power to borrow above this level. The table below demonstrates that during 2019/2020 the Council has maintained gross borrowing within its authorised limit.

## Operational Boundary

23. The operational boundary is the expected borrowing position of the Council during the year. Periods when the actual position is either below or over the boundary are acceptable subject to the authorised limit not being breached.

## Actual Financing Costs as a Proportion of Net Revenue Stream

24. This indicator identifies the trend in the cost of capital, (borrowing and other long-term obligations costs net of investment income), against the net revenue stream.

	2019/2020 £ million
Authorised Limit	624.497
Maximum Gross Borrowing Position during the year	343.123
Operational Boundary	612.273
Average Gross Borrowing Position	343.057
Financing Costs as a Proportion of Net Revenue Stream – GF	5.77%
Financing Costs as a Proportion of Net Revenue Stream – HRA	13.88%

## Treasury Position as at 31 March 2020

25. The Council's treasury management debt and investment position is organised by the treasury management team (within the Accountancy Team), in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through member reporting detailed in the summary, and through officer activity detailed in the Council's Treasury Management Practices.
26. At the end of 2019/2020 the Council's treasury position is as follows,

Debt Portfolio	31 March 2019			31 March 2020		
	Principal £ million	Rate/ Return %	Average Life Years	Principal £ million	Rate/ Return %	Average Life Years
<b>Fixed Rate Funding</b>						
PWLB	282.123	3.62	20.15	274.123	3.60	19.39
Market	61.000	4.37	39.57	61.000	4.37	38.57
<b>Variable Rate Funding</b>						
PWLB	0.000	0.00	0.00	0.000	0.00	0.00
Market	0.000	0.00	0.00	0.000	0.00	0.00
<b>Total Debt</b>	<b>343.123</b>	<b>3.76</b>	<b>21.89</b>	<b>335.123</b>	<b>3.74</b>	<b>21.13</b>
CFR	521.985			533.482		
PFI Liability	48.066			44.485		
<b>Over/(Under) Borrowing</b>	<b>(130.796)</b>			<b>(153.874)</b>		
Total Investments	101.913	0.97	0.53	79.519	0.90	0.42
<b>Net Debt</b>	<b>241.210</b>			<b>255.604</b>		

27. The maturity structure of the debt portfolio (in terms of percentages and absolute values) was as follows,

	31 March 2019 Actual £ million	2019/2020 Original Limits £ million	31 March 2020 Actual £ million
Under 12 months	42.000	91.614	40.000
12 months and within 2 years	10.000	91.614	14.000
2 years and within years	28.000	164.905	28.000
5 years and within 10 years	50.123	274.841	49.123
10 years and above	213.000	366.455	204.000
	<b>343.123</b>		<b>335.123</b>

	2019/2020 Authorised Limits %		31 March 2020 Actual %	
	Upper Limit	Lower Limit	Next Call Date	Contractual Maturity
Under 12 months	25.00	0.00	11.94	1.19
12 months and within 2 years	25.00	0.00	4.18	2.98
2 years and within 5 years	45.00	0.00	8.36	8.36
5 years and within 10 years	75.00	0.00	14.66	14.66
10 years and above	100.00	0.00	60.86	72.81

28. The structure of the investment portfolio was as follows,

Investment Portfolio	Actual 31 March 2019 £ million	Actual 31 March 2019 %	Actual 31 March 2020 £ million	Actual 31 March 2020 %
<b>Treasury Investments</b>				
Banks	48.000	47.10	40.000	55.33
Building Societies – Rated	0.000	0.00	0.000	0.000
Local Authorities	39.000	38.27	5.000	6.29
MMFs	14.902	14.62	30.497	38.35
Call Account	0.011	0.01	0.023	0.03
<b>Total Treasury Investments</b>	<b>101.913</b>	<b>100.00</b>	<b>79.519</b>	<b>100.00</b>

<b>Non-Treasury Investments</b>				
Third Party Loans	0.000	0.00	0.000	0.00

Subsidiaries	0.000	0.00	0.000	0.00
Companies	0.000	0.00	0.000	0.00
<b>Total Non-Treasury Investments</b>	<b>0.000</b>	<b>0.00</b>	<b>0.000</b>	<b>0.00</b>

Treasury Investments	101.913	100.00	101.913	100.00
Non-Treasury Investments	0.000	0.00	0.000	0.00
<b>Total - All Investments</b>	<b>101.913</b>	<b>100.00</b>	<b>79.519</b>	<b>100.00</b>

29. All treasury investments were for up to one year.

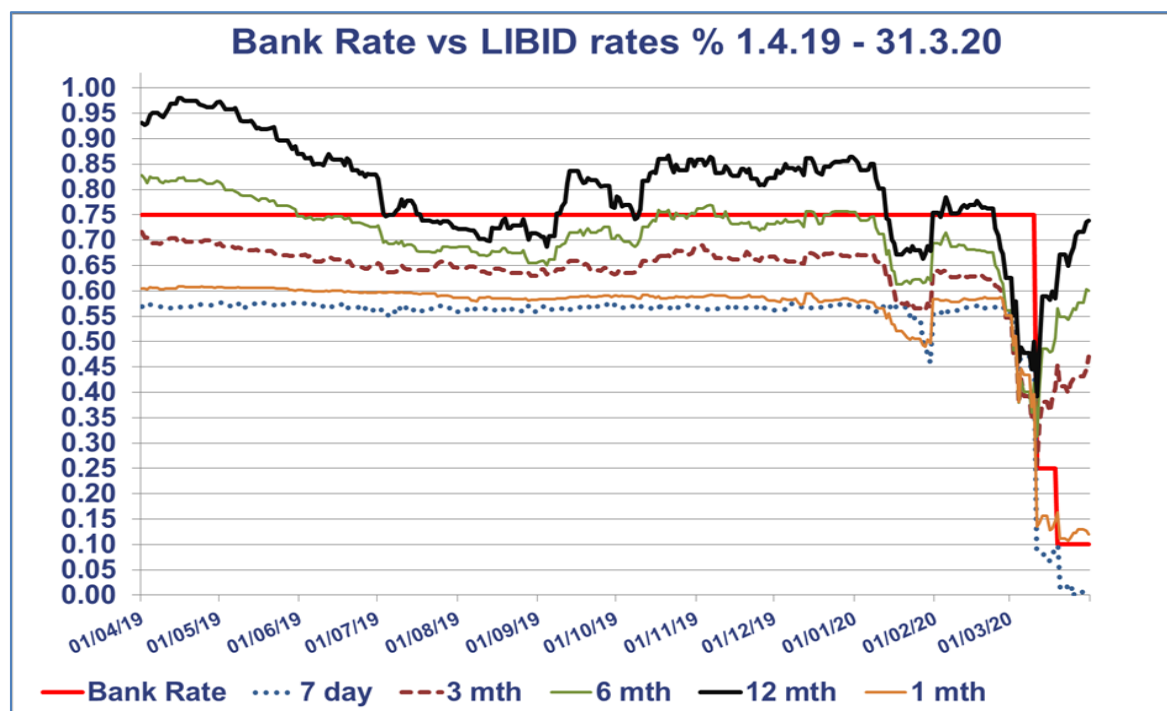
### Treasury Management Strategy 2019/2020

#### Investment Strategy and Control of Interest Rate Risk

30. Investment returns remained low during 2019/2020.

31. The Bank of England Bank Rate and LIBID (London Interbank Bid Rate) rates for 2019/2020 were as follows

	Bank Rate	7 Day	1 Month	3 Month	6 Month	12 Month
<b>High</b>	0.75%	0.58%	0.61%	0.72%	0.983%	0.98%
<b>High Date</b>	01/04/19	09/05/19	15/04/19	01/04/19	01/04/19	15/04/19
<b>Low</b>	0.10%	0.00%	0.11%	0.26%	0.31%	0.39%
<b>Low Date</b>	19/03/20	25/03/20	23/03/20	11/03/20	11/03/20	11/03/20
<b>Average</b>	0.72%	0.53%	0.56%	0.63%	0.70%	0.80%
<b>Spread</b>	0.65%	0.58%	0.50%	0.46%	0.52%	0.59%



32. The expectation for interest rates within the treasury management strategy for 2019/2020 was that Bank Rate would stay at 0.75% during the year. It was not expected that the MPC would be able to deliver on an increase in Bank Rate until the Brexit issue was finally settled.
33. Rising concerns over the possibility that the UK could leave the EU at the end of October 2019 caused longer term investment rates to be on a falling trend for most of April to September. Rates rose after the end of October deadline was rejected by the Commons, but fell back again in the new year, before recovering again after the 31 January departure of the UK from the EU. When the coronavirus outbreak hit the UK later in the financial year, rates initially plunged but then rose again sharply, due to a shortage of liquidity in the financial markets.
34. Short term investment interest rates were fairly flat for most of the year until the two cuts in Bank Rate in March 2020 caused them to fall sharply.
35. While the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.
36. Investment balances have been kept to a minimum through the agreed strategy of using reserves and balances to support internal borrowing, rather than borrowing externally from the financial markets. External borrowing would have incurred an additional cost, due to the differential between borrowing and investment rates. Such an approach has also provided benefits in terms of reducing the counterparty risk exposure, by having fewer investments placed in the financial markets.

### **Borrowing Strategy and Control of Interest Rate Risk**

37. During 2019/2020, the Council maintained an under-borrowed position. This meant that the capital borrowing need (the CFR) was not fully funded with loan debt, as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. The strategy was prudent as investment returns were low and minimising counterparty risk on placing investments also needed to be considered.
38. The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this was kept under review to avoid incurring higher borrowing costs in the future when the Council may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.

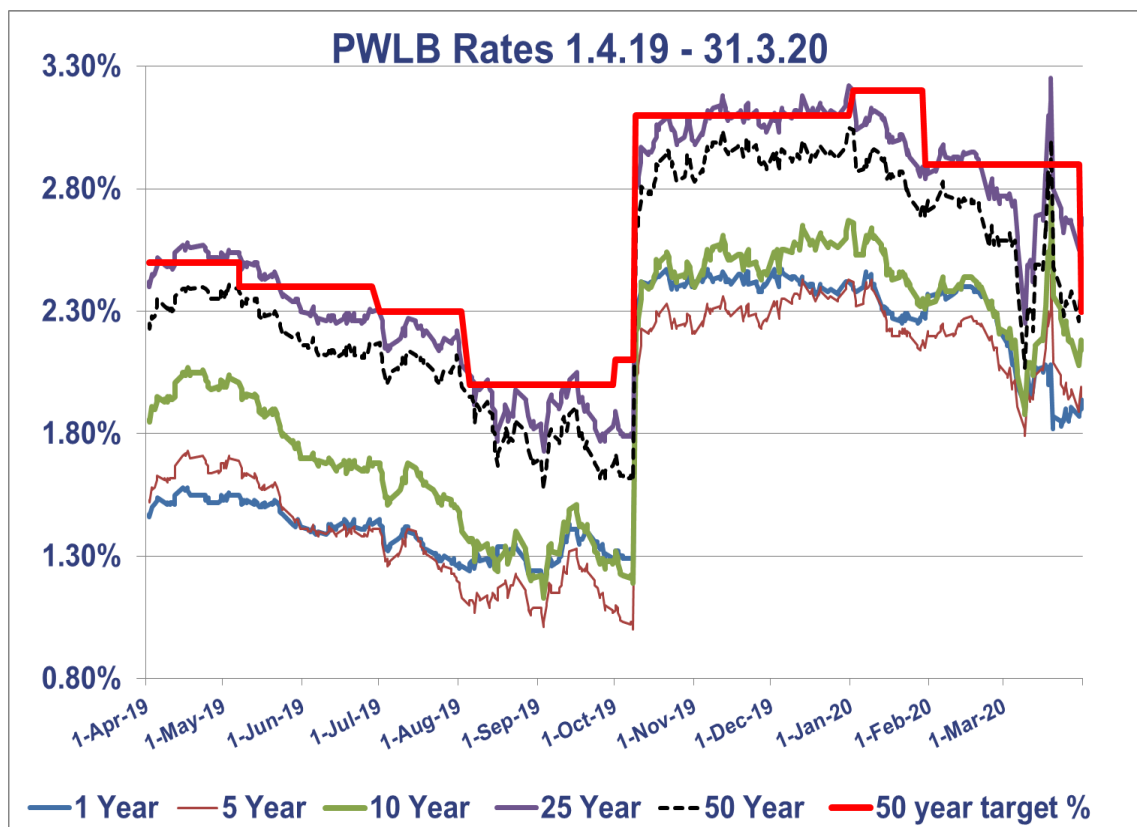
39. Against this background and the risks within the economic forecast, caution was adopted within the treasury operations. The treasury team monitored interest rates in financial markets and adopted a pragmatic strategy based upon the following principles to manage interest rate risks.

- if it had been felt that there was a significant risk of a sharp fall in long and short term rates, (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings would have been postponed, and potential rescheduling from fixed rate funding into short term borrowing would have been considered.
- if it had been felt that there was a significant risk of a much sharper rise in long and short term rates than initially expected, perhaps arising from an acceleration in the start date and in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks, then the portfolio position would have been re-appraised. Most likely, fixed rate funding would have been drawn whilst interest rates were lower than they were projected to be in the next few years.

40. Interest rate forecasts expected only gradual rises in medium and longer term fixed borrowing rates during 2019/2020 and the two subsequent financial years.

41. The following table and graph for PWLB rates shows a selection of maturity periods, the average borrowing rates, the high and low points in rates, spreads and individual rates at the start and the end of the financial year.

<b>PWLB Rates</b>	<b>1 Year</b>	<b>5 Year</b>	<b>10 Year</b>	<b>25 Year</b>	<b>50 Year</b>
<b>01/04/2019</b>	1.46%	1.52%	1.84%	2.41%	2.24%
<b>31/03/2020</b>	1.90%	1.95%	2.14%	2.65%	2.39%
<b>Low</b>	1.17%	1.00%	1.13%	1.73%	1.57%
<b>Low Date</b>	03/09/2019	08/10/2019	03/09/2019	03/09/2019	03/09/2019
<b>High</b>	2.47%	2.45%	2.76%	3.25%	3.05%
<b>High Date</b>	21/10/2019	19/03/2020	19/03/2020	19/03/2020	31/12/2019
<b>Average</b>	1.83%	1.77%	2.00%	2.56%	2.40%



42. PWLB rates are based on, and are determined by gilt (UK Government Bond) yields, through HM Treasury determining a specified margin to add to gilts. Gilt yields were on a generally falling trend during over the last year, up until the corona virus hit western economies. Since then, gilt yields have fallen sharply to unprecedented lows, as investors have panicked in selling shares in anticipation of impending recession, and moved cash into safe havens i.e. Government bonds. However, major western central banks also started quantitative easing purchases of government bonds, which will act to maintain downward pressure on government bond yields at a time when there is going to be a huge and quick expansion of government expenditure, financed by issuing government bonds; (this would normally cause bond yields to rise).
43. On 31 March, all gilt yields from 1 to 5 years were between 0.12 – 0.20% and 25 year yields were at 0.83%.
44. HM Treasury has imposed two changes in the margins over gilt yields for PWLB rates in 2019/2020 without any prior warning; the first on 9 October 2019, added an additional 1.00% margin over gilts to all PWLB rates. That increase was then partially reversed for some forms of borrowing on 11 March 2020, at the same time as the Government announced in the Budget a programme of increased spending on infrastructure.

45. Following the changes on 11 March 2020 in margins over gilt yields, the current situation is as follows,

- PWLB Standard Rate = Gilt plus 200 basis points
- PWLB Certainty Rate = Gilt plus 180 basis points
- PWLB HRA Standard Rate = Gilt plus 100 basis points
- PWLB HRA Certainty Rate = Gilt plus 80 basis points
- Local Infrastructure Rate = Gilt plus 60 basis points

46. It also announced that there would be a consultation with local authorities on possibly further amending these margins; this ends on 4 June. It is clear that the Treasury intends to put a stop to local authorities borrowing money from the PWLB to purchase commercial property if the aim is solely to generate an income stream.

47. There is likely to be little upward movement in PWLB rates over the next two years as it will take national economies a prolonged period to recover all the momentum they will lose in the sharp recession that will be caused during the coronavirus shut down period. Inflation is also likely to be very low during this period and could even turn negative in 2020/2021.

**Borrowing Outturn**

48. A summary of the Council’s borrowing position is detailed at Appendix 1.

49. Due to low investment returns and counterparty risk, no new borrowing was undertaken during the year.

50. One naturally maturing loan was repaid during 2019/2020 as follows,

<b>Pool</b>	<b>Lender</b>	<b>Principal £ million</b>	<b>Type</b>	<b>Interest Rate %</b>	<b>Maturity</b>
HRA	PWLB	8.000	Fixed Rate Maturity	1.99	8 years

**Borrowing in Advance of Need**

51. The Council has not borrowed more than, or in advance of its needs, purely to profit from the investment of the extra sums borrowed.

**Debt Rescheduling**

52. No debt rescheduling was undertaken during the year, as the average 1% differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.



## **Investment Outturn**

53. The Council's investment policy is governed by MHCLG investment guidance, which has been implemented in the annual investment strategy approved by the Council on 5 February 2019. This policy sets out the approach for choosing investment counterparties and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data.
54. The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.
55. The Council maintained an average balance of £125.514 million of internally managed funds. The difference between the balances available for investment and the actual investments is due to the varying level of working capital (creditors, debtors and other long term liabilities) and internal borrowing.
56. The internally managed funds earned an average rate of 0.90%. The comparable performance indicator is the average 3 month LIBID rate, which was 0.63%.
57. The Council's total interest received from investments for 2019/2020 was £0.819 million. The Council's budgeted investment return for 2019/2020 was £0.940 million, therefore forecast investment income (interest) for the year to date is £0.121 million under achieved against budget. The interest received was lower than budgeted due to the effect of lower balances for investment than an originally estimated and an increased level of internal borrowing.
58. The position on interest income must be compared with external interest costs payable. The Council paid external interest costs of £12.833 million against a budget of £13.299 million. This is a £0.466 million underspend against budget.
59. The net underspend in respect of interest receivable/payable is £0.345 million. This has been accounted for in the overall revenue outturn position for 2019/2020.
60. A summary of the Council's investment position as at 31 March 2020 is detailed at Appendix 2.

## **Economic Background and Interest Rate Forecast**

61. The main issue in 2019 was the reaching an agreement on the way forward for the UK over Brexit. Following the general election in December 2019, the UK left the EU on 31 January 2020. However, this still leaves much uncertainty as to whether there will be a reasonable trade deal achieved by the target deadline of the end of 2020. It is also unclear as to whether the coronavirus outbreak may yet impact on this deadline; the second and third rounds of negotiations have already had to be cancelled due to the virus.

62. Economic growth in 2019 has been very volatile,
- Quarter 1 – unexpectedly strong at 0.50%
  - Quarter 2 – weak at -0.20%,
  - Quarter 3 – bouncing back at +0.50%
  - Quarter 4 – flat at 0.00%
  - Year on year growth = 1.10%
63. 2020 started with optimistic business surveys pointing to an upswing in growth after the ending of political uncertainty. However, the three monthly GDP statistics in January were disappointing, being stuck at 0.0% growth. Since then, the whole world has changed as a result of the coronavirus outbreak. It now looks likely that the closedown of whole sections of the economy will result in a fall in GDP of at least 15% in quarter two.
64. There is much uncertainty around; the extent of the damage that will be done to businesses by the end of the lock down period, when the end of the lock down will occur, whether there could be a second wave of the outbreak, how soon a vaccine will be created and then how quickly it can be administered to the population. This leaves huge uncertainties as to how quickly the economy will recover.
65. Brexit uncertainty caused the MPC to leave the Bank Rate at 0.75%. However, when the coronavirus outbreak posed a huge threat to the economy, two emergency cuts in Bank Rate from 0.75% occurred in March 2020, first to 0.25% and then to 0.10%.
66. The Bank Rate cuts were accompanied by an increase in quantitative easing (QE), essentially the purchases of gilts (mainly) by the Bank of England of £200 billion.
67. The Government and the Bank have been concerned about job losses during the lock down period. Accordingly, the Government introduced various schemes to subsidise both employed and self-employed jobs for three months while the country is locked down. It also put in place a raft of other measures to help businesses access loans from their banks, (with the Government providing guarantees to the banks against losses), to tide them over the lock down period when some firms may have little or no income. However, at the time of writing, this leaves open a question as to whether some firms will be solvent, even if they take out such loans, and some may also choose to close as there is, and will be, insufficient demand for their services.
68. This is a rapidly evolving situation so there may be further measures to come from the Bank and the Government. The measures to support jobs and businesses already taken by the Government will result in a huge increase in the annual budget deficit in 2020/2021 from 2% to nearly 11%. The ratio of debt to GDP is also likely to increase from 80% to around 105%. In the Budget in March, the Government also announced a large increase in spending on infrastructure; this will also help the economy to recover once the lock down is ended. Provided the coronavirus

outbreak is brought under control relatively swiftly, and the lock down is eased, then it is hoped that there would be a sharp recovery, but one that would take a prolonged time to fully recover previous lost momentum.

69. Inflation has posed little concern for the MPC during the last year, being mainly between 1.50% and 2.00%. It is also not going to be an issue for the near future as the world economy will be heading into a recession which is already causing a glut in the supply of oil which has fallen sharply in price. Other prices will also be under downward pressure while wage inflation has also been on a downward path over the last half year and is likely to continue that trend in the current environment. While inflation could even turn negative in the Eurozone, this is currently not likely in the UK.
70. Employment had been growing healthily through the last year but it is obviously heading for a big hit in March and April 2020. The good news over the last year is that wage inflation has been significantly higher than CPI inflation which means that consumer real spending power had been increasing and so will have provided support to GDP growth. However, while people cannot leave their homes to do non-food shopping, retail sales will also take a big hit.
71. In terms of the world economy, the trade war between the US and China on tariffs was a major concern to financial markets and was depressing worldwide growth during 2019, as any downturn in China would spill over into impacting countries supplying raw materials to China. Concerns were particularly focused on the synchronised general weakening of growth in the major economies of the world. These concerns resulted in government bond yields in the developed world falling significantly during 2019. In 2020, coronavirus is obviously the big issue sweeping around the world and having a major impact in causing a world recession in growth.

#### **Other Issues – IFRS 9**

72. Risk management will need to take account of the 2018/2019 Accounting Code of Practice proposals for the valuation of investments. This will not be a significant issue for the Council, however key considerations are as follows,
  - Expected credit loss model. Whilst this should not be material for vanilla treasury investments such as bank deposits, this is likely to be problematic for some funds e.g. property funds, (and also for non-treasury management investments dealt with in the capital strategy e.g. longer dated service investments, loans to third parties or loans to subsidiaries).
  - The valuation of investments previously valued under the available for sale category e.g. equity related to the “commercialism” agenda, property funds, equity funds and similar, will be changed to Fair Value through the Profit and Loss (FVPL).

73. Following the consultation undertaken by the MHCLG on IFRS9, the Government has introduced a mandatory statutory override for local authorities to reverse out all unrealised fair value movements resulting from pooled investment funds. This will be effective from 1 April 2018. The statutory override applies for five years from this date. Local authorities are required to disclose the net impact of the unrealised fair value movements in a separate unusable reserve throughout the duration of the override in order for the Government to keep the override under review and to maintain a form of transparency.

### **Overview & Scrutiny Engagement**

74. Regular reports are taken to Overview & Scrutiny relating to the Council's financial position

### **Safeguarding Implications**

75. None have been identified as arising directly from this report.

### **Public Health Implications**

76. None have been identified as arising directly from this report.

### **Procurement Implications**

77. None have been identified as arising directly from this report.

### **Equalities Impact of the Proposal**

78. None have been identified as arising directly from this report.

### **Environmental and Climate Change Considerations**

79. Wiltshire Council will not intentionally invest in any investment that is not ethical and would not be consistent with our environmental and social policy objectives.

80. Where appropriate, the Council will consider investments that deliver environmental and social benefits, whilst maintaining our Security, Liquidity and Yield criteria.

### **Risks Assessment**

81. All investments have been at fixed rates during the period. The Council's current average interest rate on long term debt is 3.74%, which compares favourably with similar rates of other UK local authorities.

82. The primary management risks to which the Council is exposed are adverse movements in interest rates and the credit risk of counterparties.

83. Investment counterparty risk is controlled by assessing and monitoring the credit risk of borrowers as authorised by the Annual Investment Strategy.

### **Financial Implications**

84. These have been examined and are implicit throughout the report.

### **Workforce Implications**

85. None have been identified as arising directly from this report.

### **Legal Implications**

86. None have been identified as arising directly from this report.

### **Proposals**

87. Cabinet is requested to:

- a) Note that the contents of this report are in line with the Treasury Management Strategy 2019/2020.

**Andy Brown - Director, Finance and Procurement**

**Terence Herbert – Chief Executive, Wiltshire Council**

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28 May 2020

### **Appendices**

Appendix 1 Borrowing Portfolio  
Appendix 2 Investment Portfolio

## Borrowing Portfolio as at 31 March 2020

Lender	Start Date	Maturity Date	Amount £ million	Interest Rate %	Annual Interest £ million
<b>Public Works Loan Board (PWLB)</b>					
PWLB	28/03/2012	28/03/2021	4.000	2.21	0.088
PWLB	15/02/2010	01/06/2021	2.000	4.33	0.087
PWLB	28/03/2012	28/03/2022	8.000	2.40	0.192
PWLB	28/03/2012	28/03/2023	8.000	2.56	0.205
PWLB	15/02/2010	01/06/2023	2.000	4.45	0.890
PWLB	28/03/2012	28/03/2024	8.000	2.70	0.216
PWLB	15/02/2010	01/06/2024	2.000	4.49	0.090
PWLB	28/03/2012	28/03/2025	8.000	2.82	0.226
PWLB	14/08/2001	01/12/2025	0.123	4.875	0.006
PWLB	28/03/2012	28/03/2026	10.000	2.92	0.292
PWLB	15/02/2010	01/06/2026	2.000	4.54	0.091
PWLB	28/03/2012	28/03/2027	8.000	3.01	0.241
PWLB	21/08/2002	01/06/2027	4.000	4.75	0.190
PWLB	28/03/2012	28/03/2028	6.000	3.08	0.185
PWLB	29/07/1999	01/06/2028	1.000	4.75	0.048
PWLB	15/02/2010	01/06/2028	2.000	4.56	0.091
PWLB	28/03/2012	28/03/2029	7.000	3.15	0.221
PWLB	29/07/1999	01/06/2029	1.000	4.75	0.048
PWLB	28/03/2012	28/03/2030	8.000	3.21	0.257
PWLB	29/07/1999	01/06/2030	1.000	4.75	0.046
PWLB	20/05/2005	01/06/2030	2.000	4.45	0.089
PWLB	05/12/2005	18/03/2031	5.000	4.25	0.213
PWLB	28/03/2012	28/03/2031	2.000	3.26	0.065
PWLB	29/07/1999	01/06/2031	1.000	4.75	0.048
PWLB	20/05/2005	01/06/2031	2.000	4.45	0.089
PWLB	21/11/2005	18/09/2031	2.000	4.25	0.085
PWLB	28/03/2012	28/03/2032	5.000	3.30	0.165
PWLB	20/05/2005	01/06/2032	2.000	4.45	0.089
PWLB	04/11/1999	01/12/2032	1.500	4.625	0.069
PWLB	28/03/2012	28/03/2033	6.000	3.34	0.200
PWLB	20/05/2005	01/06/2033	2.000	4.45	0.089
PWLB	15/11/1999	19/09/2033	1.000	4.25	0.042
PWLB	28/03/2012	28/03/2034	7.000	3.37	0.236
PWLB	20/05/2005	01/06/2034	2.000	4.45	0.089
PWLB	15/11/1999	18/09/2034	1.000	4.25	0.043
PWLB	21/11/2005	18/09/2034	5.000	4.25	0.213
PWLB	28/03/2012	28/03/2035	2.000	3.40	0.068
PWLB	14/06/2005	14/06/2035	5.000	4.35	0.218
PWLB	15/11/1999	18/09/2035	1.000	4.25	0.043

Lender	Start Date	Maturity Date	Amount £ million	Interest Rate %	Annual Interest £ million
<b>Public Works Loan Board (PWLB) – Continued</b>					
PWLB	21/11/2005	18/09/2035	5.000	4.25	0.213
PWLB	15/11/1999	18/09/2036	0.500	4.25	0.021
PWLB	15/11/1999	18/09/2036	0.500	4.25	0.021
PWLB	28/03/2012	28/03/2037	9.000	3.44	0.310
PWLB	11/01/2006	01/12/2037	4.000	4.00	0.160
PWLB	11/01/2006	01/12/2038	4.000	4.00	0.160
PWLB	15/02/2010	01/06/2041	2.000	4.57	0.091
PWLB	11/08/2006	01/12/2041	3.000	4.35	0.131
PWLB	15/02/2010	01/06/2042	2.000	4.57	0.091
PWLB	11/08/2006	01/12/2042	2.000	4.35	0.087
PWLB	11/08/2006	01/12/2043	2.000	4.35	0.087
PWLB	06/09/2006	01/12/2044	3.000	4.25	0.128
PWLB	06/09/2006	01/12/2045	3.000	4.25	0.128
PWLB	29/06/2006	18/09/2046	4.000	4.45	0.178
PWLB	30/08/2006	01/12/2046	2.000	4.25	0.085
PWLB	29/06/2006	18/09/2047	4.000	4.45	0.178
PWLB	30/08/2006	01/12/2047	2.000	4.25	0.085
PWLB	09/10/1998	18/09/2048	1.000	4.50	0.045
PWLB	29/06/2006	18/09/2048	3.500	4.45	0.156
PWLB	30/08/2006	01/12/2048	2.000	4.25	0.085
PWLB	09/10/1998	18/09/2049	1.000	4.50	0.045
PWLB	29/06/2006	18/09/2049	3.000	4.45	0.134
PWLB	30/08/2006	01/12/2049	2.000	4.25	0.085
PWLB	30/08/2006	01/06/2050	5.000	4.25	0.213
PWLB	17/09/1998	18/09/2050	1.000	5.125	0.051
PWLB	17/09/1998	18/09/2051	1.000	5.125	0.051
PWLB	07/03/2007	01/06/2052	2.000	4.25	0.085
PWLB	23/07/1998	03/06/2052	1.000	5.50	0.055
PWLB	07/03/2007	01/06/2053	2.000	4.25	0.085
PWLB	23/07/1998	02/06/2053	1.000	5.50	0.055
PWLB	19/06/1998	01/06/2054	1.000	5.375	0.054
PWLB	19/06/1998	01/06/2055	1.000	5.375	0.054
PWLB	21/06/2006	01/06/2055	2.000	4.30	0.086
PWLB	22/06/2006	18/09/2055	4.000	4.35	0.174
PWLB	19/06/1998	01/06/2056	1.500	5.375	0.081
PWLB	21/06/2006	01/06/2056	3.000	4.30	0.129
PWLB	22/06/2006	01/06/2056	6.000	4.35	0.261
PWLB	02/10/1997	25/09/2057	1.500	6.625	0.99
PWLB	12/03/2019	13/03/2063	10.000	2.36	0.236
PWLB	12/03/2019	13/03/2064	10.000	2.36	0.236
PWLB	12/03/2019	13/03/2065	10.000	2.36	0.236
<b>TOTAL PWLB LOANS</b>			<b>274.123</b>		<b>10.002</b>

Lender	Start Date	Maturity Date	Amount £ million	Interest Rate %	Annual Interest £ million
<b><u>LOBO Loans</u></b>					
Barclays Bank	03/12/2004	03/12/2054	10.000	4.45	0.445
FMS Wermanagement	07/12/2004	08/12/2053	10.000	4.45	0.445
Depfa Deutsche Pfandbriefbank	10/12/2004	10/12/2052	10.000	4.45	0.445
Dexia Credit Local	10/12/2004	11/12/2051	10.000	4.45	0.445
Barclays Bank	31/08/2005	31/08/2055	5.000	3.99	0.200
Dexia Credit Local	20/02/2006	18/02/2066	6.000	4.45	0.267
Beyern LB	05/03/2007	07/03/2067	4.000	4.2	0.168
Barclays Bank	31/07/2007	01/08/2067	6.000	4.21	0.253
<b>TOTAL LOBO LOANS</b>			<b>61.000</b>		<b>2.667</b>
<b>TOTAL - ALL LOANS</b>			<b>335.123</b>		<b>12.669</b>

\* Annual interest = Total amount of annual interest payable per loan outstanding as at 31 March 2020. This won't equal the amount of interest paid during 2019/2020 – as the total loan portfolio has changed during the year.



## Investment Portfolio as at 31 March 2020 (compared to the counterparty list)

Borrower	Amount £ million	Interest Rate %	Start Date	Maturity Date	LAS Credit Rating **
Lloyds Bank	10.000	1.25	15/05/2019	15/05/2020	Orange - 12 months
First Abu Dhabi Bank PJSC	8.000	0.91	09/10/2019	07/10/2020	Orange - 12 months
Australia and New Zealand Banking Group Ltd	8.000	0.84	04/11/2019	05/05/2020	Orange - 12 months
Santander UK plc	8.000	0.87	08/11/2019	11/05/2020	Red - 6 months
Peterborough City Council	5.000	0.82	18/11/2019	15/04/2020	Yellow – 5 Years
Qatar National Bank	10.000	1.15	18/11/2019	18/05/2020	Red - 6 months
Handelsbanken plc (Call Account)	0.023	0.75	*	*	Orange - 12 months
Black Rock Money Market Fund	4.300	0.48	*	*	AAA
JP Morgan Money Market Fund	0.003	0.29	*	*	AAA
Federated Money Market Fund	11.433	0.42	*	*	AAA
Goldman Sachs Money Market Fund	0.000	0.28	*	*	AAA
Aberdeen Investments Liquidity Fund	14.760	0.47	*	*	AAA
<b>Total</b>	<b>79.519</b>				

\* Money Market Funds/Call Account – cash can be invested and withdrawn on a daily basis (subject to maximum investment limits) so there is no start date or maturity date for the purposes of this report.

\*\* For explanation please see following page.

Link Asset Services provide a creditworthiness service, which employs a sophisticated modelling approach utilising credit ratings from the three main credit rating agencies - Fitch, Moody's and Standard and Poor's. The credit ratings of counterparties are supplemented with the following overlays:

- a) credit watches and credit outlooks from credit rating agencies;
- b) CDS spreads to give early warning of likely changes in credit ratings;
- c) sovereign ratings to select counterparties from only the most creditworthy countries.

This modelling approach combines credit ratings, credit watches and credit outlooks in a weighted scoring system which is then combined with an overlay of CDS spreads for which the end product is a series of colour coded bands which indicate the relative creditworthiness of counterparties. These colour codes are used by the Council to determine the suggested duration for investments. The Council will therefore use counterparties within the following durational bands:

- a) Yellow – 5 years (this category is for AAA rated Government debt or its equivalent, including an investment instrument – collateralised deposits, where the investment is secured only against local authority debt, namely LOBOs, making them effectively government exposure);
- b) Dark pink – 5 years for Enhanced money market funds (EMMFs) with a credit score of 1.25
- c) Light pink – 5 years for Enhanced money market funds (EMMFs) with a credit score of 1.5
- d) Purple – 2 years;
- e) Blue – 1 year (only applies to nationalised or semi nationalised UK Banks and their subsidiaries);
- f) Orange – 1 year;
- g) Red – 6 months;
- h) Green – 100 days; and
- i) No Colour – not to be used.

The advisor's creditworthiness service uses a wider array of information than just primary ratings and by using a risk weighted scoring system, does not give undue preponderance to just one agency's ratings.

Wiltshire Council

# Overview and Scrutiny: Annual Report 2019/20



## What is overview and scrutiny?

Wiltshire Council is run by councillors elected by the people of Wiltshire. A small number of them form the cabinet (also referred to as the executive) which sets the direction, determines the priorities and takes the important decisions. The councillors in the cabinet hold powerful positions and it is important that they are held to public account for their actions. This is done through a system called Overview and Scrutiny (OS) and is undertaken by the nonexecutive councillors.

This is common to most local councils. They ensure that decisions are taken based on good evidence including the views of those with an interest in the matter and are in the best interests of the people of Wiltshire. OS is selective in what it looks at so that it can add value to the most important services provided by the council, its partners and contractors. Wherever possible it helps to shape policy through early discussions as well as scrutinising proposals before they are finally agreed. A list of the matters which will be considered by OS is published in its forward work programme.

## How do we do it in Wiltshire?

There is an OS management committee and three specialist select committees covering the following main service areas:

- Health (including the NHS, public health and adult social care)
- Environment (including highways, waste and transportation)
- Children (including education, vulnerable children, youth services and early years)

The management committee, as well as coordinating the work of the select committees, covers internal matters such as finance, performance and staffing. Most of the work is done by small groups of elected members from across the political parties reviewing single specific issues in detail. These groups then report to the select committees and make recommendations for improvement to the cabinet and others as necessary.

## Focus

The work programme focuses on the commitments given by the council in its Business Plan 2017/27 and approaches its work in the following way:

- Better outcomes for the people of Wiltshire
- Adding value to the way decisions are reached
- Working constructively with the cabinet
- Challenging positively as a critical friend
- Basing its findings on good evidence
- Learning from others

## Getting involved

OS welcomes suggestions from councillors and members of the public regarding issues that could be investigated. If you would like to suggest an issue that OS should look into, please contact us via the details at the end of this report. Members of the public can also get directly involved by attending committee meetings, submitting a question before a meeting or giving notice to make a statement on an item on the agenda.

## Overview and scrutiny management committee

Councillor Graham Wright, Chairman of the Committee, said:

“This year Overview and Scrutiny has continued to play a key role in developing council policy and holding decision-makers to account. It has scrutinised 64% of the decisions taken by the council’s Cabinet and submitted 130 recommendations to improve services. My thanks go to the councillors and co-opted members who lead the OS function, the scrutiny team that supports our work, plus all those decision-makers, expert witnesses and members of the public who have engaged with the process.

Overview and Scrutiny is now focused on contributing to the battle against COVID-19 by providing robust, constructive feedback on the ongoing incident response. Input from non-executive ‘scrutineers’ will be vital in highlighting the impact of the pandemic on residents, so the council and its partners can give them maximum support through these very challenging times. ”



Cllr Graham Wright  
Chairman



Cllr Alan Hill  
Vice chairman

## Key items we have looked at

### ...and what we have achieved

#### COVID-19

- Implemented streamlined, virtual scrutiny of the council’s emergency response to COVID-19. Undertook detailed questioning of the senior leadership team, using councillors’ knowledge of the challenges being faced on the ground by residents.

#### Financial robustness

- Scrutinised council budget proposals in detail to ensure that they were sound and reviewed potential impacts on services.

#### Public consultations

- Improved the council’s approach to consulting the public on plans and changes to services. Recommended that the purpose of consultations and how they really can influence decisions are made clearer to the public.

## Health select committee

Councillor Chuck Berry, the Chairman of the Committee, said:

“Even before COVID-19, the Health Select Committee had a busy year, with a great deal of change and innovation in the health and care sectors. We will now need to focus on the impact of the pandemic and the lessons we can learn in responding to it. However, we will also be exploring opportunities for joint scrutiny with the other South West Councils; assessing how “dementia friendly” our county is, and we will be developing our knowledge of the fantastic work that takes place in our communities, starting with Dorothy House.”



Cllr Chuck Berry  
Chairman



Cllr Gordon King  
Vice chairman

### Key items we have looked at ...and what we have achieved

#### Adult social care

- Developed relevant statistical indicators to accurately monitor the true performance of this vital service.

#### Redesign of maternity services

- Ensuring that the next community maternity hub pilots are in Trowbridge and Paulton.

#### Scrutiny of local acute trusts

- Enhancing working relationships with the NHS trusts that serve Wiltshire and monitored the delivery of their priorities.

## Children’s select committee

Councillor Jon Hubbard, Chairman of the Committee, said:

“This year the committee has continued to look at FACT, a wide-ranging programme to streamline and improve the way the council and partners work with children and families. Moving forward we will be assessing the impact of COVID-19 on children and families and how public services can support their resilience and recovery. We will look at the ‘Whole Life Pathway’, which reduces the impact of transitioning from children’s to adult services; plus the vital recruitment and retention of foster carers. We also look forward to strengthening links with the Wiltshire Youth Union (WYU), Children in Care Council (CiCC) and the Care Leavers Forum.”



Cllr Jon Hubbard  
Chairman



Cllr Jacqui Lay  
Vice chairman

### Key items we have looked at ...and what we have achieved

#### Outdoor education

- Examined the potential impacts of closing the Braeside and Oxenwood educational centres, with both facilities now continuing to provide valuable outdoor learning opportunities for young people.

#### Looked After Children (LAC)

- Recommended that improvements to supporting children in care were more clearly defined and were supported by appropriate metrics.

#### Children’s centres

Examined in-depth proposals to close some children centres and the public consultation on these. Made successful recommendations for improvement, including clarifying the rationale for the proposals and the alternative provision in place.

## Environment select committee

Cllr Bob Jones MBE, Vice chairman of the Committee, said:

“The Environment Select Committee has had a busy year, notably with its dedicated task group working with the Executive and external witnesses to ensure that the council meets its carbon reduction targets. The Homelessness Strategy Task Group met with Rt Hon Andrew Murrison, MP for South West Wiltshire, to discuss preventing and reducing homelessness in Wiltshire. In the coming year we will continue to concentrate upon the climate emergency, but we will also focus upon the impact of COVID-19 on areas such as public transport, homelessness, and the local economy.”



Cllr John Smale  
Chairman



Cllr Bob Jones MBE  
Vice chairman

### Key items we have looked at ...and what we have achieved

#### Global Warming and Climate Change

- Explored how the Council could reduce carbon emissions through planning, transport policy, renewable energy, waste management and land use.

#### Housing Aids and Adaptations for residents with disabilities

- Recommended that the Council's planning policies encourage the development of more adaptable and affordable housing for people with disabilities.

#### Highways

- Reviewed how effective Community Area Transport Groups (CAT-Gs) have been in resolving highways issues for local communities.

#### Homelessness

- Recommended that the Council prioritise emergency accommodation and the support provided by its Rough Sleeper Outreach team.

## How is overview and scrutiny supported?

The council's non-executive councillors run OS but are supported in their work by a small team of officers. They sit within the Democracy team, which supports all aspects of the council's democratic decision-making. The team ensures that the councillors have all the necessary information and evidence they need and can speak to those people that have a direct responsibility or interest in the matter. This can include making arrangements to hear from service users and going on site visits.

The team also undertakes research and writes reports on behalf of the select committees and task groups.

## Looking forward

Like local authorities across the country, Wiltshire Council is playing a central role in responding to COVID-19. It is working with its partners to ensure that communities are supported, local businesses receive government funding and critical services continue to protect people during an unprecedented and rapidly changing incident. To allow staff to focus on the operational response, Overview and Scrutiny has shifted to a streamlined structure and a work programme focused on maximising Wiltshire's resilience. We have set up a dedicated Wiltshire COVID-19 Response Scrutiny Task Group, holding fully virtual meetings where members can question senior decision-makers and raise live issues from their communities. We will continue to do this throughout the pandemic, but to add maximum value we will be focusing on how Wiltshire can recover as fast as possible and what new and improved ways of working may be found.

COVID-19 has placed significant new financial pressures on local authorities, on top of existing demographic challenges and rising costs of care for vulnerable children and adults. In Wiltshire, Overview and Scrutiny will contribute to meeting this challenge by acting as a 'critical friend' to decision-makers, supporting innovation in how the council and its partners deliver services and acting as the voice of the people when important decisions are being made.



## Want to know more?

Contact Henry Powell, Scrutiny Lead,  
Tel **01225 718052**,  
Email [henry.powell@wiltshire.gov.uk](mailto:henry.powell@wiltshire.gov.uk)  
Visit [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN

Information about Wiltshire Council services can be made available on request in other languages and formats such as large print and audio.

Please contact the council by telephone **0300 456 0100**, or email [customerservices@wiltshire.gov.uk](mailto:customerservices@wiltshire.gov.uk)

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**Wiltshire Council  
Council  
21 July 2020**

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## **DESIGNATION OF STATUTORY FUNCTIONS FOLLOWING CHANGES TO COUNCIL STRUCTURE**

### **Purpose of Report**

1. For Council to consider the designation of statutory roles following changes to the senior management structure of the council.

### **Background**

2. A report to Cabinet on 9 June 2020 (attached at appendix 1) outlined proposals to change the tier 1 senior management structure of the council.
3. Following a process of consultation with staff and members the new structure was implemented on 1 July 2020.

### **Main Considerations for the Council**

4. The minute of the Cabinet meeting, at which the proposals were approved, is at appendix 2.
5. This outlined the proposed alignment of some statutory functions in the new structure which Council is recommended to approve.
6. Following the implementation of the new structure the Chief Executive has put in place an interim tier 2 senior leadership structure, at appendix 3, and this includes changes in the designation of other statutory functions which Council is asked to note.

### **Proposals**

7. That Council:
  - a. Approve the designation of statutory functions as follows:
    - i. Returning Officer (RO) and Electoral Registration Officer (ERO) to the Chief Executive.
    - ii. Head of Paid Service to the Chief Executive
  - b. Note the interim designation of the Director of Adult Social Services (DASS) AND Director of Children's Services (DCS) to the interim Corporate Director for People pending a review of tier 2 senior leadership structure.

- c. Note the interim designation of the Section 151 Officer to the interim Corporate Director of Resources pending a review of tier 2 senior leadership structure.
- d. Note that the other designated statutory roles are unchanged as a result of the restructure and remain with existing postholders namely:
  - i. Director of Public Health (DPH) with the post of Director of Public Health
  - ii. Monitoring Officer with the post of Director of Legal and Governance
- e. Authorise the Monitoring Officer to make any consequential changes to the Constitution arising from the designation of the statutory functions outlined above.

**Joanne Pitt**  
**Head of Paid Service / Director HR&OD**

**WILTSHIRE COUNCIL**

**CABINET**

**9 June 2020**

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**Organisation Structure for Recovery**

**Purpose**

1. The purpose of this report is to seek Cabinet's approval to take steps to make changes to the senior management structure of the council at tier 1 to support the COVID-19 recovery plan and deliver ongoing financial savings, following discussion with the current Chief Executive Officers.

**Background.**

2. In January 2020 changes were made to the top tier of the Council which resulted in a reduction of posts at tier 1 from three Executive Directors to two Chief Executive Officers, one for People and one for Place, supported in the structure by three statutory Directors with responsibility as Section 151 Officer, Monitoring Officer and Head of Paid Service.
3. In this structure the statutory role Electoral Registration Officer (ERO) and Returning Officer (RO) was designated to the Chief Executive for People and the role of Senior Information Risk Owner was designated to the Chief Executive Officer for Place.

**Main considerations for Cabinet**

4. The current structure is relatively new. The rationale for this structure was based on People and Place and intended to ensure the two Chief Executive Officers had both the capacity and resilience to focus on strategic planning, with less focus on strategic delivery and operational oversight, which had been the previous position.
5. The two Chief Executive Officers have worked well together since their appointment in January 2020. They have worked jointly to progress our ambition for a growing local economy and thriving communities and have complemented each other's skill sets in their decision making and in providing oversight of each other's actions.
6. The People and Place model of shared leadership at tier 1 has also supported our response to COVID19 which has been focused on supporting those who have been in need and vulnerable during this emergency as well as supporting businesses with the aim of minimising the impact of this pandemic on Wiltshire's economy. Our response has been good and as well as the support provided by the Council our communities have also come together to work collaboratively with us

and with our partners during this national emergency. The collaborative approach in this response and the strong leadership provided by the two Chief Executive Officers throughout this has been exemplary.

7. Despite the success of our response it has highlighted duplication of work by the Chief Executive Officers as they have sought to make joint decisions on areas of work and in their collaboration with partners, chief executives of other local authorities, government departments and the LGA. In addition, the response also means that the financial position of the Council has shifted significantly and the impact of COVID19 on our communities and our economy mean unprecedented challenges and requires us to evolve and change to meet them.
8. Planning to help Wiltshire's people, economy and businesses to rebuild is underway as we emerge from lockdown and this includes steps to address the significant impact on the Councils services and finances. Existing strategies, our priorities and the structure of the Council will need to be refocused to reflect the radically changed context brought by this pandemic.
9. The Chief Executive Officers have recognised that recovery from this pandemic will be the Councils overriding priority. It is in that context, and their recognition of the duplication in their roles highlighted by the COVID-19 response as well as the significant financial pressures, that they have suggested a change to the structure that would reduce the top tier to one Chief Executive Officer. They believe that a move to this established leadership model will provide a focal point of officer leadership at the top of the organisation to lead the recovery, working closely with our communities and businesses, as well as health services and other partner organisations including the voluntary and community sector.
10. I have considered their suggestion in the context of the challenges and the scale of the task that we now face in recovering from the impacts of COVID-19 and the financial pressures that have resulted from this. As a result, I now propose that the top tier reduces from two Chief Executive Officers to one Chief Executive. This proposal, if agreed, will result in the redeployment of one Chief Executive Officer based on the new role being suitable alternative employment, and will therefore result in one redundancy.
11. I am proposing that the Chief Executive will also be designated the statutory roles of Electoral Registration Officer (ERO) and Returning Officer (RO). The designation of these statutory roles will be temporary pending the approval of Council.
12. I am also proposing that the Chief Executive becomes the statutory Head of Paid Service. This will be a change from the current designation of this statutory role to the Director HR & OD but is in common with the designation of this role in all other Councils where there is a single Chief Executive. If the proposed change to the structure is approved, and an appointment to Chief Executive is approved by the Officer Appointments Committee with no objections from Cabinet Members, the designation of this statutory role will remain with the Director of HR&OD pending

approval of the change in designation by Council, following which the constitution will be amended accordingly.

13. In this proposal, the Chief Executive will continue to be supported by the statutory Directors (Monitoring Officer & Section 151) and by the Director HR&OD to ensure that appropriate independent advice and challenge relating to finance, legal and workforce matters is available.
14. Whilst it will be important for the Chief Executive to have awareness of, and be able to influence, the delivery of services it is equally important to ensure that the role is not overstretched and is able to focus on leading our recovery. My proposal to reduce the top tier to one post will therefore require, if approved, a subsequent review of the tier 2 structure including determining the designation of the SIRO. This review will be the responsibility of the Chief Executive following consultation with the Leader and Cabinet.
15. If this proposal is approved by Cabinet, I will commence formal consultation on the proposal with the Chief Executive Officers and will also seek feedback from all staff at the council. This process of consultation and the process once the structure is confirmed is set out in the Appointments Policy & Procedure and the Redundancy Policy & Procedure for Chief and Senior Officers.

### **Overview and Scrutiny Engagement**

16. Overview and scrutiny members will have the opportunity to comment on the proposal while formal consultation with the Chief Executive Officers takes place and while feedback about the proposal is sought from staff and will be kept informed about the implementation.

### **Safeguarding Considerations**

17. In the proposed changes the statutory responsibility for Adult Social Services and Children's Services remain unchanged and are designated to Director roles, but the accountability for performance of these statutory roles and line management will be provided by the Chief Executive, and there will continue to be the expectation that the Chief Executive and all Directors have a role in promoting safeguarding within their specific areas continues.

### **Public Health Implications**

18. There are no public health implications as a result of the proposals outlined.

### **Environmental and Climate Change Considerations**

19. There is no environmental or climate change impacts as a result of the proposals.

### **Equalities Impact of the Proposal**

20. There is no equalities impact as a result of the proposals outlined. The council has in place robust policies and procedures to support change to structures, all of which have been subject to an equalities impact assessment.

### **Risk Assessment**

21. In proposing the senior management re-structure, a number of risks have been considered, namely:

- i. **Financial risks**, details in paragraphs 23 - 24
- ii. **Legal risks**, covered in paragraph 25
- iii. **Delivery of the business plan**: The risk is that if the new structure is not implemented the council may not be able to deliver the business plan

The current business plan outlines the council's vision and four priorities against which a number of goals outline how these priorities will be delivered. This will rely on the Chief Executive having the capacity to work with Cabinet on strategic planning as well as leading the Council's COVID-19 recovery plan and providing line management of the Directors to deliver these plans. If the structure is agreed a review of the tier 2 structure will be needed to ensure that this capacity is in place.

- iv. **Short term impact on delivery**: The risk is that there may be some short-term disruption whilst consultation with the Chief Executive Officers takes place and a new structure, once confirmed, is implemented.

22. Based on the risks outlined above the overall risk is assessed as medium but will be kept under review.

### **Financial Implications**

23. The current 2020/21 base budget approved by Full Council in February 2020 allows for a gross pay budget of £0.450m for two Chief Executive Officers. The proposals will see a reduction of one post and therefore a potential reduction in the cost of the top tier structure of approx. £225k.

24. The reduction in the number of roles at tier 1 will result in one redundancy, the cost of which will not be determined until the formal consultation process has been completed, a new structure confirmed and an application for voluntary redundancy received.

### **Legal Implications**

25. Legal advice will be provided at each stage to ensure that the proposed new structure is implemented lawfully and in accordance with the requirements of the council's policies and procedures, and the constitution.

### **Options Considered**

26. The other option considered was to make no changes to the current structure and maintain two Chief Executive Officers but as outlined in the report the financial position of the Council has shifted as a result of the COVID19 pandemic and the council's response. This has had an impact on the Council, our communities and our economy. The challenges we face as we plan for recovery are unprecedented, so it is important that we now have a focal point of leadership at the top of the organisation to lead this recovery. This will also provide a single and consistent relationship with all our communities, our partners and our businesses as the recovery will require collaboration across all.

### **Proposals**

27. I am proposing that Cabinet:

- i. Approve the proposed changes to the structure of the council at the top tier (Chief Executive Officers), and as outlined paragraphs 4 – 15.
- ii. Recommend that Council approves the proposed changes to the designation of the statutory roles as outlined in paragraphs 11 & 12, if this proposed new structure is approved.

28. If approved, I propose that cabinet note that:

- i. Initial consultation on proposals to implement a new structure will start immediately.
- ii. Once a new structure is confirmed following consultation, that steps to seek approval of the appointment of a Chief Executive by the Officer Appointments Committee will take place, and if appropriate steps to approval the redundancy of a Chief Executive Officer by the Senior Officers Employment Sub-Committee will also take place.

**Cllr Philip Whitehead**  
**Leader of the Council**

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**EXTRACT FROM THE MINUTES OF THE CABINET MEETING ON 9 JUNE 2020**

**Item 69.**

**Minutes:**

The Chairman presented report seeking Cabinet's approval to take steps to make changes to the senior management structure of the council at tier 1 to support the COVID-19 recovery plan and deliver ongoing financial savings, following discussion with the current Chief Executive Officers.

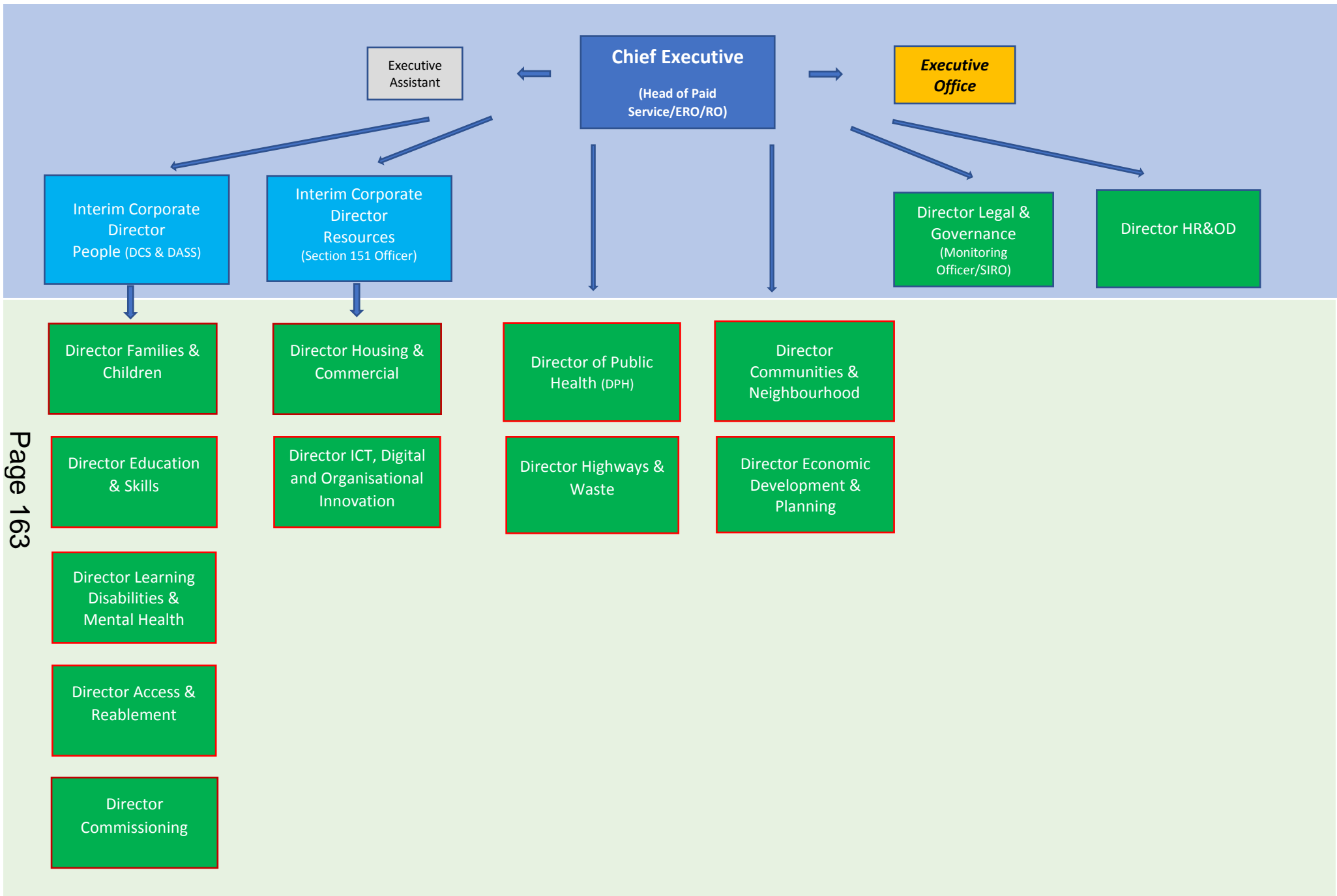
**Resolved:**

- **Approve the proposed changes to the structure of the council at the top tier (Chief Executive Officers), and as outlined paragraphs 4 – 15.**
- **Recommend that Council approves the proposed changes to the designation of the statutory roles as outlined in paragraphs 11& 12, if this proposed new structure is approved.**

**If approved, the Leader of the Council proposes that cabinet note that:**

- **Initial consultation on proposals to implement a new structure will start immediately.**
- **Once a new structure is confirmed following consultation, that steps to seek approval of the appointment of a Chief Executive by the Officer Appointments Committee will take place, and if appropriate steps to approval the redundancy of a Chief Executive Officer by the Senior Officers Employment Sub-Committee will also take place.**

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**Wiltshire Council**

**Full Council**

**21 July 2020**

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## **Proposed Changes to the Constitution – Part 3B, Protocol 2 and Part 15**

### **Summary**

This report sets out proposed changes to Part 3B (Policy Framework, Wiltshire Pension Fund Committee and Electoral Review Committee Terms of Reference), Part 15 (HR Code of Conduct) and Protocol 2 (Terms of Reference - Wiltshire Pension Fund Committee and Local Pension Board) of the Constitution.

### **Proposals**

- 1) That Full Council approve the proposed changes to Part 3B of the Constitution as detailed in Appendix 2.**
- 2) That Full Council approve the proposed changes to Protocol 2 of the Constitution as detailed in Appendix 4.**
- 3) That Full Council approve the proposed changes to Part 15 of the Constitution as detailed in Appendix 6.**

### **Reason for Proposals**

To ensure the council's constitution is up to date, clear and effective.

**Ian Gibbons, Monitoring Officer**

## **Proposed Changes to the Constitution**

### **Purpose of Report**

1. This report asks Full Council to consider recommendations of the Standards Committee or Staffing Policy Committee in relation to the following items:
  - Part 3B and Protocol 2 of the Constitution in relation to the Wiltshire Pension Fund Committee and Local Pension Board.
  - Part 3B of the Constitution in relation to the Policy Framework.
  - Part 15 of the Constitution in relation to the Human Resources Code of Conduct.
2. And to consider further proposed changes to the Constitution in relation to:
  - Part 3B of the Constitution in relation to the terms of reference of the Electoral Review Committee.

### **Background**

3. The Standards Committee has responsibility for oversight of the Council's Constitution. It has established a cross party working group, the Constitution Focus Group, to advise and assist in carrying out this function.
4. The Focus Group met on 14 June 2019, 15 January 2020 and 17 June 2020 to review sections of the Constitution, including the sections of Part 3B and Protocol 2 as detailed under paragraph 1 above. The notes of those meetings can be found at **Appendix 1a**.
5. The Standards Committee met on 7 July 2020 to consider the proposals from the Focus Group and resolved to recommend them to Full Council. The minutes of the meeting can be found at **Appendix 1b**.
6. The HR Code of Conduct, Part 15 of the Constitution, was considered by the Staffing Policy Committee at its meeting on 3 June 2020. The relevant section of the minutes of that meeting are included in **Appendix 1c**.
7. The Electoral Review Committee has responsibility for oversight of Electoral Reviews, Community Governance Reviews, Polling District and Polling Place Reviews and other electoral services matters.

### **Main Considerations**

Part 3B of the Constitution (Functions of the Council, Committees and Cabinet) and Protocol 2 of the Constitution – Wiltshire Pension Fund Committee and Local Pension Board

8. Paragraphs 2.7 and 7 of Part 3B of the Constitution set out the responsibilities of the Wiltshire Pension Fund Committee and Local Pension Board respectively. Full Terms

of Reference of the Local Pension Board are then set out in Protocol 2 of the Constitution.

9. The Wiltshire Pension Fund Committee and Local Pension Board members completed an effectiveness review in November 2018 co-ordinated by the Fund's Actuarial Consultants Hymans Robertson, following which recommendations were made in the way the Committee and Board should operate. These recommendations were considered by a focus group of key Pension Fund stakeholders in January 2019 at which key actions were agreed.
10. One of these actions was to review the existing terms of reference under the Constitution in respect of both the Wiltshire Pension Fund Committee and Local Pension Board to ensure that:
  - Each terms of reference remained relevant to the statutory purpose of its group;
  - All members had a clearer understanding of their roles and responsibilities relative to their group and those of the other group;
  - The terms of reference would be harmonised in purpose with the other group; and,
  - Where required, the terms of reference would be increased in scope, if it were silent in its content or loosened in its nature if it were found to be too prescriptive and impractical to execute in its nature.
11. The reasons for the sections becoming misaligned over the past few years has been due to the increased complexity of the Fund's investment strategy requiring the creation of the Investment Sub-Committee and new pensions legislation, notably the Public Services Pensions Act 2013 which initiated the introduction of the Local Pension Board in April 2015.
12. The Focus Group had considered the existing terms of reference, detailed in **Appendices 2 and 3**, had been lacking in content, clarity and functional execution in respect of certain procedures and that it was appropriate to recommend amendment to these paragraphs in relation to the overall operational effectiveness of the Administering Authority's Pension Fund.
13. The Standards Committee accepted the conclusion of the Focus Group and resolved to recommend the series of changes set out in **Appendix 2** (track changes) and **Appendix 4** (Protocol 2), a summary of which are highlighted below:

Part 3, Section 2.7 – Terms of Reference for the Wiltshire Pension Fund Committee

14. To create a Protocol 2A document which enhances the Terms of Reference paragraphs by either adding or amending them as described below;

**Additions**

- An introduction defining the formation of the Fund;
- An interpretations paragraph providing background guidance;
- A Duties of Committee paragraph concerning member conduct and registration of interests;
- A Duties of the Chairman paragraph providing clarity over the management of the Committee;

- Meetings paragraphs;
- Quorum paragraphs;
- Functions of the Committee paragraphs detailing the policy framework in which the Committee would operate; and
- Delegations paragraphs setting out its relationship with the Committee's Investment sub-Committee and officers supporting the Committee.

### **Amended**

- Paragraph 2.7.2 was amended and retitled into two paragraphs namely "Statement of purpose" and "Reporting" to enable distinction in these functional areas;
- Paragraph 2.7.1 was amended and retitled "Membership" and separated into two paragraphs within Protocol 2A; and
- Paragraph 2.7.3 was amended and retitled "Recruitment process and term lengths". It now comprises of 8 paragraphs within Protocol 2A covering.
  - i) Elected member representatives;
  - ii) Elected Employer representatives;
  - iii) Non-voting Employee representatives;
  - iv) Appointment of Chair, Vice Chair and substitute members; and
  - v) Notification of appointment.

### Part 3, Section 7, Protocol 2 – ToR for the Wiltshire Pension Fund, Local Pension Board

15. The key material amendments over and above a number of housekeeping changes designed to enhance the Board's Terms of Reference paragraphs are described below:
- It is now called Protocol 2B;
  - Member Representatives, which covered "For the initial member representatives" paragraphs between 17 to 21 and "For subsequent member representatives" paragraphs between 22 to 24 have been merged and simplified into "For the member representatives" paragraphs between 17 to 22;
  - Employer Representatives, which covered "For the initial employer representatives" paragraphs between 25 to 34 and "For subsequent employer representatives" paragraphs between 35 to 37 have been merged and simplified into "For the employer representatives" paragraphs between 23 to 33;
  - The Appointment of Chair process between paragraphs have been altered to a less prescriptive timeframe and now cover paragraphs 36 to 42;
16. In all bullet points above the basis for change highlighted by the effectiveness review was to;
- i) Reflect representation as an ongoing process now that the Board had been established;
  - ii) Make the appointment of members less prescriptive as finding candidates who could fulfil the criteria and were willing to perform the role had become an overly difficult challenge; and
  - iii) Ensure that the democratic process remained clear.



- Independent governance adviser – Paragraph 48 (now paragraph 44) was relaxed in that the Board should simply be able to use the adviser appointed by the Administering Authority for the benefit of the Committee. In practice, no conflict of interest is seen as being present, no appointment has ever been made and from a cost control viewpoint it would be an appointment which would be difficult to justify;
- Board Administration – Paragraph 67 (now paragraph 63), the issuance of meeting packs was reduced from 7 to 5 working days to be consistent with the timeframe of other Council meeting pack issuances;
- Public Access to Board meetings and Information – Paragraph 75 (now paragraph 70) was updated to reflect the restructure of officer appointments supporting the Board defining, by who may speak with the permission of the Chair;
- Budget – Paragraph 83 (now paragraph 78) has been updated with a fourth allowance d) other contractual arrangements, as approved by Committee as part of the annual budget; and
- Reporting – Paragraphs 90 to 93 (now paragraphs 85 to 88) have been reformatted to better reflect the actual reporting framework by which the Board communicates with both the Committee and publicly.

Part 3B of the Constitution (Functions of the Council, Committees and Cabinet) – Policy Framework

17. The Policy Framework is a list of key documents and policies which are required to be approved by Full Council, set out in Paragraph 1.1 and 1.2 of Part 3B. This is either because the policies are statutorily required, or by previous decision of Full Council.
18. As legislation and strategies change, the policy framework requires periodic review and updating. A review was therefore undertaken by the Corporate Governance Working Group.
19. The review identified a number of items which were no longer required to be approved by Full Council, or had been added to the required list, and a number of items were proposed to be removed as Full Council approval was not the most appropriate method for their review and approval.
20. The Focus Group and Standards were provided details of the review process. The Focus Group also requested the Carbon Reduction Strategy should be included as policy framework item in addition to other amendments, and Standards Committee then resolved to recommend that the relevant section of Part 3B of the constitution would read as below and set out in **Appendix 2**:

*Adopting the following statutory plans, strategies and documents as part of the policy framework of the Council:*

- *Emergency plans and civil contingency plans; Civil Contingencies Act 2004*
- *Local Transport Plan; Transport Act 2000*
- *Local Development Framework; Planning and Compulsory Purchase Act 2004*
- *Corporate Equality Plan; Public Sector Equality Duty under s149 of the Equality Act 2010*

- *Homelessness Strategy; Homelessness Act 2002*
- *Licensing Authority Policy Statement; Licensing Act 2003*
- *Gambling Act Statement of Principles; Gambling Act 2005*
- *Pay Policy Statement; Localism Act 2011*
- *Enforcement Policy; Legislative and Regulatory Reform Act 2006*
- *Air Quality Strategy; Environment Act 1995*
- *Contaminated Land Strategy; Part 2A Environmental Protection Act 1990*
- *Housing Renewal Strategy; Housing Act 2004*
- *Youth Justice Plan; Crime and Disorder Act 1998*

*Adopting the following non-statutory plans, strategies and documents which also form part of the policy framework of the Council:*

- *Corporate Parenting Policy*
- *Business Plan*
- *Corporate Asset Investment Strategy and Corporate Property Strategy*
- *Treasury Management Policy*
- *Capital Investment Strategy*
- *Carbon Reduction Strategy*

Part 3B of the Constitution (Functions of the Council, Committees and Cabinet) – Electoral Review Committee

21. The Terms of Reference of the Electoral Review Committee are set out at Paragraph 2.10 of Part 3B of the Constitution. The Committee has responsibility for oversight of Electoral Reviews, Community Governance Reviews, Polling District and Polling Place Reviews and other Electoral Services matters, making recommendations to Full Council or decisions as appropriate.
22. As a result of the Electoral Review of Wiltshire Council new Divisions have been approved for the elections in May 2021. In many cases, the council's existing community areas therefore no longer align with the Divisions. It is therefore necessary to approve new arrangements for Area Boards which can be implemented following the elections.
23. Given the successful engagement process with Members, parishes and the public during the Electoral Review and Community Governance Review, as undertaken by the Electoral Review Committee, it is proposed to amend the Terms of Reference of the Committee to enable it to make recommendations to Full Council on an Area Board Boundary Review, as set out in **Appendix 2**.

Part 15 of the Constitution (HR Code of Conduct)

24. The HR Code of Conduct sets out minimum standards of behaviour for council employees, provides guidelines to help maintain and improve standards, and aims to protect the reputation of both employees and the council.
25. Changes to Part 15 included:
  - Replacing the behaviour framework with a new 'EPIC Values' document.
  - Including information about misconduct;
  - Including information about 'Mental health, drugs and alcohol issues';
  - Including information about 'if you experience poor behaviour';

- Including additional information about roles and responsibilities.
  - Reviewed and modernised the code of conduct principles, renamed these 'behaviour principles' and aligned them to values.
  - The principles have been updated through the amalgamation and simplification of the principles in the current code of conduct and the current behaviours framework as follows:
    - Current Code of Conduct principles: selflessness, honesty and integrity, objectivity, accountability, openness, personal judgement, respect for others, duty to uphold the law, stewardship and leadership.
    - New 'Behaviour principles': honesty and integrity, accountability and selflessness, openness, objectivity and respect, leadership, working together, doing your best.
26. A 'behaviour principles guidance document' has been written to sit alongside the policy to support these behaviour principles. This document includes examples of what each of these principles does and doesn't look like in the workplace, providing managers and staff with a clear single point of guidance on how all staff are expected to conduct themselves as a minimum within our organisation.
27. Key stakeholders including the recognised unions were consulted on the proposals before consideration by the Staffing Policy Committee.
28. The proposed revised Part 15 of the Constitution is set out at **Appendix 6**.

#### **Safeguarding Implications**

29. There are no safeguarding issues arising from this report.

#### **Procurement Implications**

30. There are no procurement issues arising from this report

#### **Equalities Implications**

31. There are no equalities impacts arising from this report.

#### **Risk Assessment**

32. There are no risk issues arising from this report.

#### **Financial Implications**

33. There are no financial implications arising from this report.

#### **Public Health Implications**

34. There are no public health impacts arising from this report.

#### **Environmental and Climate Change Implications**

35. There are no environmental or climate change impacts arising from this report.

#### **Workforce Implications**

36. There are no workforce implications arising from this report.

## **Legal Implications**

37. The recommendations in this report are consistent with the council's duties under any relevant legislation.

## **Proposals**

38. **That Full Council approve the proposed changes to Part 3B of the Constitution as detailed in Appendix 2.**
39. **That Full Council approve the proposed changes to Protocol 2 of the Constitution as detailed in Appendix 4.**
40. **That Full Council approve the proposed changes to Part 15 of the Constitution as detailed in Appendix 6.**

## **Ian Gibbons, Monitoring Officer**

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Report Author: Kieran Elliott, Senior Democratic Services Officer, 01225 718504,  
[kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

## **Appendices**

Appendix 1a - Notes of the Constitution Focus Group:  
Appendix 1b - Minutes Extract of the Standards Committee 7 July 2020  
Appendix 1c - Minutes Extract of the Staffing Policy Committee 3 June 2020  
Appendix 2 - Proposed Part 3B  
Appendix 3 - Current Protocol 2  
Appendix 4 - Proposed Protocol 2  
Appendix 5 - Current Part 15  
Appendix 6 - Proposed Part 15

## **Background Papers**

[Report 1 to the Standards Committee 7 July 2020 \(Pensions\)](#)  
[Report 2 to the Standards Committee 7 July 2020 \(Policy Framework\)](#)  
[Report to the Staffing Policy Committee 3 June 2020](#)

## Appendix 1

### CONSTITUTION FOCUS GROUP

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#### NOTES OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 14 JUNE 2019 AT SALISBURY ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

##### Present:

Cllr Richard Clewer (Chairman), Cllr Richard Britton, Cllr Stuart Wheeler and Mr Michael Lockhart

##### Also Present:

Cllr Fleur de Rhé-Philippe MBE, Cllr Toby Sturgis and Cllr Fred Westmoreland

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#### 28 Apologies

An apology was received from Councillor Graham Wright.

#### 29 Notes of the Previous Meeting

The notes of the meeting held on 24 May 2019 were received and it was,

##### Resolved:

**To approve and sign the notes as a true and correct record.**

#### 30 Protocol 4: Planning Code of Good Practice

The Focus Group received a revised version of Protocol 4 following their consideration and comments at the meeting on 24 May 2019. The Cabinet Member and Chairmen of the planning committees had been invited to attend the meeting.

The Focus Group made additional comments requesting that ongoing training also be stated to be mandatory within the constitution along with initial training as currently stated. It was noted that Full Council could appoint any member to a committee, but that the lack of proper training of a member could open the council up to legal challenge, and the Monitoring Officer would need to consider the matter carefully in such a situation, and that Group leaders needed to bear this in mind.

Changes were also sought to avoid confusion between discussions between members and others before an application was submitted, and formal pre-application discussions with planning officers. There were also clarifications sought on when members should seek guidance from the Monitoring Officer,

how to draw attention to rules on pecuniary or other relevant interests and the need to provide policy reasons when refusing applications.

The Focus Group agreed a briefing should be made available to all members on the proposals.

**Resolved:**

**To recommend Standards Committee endorse the proposed changes to Protocol 4 to Full Council.**

31 **Protocol 12: Arrangements for dealing with Code of Conduct complaints**

The Focus Group considered the final version of the revised Protocol 12 and associated documentation to give effect to the new assessment sub-committee process that had been agreed previously. Further amendments were suggested in relation to requests of extension to the process being unnecessary as this was already possible under the arrangements, and there were other changes to make clear that comments would be received by the investigating officer on their report, who would make changes or incorporate them, prior to providing the report to the monitoring officer.

**Resolved:**

**To recommend Standards endorse the proposals to Full Council.**

32 **Part 3B and Protocol 2: Pension Fund Terms of Reference and Pension Board Terms of Reference**

Andy Cunningham, Head of Pensions Administration and Relations presented proposed changes to the terms of reference of the Pension Fund Committee and the Pension Board. It was explained these were intended to bring greater clarity to the expectations for members of each body and the roles they should undertake. This had been prepared following consultation with the Chairman of each body.

The Focus Group members noted the changes and in principle felt the proposals to provide clarity were helpful, although there were concerns regarding overlap in practice between the two bodies, and the limitations on who could nominate employer body representatives to the Pension Board. It was also suggested the expanded Pension Fund terms of reference could be included within Protocol 2, in a separate document, so that terms of reference for both pensions bodies were located in the same areas of the constitution.

It was agreed for there to be further discussions with the Pensions Team before recommending the changes onward.

33 **Part 4: Council Rules of Procedure**

Following queries it was established that there was no legal or constitutional requirement for Full Council to receive a minutes book at each ordinary council meeting. No comments had been raised on the minutes for several years and committees would still be able to report to council, or committee chairmen make an announcement, if they so wished, should the minutes book not be taken to the meetings.

It was agreed to seek the view of Group Leaders as to whether it was necessary to continue to bring the minutes book to Full Council.

34 **Part 3C: Scheme of Delegation (Executive)**

The Focus Group noted the report that it was intended by the Leaders of Swindon Borough Council and Wiltshire Council to disband the Joint Strategic Economic Committee in the light of the new legal status of the Swindon and Wiltshire Local Enterprise Partnership. It was noted that the Leader would make changes to the scheme of delegation accordingly, and that this would be reported to Full Council.

35 **Part 11: Roles and Responsibility of Members**

The Focus Group noted the proposed formatting and numbering changes, and corrections, and accepted the Monitoring Officer making the changes.

36 **Part 11B: Safeguarding Children and Young People Panel**

The Focus Group noted the proposed formatting and numbering changes, and corrections, and accepted the Monitoring Officer making the changes.

37 **Part 12: Members Code of Conduct**

The Focus Group noted the proposed formatting and numbering changes, and corrections, and accepted the Monitoring Officer making the changes.

38 **Part 15: HR Code of Conduct**

The Focus Group noted the proposed formatting and numbering changes, and corrections, and accepted the Monitoring Officer making the changes.

39 **Part 16: Management Structure**

The Focus Group noted the proposed formatting and numbering changes, and corrections, and accepted the Monitoring Officer making the changes.

40 **Urgent Items**

There were no urgent items.

(Duration of meeting: 11.00 am - 12.50 pm)

The Officer who has produced these notes is Kieran Elliott, of Democratic & Members' Services, direct line 01225 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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## Constitution Focus Group

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**NOTES OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 15 JANUARY 2020 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.**

**Present:**

Cllr Richard Clewer (Chairman), Cllr Richard Britton, Cllr Jon Hubbard and Cllr Graham Wright

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1 **Apologies**

Apologies were received from Councillors Ian Thorn and Stuart Wheeler.

2 **Notes of the Previous Meeting**

The notes of the meeting held on 2 September 2019 were presented for consideration and it was,

**Resolved:**

**To approve and sign the notes as a true and accurate record.**

3 **Protocol 2 and Part 3B of the Constitution: Local Pension Board Terms of Reference and Responsibility for Functions (Wiltshire Pension Fund Committee Terms of Reference)**

Following its meeting on 14 June 2019 the Focus Group received updated proposed terms of reference for the Local Pension Board and the Wiltshire Pension Fund Committee.

The Focus Group examined each terms of reference and made a number of suggested amendments to the wording to improve clarity. Revisions were requested in relation to details around delegation to officers or requests made to the Board, references to registers of interest, appointment and confirmation of Chair of the Board, the role of the Investment Sub-Committee, speaking rights, annual reports, appointment of employer representatives and other minor changes.

At the conclusion of discussion, it was,

**Resolved:**

**To receive updated terms of reference taking into account the comments of the Focus Group, at its next meeting.**

#### 4 **Part 3B Policy Framework**

The Focus Group received a report proposing a review of Part 3B of the Constitution in respect of the Policy Framework, a list of policies which required approval by Full Council. This included items required by statute to be approved by Full Council and discretionary items which at some point it had been determined should be approved by Full Council.

The list had been reviewed as a number of items were no longer required to be approved by Full Council or had been added to the required list, and it was proposed a number of policy framework items be removed as this was not the most appropriate method for their review and approval.

The Focus Group considered the list, with comments suggesting the Carbon Reduction Strategy should also be approved by Full Council, and discussion of how to develop reviewed policies alongside scrutiny. It was also confirmed that any such strategies required approval by Cabinet prior to confirmation by Full Council.

#### **Resolved:**

**To request Standards recommend approval of the proposed amendments to Part 3B of the Constitution, and to encourage future reviews of policy framework items to require scrutiny involvement.**

#### 5 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.30 - 4.10 pm)

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

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## Constitution Focus Group

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### MINUTES OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 17 JUNE 2020 AT ONLINE MEETING.

#### **Present:**

Cllr Richard Clewer (Chairman), Cllr Richard Britton, Cllr Jon Hubbard and Cllr Graham Wright

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#### 10 **Apologies**

Apologies were received from Councillors Stuart Wheeler and Ian Thorn.

#### 11 **Notes of the Previous Meeting**

The notes of the meeting held on 24 April 2020 were presented for consideration and it was,

#### **Resolved:**

**To approve and sign the notes as a true and correct record.**

#### 12 **Pensions Board and Pensions Fund (Part 3B and Protocol 2)**

The Focus Group considered further revisions to terms of reference of the Pension Board and Wiltshire Pension Fund Committee following previous considerations in September 2019 and January 2020.

The Focus Group reviewed the revisions and requested additional changes in relation to reference to registers of interests and codes of conduct. Subject to these and other minor changes, it was

#### **Resolved:**

**To request Standards Committee recommend the changes to the terms of reference be approved by Full Council.**

#### 13 **Urgent Items**

Through the Chair there was a discussion of the details of constitutional decision-making, particularly emergency powers, given the ongoing Covid-19 emergency. It was agreed to undertake a review of the operation of these provisions when practicable, and to raise the issue of wider member

consultation and where possible participation in decisions relating to the return of democratic decision-making in a regular manner.

It was also noted that at its latest meeting the Staffing Policy Committee had approved an updated HR Code of Conduct, which would form Part 15 of the Constitution.

(Duration of meeting: 1230 - 1330)

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

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## Standards Committee

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### MINUTES EXTRACT OF THE STANDARDS COMMITTEE MEETING HELD ON 7 JULY 2020 AT ONLINE MEETING.

#### 7 **Constitutional Changes**

A report from the Monitoring Officer was received setting out proposed changes to the Constitution as recommended by the Constitution Focus Group.

The changes included updates to the Policy Framework following a review of its contents, and significant changes to the terms of reference to the Wiltshire Pension Fund Committee and Local Pension Board, to clarify their roles and responsibilities among other changes as detailed in the report.

The Committee accepted the recommendations of the Focus Group to amend Part 3B and Protocol 2 accordingly.

The Committee also noted that the Human Resources Code of Conduct had been considered by the Staffing Policy Committee, and as Part 15 of the Constitution would be recommended to Council.

#### **Resolved:**

**To recommend Council approve the proposed changes to Part 3B and Protocol 2 of the Constitution.**

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## Staffing Policy Committee

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### MINUTES EXTRACT OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 3 JUNE 2020 AT ONLINE MEETING.

#### 21 Code of Conduct

The Committee received a report by the Director, Human Resources & Organisational Development which outlined proposed amendments to the council's code of conduct policy following the agreed changes to the behaviour framework.

The Committee were reminded that EPIC is the Council's employee brand standing for innovation, collaboration and empowering people and it is the golden thread of the employees' journey. A review of the current behaviour's framework was recommended to ensure that it continued to be an effective tool in promoting a positive culture and to support the council in delivering its priorities and aligned to the employee promise.

Focus groups and staff feedback formed the basis of the development of epic values. Staff supported in identifying what values resonated with them. It was felt behaviours held negative connotations and ratings should be removed to ensure the tool was viewed in a positive way also resulting in the removal of what a value does not look like.

The Joint Consultative Committee had been updated about the changes to the behaviour's framework. EPIC Values has also been presented to team EPIC and at the manager forum. All providing positive feedback, specifically highlighting the simplicity of the framework.

This was due to come to Staffing Policy Committee in March, but as the meeting was cancelled it was given approval through Officer decisions in order to progress with this and the code of conduct. The Committee were shown a draft version of the document at the meeting for which branding was still being finalised.

Committee members were happy with the epic values standards and the way it was clearly presented.

#### Resolved:

**That the Committee approve the changes to the code of conduct policy.**

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**Wiltshire Council  
Constitution  
Part 3  
Responsibility for Functions  
Relevant Sections to  
Proposed Changes on 21  
July 2020**

# PART 3

## RESPONSIBILITY FOR FUNCTIONS

### SECTION B: FUNCTIONS OF COUNCIL, COMMITTEES AND CABINET

#### 1. The Council

The Council will be responsible for the following functions, which it will exercise only in Full Council meetings:

##### 1.1 Adopting the following statutory plans, strategies and documents as part of the policy framework of the Council:

- ~~1.1.1 Wiltshire Children and Young People's Plan, as required by the Apprenticeships, Skills, Children and Learning Act 2009;~~
- ~~1.1.2 Joint Strategic Assessment of Crime and Policing, as required by the Crime and Disorder Act 1998;~~
- ~~1.1.31.1.1 Emergency plans and civil contingency plans, as required by the Civil Contingencies Act 2004;~~
- ~~1.1.41.1.2 Local Transport Plan, as required by the Transport Act 2000;~~
- ~~1.1.3 Local Development Framework; Planning and Compulsory Purchase Act 2004~~
- ~~1.1.51.1.4 Local development documents (including supplementary planning documents) which together comprise the Local Development Framework, as required by Planning and Compulsory Purchase Act 2004;~~
- ~~1.1.61.1.5 Youth Justice Plan, as required by the Crime and Disorder Act 1998;~~
- ~~1.1.71.1.6 Corporate Equality Plan, pursuant to the Public Sector Equality Duty under s149 of the Equality Act 2010;~~
- ~~1.1.81.1.7 Homelessness Strategy, as required by the Homelessness Act 2002;~~
- ~~1.1.91.1.8 Housing Renewal Strategy, as required by the Housing Act 2004;~~
- ~~1.1.101.1.9 Licensing Authority Policy Statement, as required by the Licensing Act 2003;~~
- ~~1.1.111.1.10 Gambling Act Statement of Principles, as required by the Gambling Act 2005;~~
- ~~1.1.121.1.11 Pay Policy Statement, as required by the Localism Act 2011;~~
- ~~1.1.13 Child Poverty Strategy, as required by the Child Poverty Act 2010;~~
- ~~1.1.12 Enforcement Policy, as required by the Legislative and Regulatory Reform Act 2006.~~
- ~~1.1.13 Air Quality Strategy; Environment Act 1995~~
- ~~1.1.14 Contaminated Land Strategy; Part 2A Environmental Protection Act 1990~~

##### 1.2 Adopting the following non-statutory plans, strategies and documents which also form part of the policy framework of the Council:

- ~~1.2.1 Adult Learning Plan;~~
- ~~1.2.2 Customer Access Strategy;~~
- ~~1.2.3 Young Carers' Strategy;~~

- ~~1.2.4 Adult Care Transformation;~~
- ~~1.2.5 1.2.1 Corporate Asset Investment Strategy and Corporate Property Strategy;~~
- ~~1.2.6 1.2.2 Corporate Parenting Policy for Looked-After Children and Young People in Wiltshire;~~
- ~~1.2.3 Business Plan;~~
- ~~1.2.4 Treasury Management Policy~~
- ~~1.2.5 Capital Investment Strategy~~
- ~~1.2.7 1.2.6 Carbon Reduction Strategy~~
- ~~1.2.8 Food Safety, Food Standards and Food Law Enforcement Service Plan, as required by the Food Standards Agency;~~
- ~~1.2.9 Housing Strategy;~~
- ~~1.2.10 Air Quality Strategy, as required by the Environment Act 1995;~~
- ~~1.2.11 Contaminated Land Strategy, as required by Part 2A Environmental Protection Act 1990;~~
- ~~1.2.12 Such other plans and strategies as the Council may include to form part of its policy framework.~~

## 2.7 Wiltshire Pension Fund Committee

2.7.1 This committee will comprise five Members from the authority and co-opted Members as follows:

- Two voting Members from Swindon Borough Council;
- Two voting Employer Representatives;
- Two non-voting employee representatives, one representing Wiltshire Council employees, and one representing Swindon Borough Council employees.

2.7.2 It will exercise the functions of the Council as administering authority under the Local Government Superannuation Acts and Regulations and deal with all matters relating thereto. The committee will publish meetings attendance records in an Annual Report.

2.7.3 The voting Employer Representatives will serve a four-year fixed term from appointment. On expiry of the four-year term, applications for the position will be sought (from the incumbent and the applicable employer bodies) and an appointment process will be undertaken by the committee should more than one application be received for the role.

[2.7.4 The full terms of reference for the Wiltshire Pension Fund Committee can be found at Protocol 2A.](#)

## 2.10 **Electoral Review Committee**

### Composition

2.10.1 The Committee shall consist of ten members appointed in accordance with the rules on political proportionality.

2.10.2 The Committee shall appoint a chairman and vice-chairman from among its membership.

### Responsibilities

2.10.3 To oversee the provision of information required by the Local Government Boundary Commission for England (LGBCE) in carrying out any Electoral Review of Wiltshire, including any consultation arrangements with electors or stakeholders.

2.10.4 To update Full Council on the progress of any Electoral Review.

2.10.5 To make recommendations to Full Council on proposed submissions to the LGBCE relating to:

- The total number of councillors on Wiltshire Council;
- The number and boundaries of electoral divisions within Wiltshire Council;
- The number of councillors to be returned by any electoral division;
- The name of any electoral division.

2.10.6 To provide such further advice and support as may be requested by the Council related to or impacted by any Electoral Review.

2.10.7 To oversee any community governance reviews within the Wiltshire Council area, including contacting all parishes for proposals, setting the scope for any review, its methodology, and its timescales. The Committee will prepare final recommendations for any changes for consideration by Full Council.

2.10.8 The Committee will consider whether it is appropriate to make, and is empowered to suggest for consultation and recommendation, changes to parish areas and parish electoral arrangements, to include:

- The alteration, merging, creation or abolition of parishes;
- The naming of parishes and adoption of alternative styles for new parishes;
- Parish council size, number of councillors to be elected, and warding arrangements;
- Any other electorate arrangements.

2.10.9 Where it would be appropriate to do so the Committee may recommend that as a result of proposed changes a unitary division be amended so that it remains coterminous with that parish. Any such change would need to be agreed by the Local Government Boundary Commission for England if approved by Full Council.

2.10.10 Where it would be appropriate to do so, to make recommendations to Full Council on the composition (Electoral Divisions and Parishes) of Area Boards, following completion of an Electoral Review or Community Governance Review, or another reason. The Committee may undertake such processes as it considers appropriate when preparing its recommendations.

~~2.10.10~~ 2.10.11 To oversee the provision of information required in carrying out Polling District and Polling Place Reviews, including any consultation arrangements with electors or other stakeholders.

~~2.10.11~~ 2.10.12 To make decisions in respect of proposed Polling District and Polling Place Reviews.

~~2.10.12~~ 2.10.13 To receive reports in relation to the operation and delivery of Electoral Services and make recommendations or decisions as appropriate on electoral matters not reserved to Full Council.

## 7 Local Pension Board

7.1 The purpose of the Board is to assist the Administering Authority in its role as a scheme manager of the Scheme. Such assistance is to:

7.1.1 Secure compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme and;

7.1.2 To ensure the effective and efficient governance and administration of the Scheme.

### Composition

7.2 The Board shall consist of 6 voting Members, as follows:

7.2.1 3 Member Representatives; and

7.2.2 3 Employer Representatives.

7.3 There shall be an equal number of Member and Employer Representatives.

7.4 There shall also be an independent chairman who is not entitled to vote.

### Quorum

7.5 A meeting is only quorate when at least 50% of both Member and employer representatives are present.

7.6 A meeting that becomes inquorate may continue but any decisions will be non-binding.

### Access to Information

7.7 The Local Pension Board is subject to the Access to Information Procedure Rules in Part 5 of this Constitution.

### Terms of Reference

7.8 The full terms of reference for the Local Pension Board can be found at Protocol 2B.

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Appendix 3 – Current Protocol 2

**Wiltshire Council  
Constitution  
Protocol 2  
Local Pension Board**

# LOCAL PENSION BOARD OF WILTSHIRE COUNCIL

## TERMS OF REFERENCE

### Introduction

1. This document sets out the terms of reference of the Local Pension Board of Wiltshire Council (the “Administering Authority”) being a scheme manager as defined under Section 4 of the Public Service Pensions Act 2013. The Local Pension Board (the “Board”) is established under Section 5 of that Act and regulation 106 of the Local Government Pension Scheme Regulations 2013 (as amended).
2. The Board is established by the Administering Authority and operates independently of the Committee. Relevant information about its creation and operation are contained in these Terms of Reference.
3. The Board is not a committee constituted under Section 101 of the Local Government Act 1972 and therefore no general duties, responsibilities or powers assigned to such committees or to any sub-committees or officers under the constitution, standing orders or scheme of delegation of the Administering Authority apply to the Board unless expressly included in this document.
4. Except where approval has been granted under regulation 106(2) of the Regulations the Board shall be constituted separately from any committee or sub-committee constituted under Section 101 of the Local Government Act 1972 with delegated authority to execute the function of the Administering Authority.

### Interpretation

5. The following terms have the meanings as outlined below:

**‘the Act’**

The Public Service Pensions Act 2013.

**‘the Code’**

means the Pension Regulator’s Code of Practice No 14 governance and administration of public service pension schemes.

**‘the Committee’**

means the Wiltshire Pension Fund Committee which has delegated decision making powers for the Fund in accordance with Section 101 of the Local Government Act 1972.

<b>'the Fund'</b>	means the Wiltshire Pension Fund managed and administered by the Administering Authority.
<b>'the Guidance'</b>	means the guidance on the creation and operation of local pension boards issued by the Shadow Scheme Advisory Board.
<b>'the Regulations'</b>	means the Local Government Pension Scheme Regulations 2013 (as amended from time to time), the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 (as amended from time to time) including any earlier regulations as defined in these regulations to the extent they remain applicable and the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 (as amended from time to time).
<b>'Relevant Legislation'</b>	means relevant overriding legislation as well as the Pension Regulator's Codes of Practice as they apply to the Administering Authority and the Board notwithstanding that the Codes of Practice are not legislation.
<b>'the Scheme'</b>	means the Local Government Pension Scheme in England and Wales.

### **Statement of purpose**

6. The purpose of the Board is to assist the Administering Authority in its role as a scheme manager of the Scheme. Such assistance is to:
  - (a) secure compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme and;
  - (b) to ensure the effective and efficient governance and administration of the Scheme.

### **Duties of the Board**

7. The Board should at all times act in a reasonable manner in the conduct of its purpose. In support of this duty Board members should be subject to and abide by the code of conduct for Board members.

### **Establishment**

8. The Board is established on 1 April 2015 subsequent to approval by full council at its meeting on 24 February 2015 (minute 22).

## **Membership**

9. The Board shall consist of 6 voting members, as follows:
  - 3 Member Representatives; and
  - 3 Employer Representatives.
10. There shall be an equal number of Member and Employer Representatives.
11. There shall also be an independent chairman who is not entitled to vote.
12. The Board will also have access to an independent governance adviser.

### ***Member representatives***

13. Member representatives shall either be scheme members or have capacity to represent scheme members of the Fund. At least one member representative should be an active member of the Wiltshire Pension Fund.
14. Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
15. Substitutes shall not be appointed.
16. The 3 member representatives shall be appointed following a transparent recruitment process. Of these 2 member representatives will be nominated from a recognised trade union. 1 member representative position should be open to all Fund members and be approved by the Administering Authority (rather than the Committee) based on the process outlined below.

### **For the initial member representatives:**

17. The Administering Authority (rather than the Committee) will administer the appointment process as follows.
18. The Administering Authority shall advertise the member representative role on the Fund website and the Wiltshire Council job vacancy website, including [information on where to access] a nomination pack for each of the three member groups. The Administering Authority shall also notify all employer organisations and registered trade unions in writing of the vacancies, including [information on where to access] a nomination pack for each of the three member groups. The nomination pack will include these Terms of Reference, details of the member representative role, a nomination form and instructions for application. The closing date for receipt of nominations by the Administering Authority will be four weeks from the date of advertisement or notice.

19. The Administering Authority will score all nominations returned by the deadline against [published] criteria relating to each nominee's ability to meet the capacity requirements of the role, in order to produce a shortlist.
20. Shortlisted nominees will be invited to an interview by the Administering Authority's Director – Legal, Electoral and Registration Services and the Administering Authority's Director – Finance and Procurement (or their nominated representatives). A recommendation will then be made to full council for the appointment to the Board of three nominees, two of which will represent nominations from a recognised trade union based on [published] criteria relating to ability to meet the capacity requirements of the role.
21. Full council will make three member representative appointments to the Board.

**For subsequent member representatives:**

22. For all appointments after 1 August 2015, nominations will be sought in the same manner as for initial appointments.
23. Should there be more than three successful candidates able to fulfil all the criteria of the role, an election process will take place during which all active members of the Fund will be asked to cast one vote based on a brief biography published for each nominee for the non-trade union nominated member representative position.
24. Full council will appoint the three nominees (and if more than one nominations are received for the non-trade union position, the one nominee with the highest number of votes) as the member representatives of the Board.

***Employer representatives***

25. Employer representatives shall be office holders or senior employees of employers within the Fund or have experience of representing scheme employers in a similar capacity. No officer or elected member of Wiltshire Council who is responsible for the discharge of any function of the Administering Authority under the Regulations may serve as a member of the Board.
26. Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
27. Substitutes shall not be appointed.
28. The 3 employer representatives shall be appointed following a transparent recruitment process which should be open to all employer organisations and be approved by the Administering Authority (rather than the Committee) based on the process outlined below.

**For the initial employer representatives:**

29. The Administering Authority (rather than the Committee) will administer the appointment process as follows.
30. In order to ensure that the employer representatives are truly representative of the employer organisations within the Fund whilst also being given equal opportunity for nomination, employer organisations within the Fund will be divided into three groups based on organisation size (by number of employees) for nomination purposes:  
  
Group 1: Wiltshire Council;  
Group 2: Swindon Borough Council and Wiltshire Police; and Group 3: all other employer organisations within the Fund.
31. The Administering Authority shall publish [information on where to access] a nomination pack for each of the three employer groups. The nomination pack will include these Terms of Reference, details of the employer representative role, a nomination form and instructions for application. Each employer within the group will be invited to put forward one suitable nominee using the prescribed nomination form, which must be returned to the Administering Authority within four weeks of the date of the invitation.
32. The Administering Authority will score all nominations returned by the deadline against [published] criteria relating to each nominee's ability to meet the capacity requirements of the role, in order to produce a shortlist of no more than [two] nominees from each employer group. If any employer group fails to nominate, then the Administering Authority may substitute a nominee from another group according to score received, so that the shortlists contain the highest scoring nominees overall.
33. Shortlisted nominees will be invited to an interview [by the Administering Authority's Director – Legal, Electoral and Registration Services and the Administering Authority's Director – Finance and Procurement (or their nominated representatives)]. A recommendation will then be made to full council for the appointment to the Board of three nominees based on [published] criteria relating to ability to meet the capacity requirements of the role.
34. Full council will make three employer representative appointments to the Board.

**For subsequent employer representatives:**

35. For all appointments after 1 August 2015, nominations will be sought in the same manner as for initial appointments.
36. Should there be more than three successful candidates able to fulfil all the criteria of the role, an election process will take place during which all employer organisations within the Fund will be asked to cast one vote based on a brief biography published for each nominee.
37. Full council will appoint the three nominees (and if more than three

nominations are received, the three nominees with the highest number of votes) as the employer representatives of the Board.

### **Other members**

38. 1 other member shall be appointed to the Board to act as independent chair by the agreement of both the Administering Authority and the Board.
39. Other members do not have voting rights on the Board.

### **Appointment of chair**

40. The Administering Authority (rather than the Committee) will administer the appointment process as follows.
41. The independent chair shall be appointed by the Administering Authority but shall count as an 'other' member under paragraphs 38 to 39 above. In this respect the term independent means having no pre-existing employment, financial or other material interest in either the Administering Authority or any scheme employer in the Fund or not being a member of the Fund, and a Wiltshire Member.
42. The Administering Authority shall advertise the role of chair on the Fund website, the Wiltshire Council job vacancy website and such other appropriate media as it thinks fit, including [information on where to access] a nomination pack. The nomination pack will include these Terms of Reference, details of the role or chair, a nomination form and instructions for application. The closing date for receipt of nominations by the Administering Authority will be four weeks from the date of advertisement.
43. The Administering Authority will score all nominations returned by the deadline against [published] criteria relating to each nominee's ability to meet the relevant experience and capacity requirements of the role, in order to produce a shortlist of no more than [five] nominees.
44. Shortlisted nominees will be invited to an interview [by the Administering Authority's Director – Legal, Electoral and Registration Services and the Administering Authority's Director – Finance and Procurement (or their nominated representatives)]. A recommendation will then be made to full council for the appointment of the chair to the Board based on [published] criteria relating to ability to meet the experience and capacity requirements of the role.
45. Full council will appoint the chair to the Board. However, the appointment of the chair shall be subject to the passing of a motion to confirm by a majority of the employer and member representatives of the Board.
46. The Board will appoint the vice chair from amongst its remaining voting members, alternating on an annual basis between an employer representative and a member representative.

## **Duties of chair**

47. The chair of the Board:

- (a) Shall ensure the Board delivers its purpose as set out in these Terms of Reference,
- (b) Shall ensure that meetings are productive and effective and that opportunity is provided for the views of all members to be expressed and considered, and
- (c) Shall seek to reach consensus and ensure that decisions are properly put to a vote, won by a simple majority, when it cannot be reached. Instances of a failure to reach a consensus position will be recorded and published.

## **Independent governance adviser**

48. The Administering Authority will procure the services of the independent governance adviser in accordance with Part 11 of the Administering Authority's constitution, having regard to the best interests of the purpose of the Board. The role will be re-tendered every four years.
49. In this respect the term independent means having no current employment, contractual, financial or other material interest in either Wiltshire Council or any scheme employer in the Fund other than for this role; and not being a member of the LGPS in the Fund.

## **Notification of appointments**

50. When appointments to the Board have been made the Administering Authority shall publish the name of Board members, the process followed in the appointment together with the way in which the appointments support the effective delivery of the purpose of the Board.

## **Terms of Office**

51. The term of office for Board members is 4 years.
52. All members of the Board will have a fixed term of office of 4 years. After this period the nomination process will be undertaken as outlined above and incumbents may seek re-appointment as part of this process. However, an extension to terms of office may be made by the Administering Authority with the agreement of the Board.
53. Board membership may be terminated prior to the end of the term of office if:
- (a) there exists a conflict of interest in relation to a Board member which cannot be managed within the internal procedures of the Committee
  - (b) a Board member becomes incapable of acting
  - (c) a Board member becomes responsible for the discharge of any function



of the Administering Authority under the Regulations (apart from any function relating to local pension boards or the Scheme Advisory Board), for instance by being appointed to the Committee or accepting employment in relation to the Fund

- (d) a Board member resigns
- (e) a member representative ceases to be a member of the body or scheme on which their appointment relied
- (f) an employer representative ceases to hold the office, employment or membership of the body on which their appointment relied
- (g) a Member ceases to represent their constituency
- (h) the Administering Authority (at its sole discretion) determines that a member is no longer able to demonstrate his or her capacity to attend and prepare for meetings or to participate in required training

### **Conflicts of interest**

- 54. All members of the Board must declare to the Administering Authority on appointment and at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the Board.
- 55. A conflict of interest is defined as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Board. It does not include a financial or other interest arising merely by virtue of that person being a member of the Scheme.
- 56. On each appointment to the Board and following any subsequent declaration of potential conflict, the Administering Authority shall ensure that any potential conflict is effectively managed in line with the internal procedures of the Administering Authority, the requirements of the Act, the requirements of the Code and the requirements of Relevant Legislation on conflict of interest for Board members.

### **Knowledge and understanding (including Training)**

- 57. Knowledge and understanding must be considered in light of the role of the Board to assist the Administering Authority in line with the requirements outlined in paragraph 6 above. The Board shall establish and maintain a Knowledge and Understanding Policy and Framework to address the knowledge and understanding requirements that apply to Board members under the Act. That policy and framework shall set out the degree of knowledge and understanding required as well as how knowledge and understanding is acquired, reviewed and updated.
- 58. Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's knowledge and understanding policy and framework.
- 59. Board members shall participate in such personal training needs analysis or other processes that are put in place in order to ensure that they maintain the required level of knowledge and understanding to carry out their role on the

Board.

60. Failure to attend training or participate in the processes referred to above may lead to removal from the Board.

## **Meetings**

61. Meetings of the Board will be held at least four times a year.
62. The Board will meet at the Administering Authority's main offices, or another location to be agreed by the chair. Meetings will be held during normal working hours at times to be agreed by the chair.
63. The chair of the Board may call additional meetings with the consent of other members of the Board. Urgent business of the Board between meetings may, in exceptional circumstances, be conducted via communications between members of the Board including telephone conferencing and emails.

## **Quorum**

64. A meeting is only quorate when at least 50% of voting members are present, with at least one scheme member and employer member representative present.
65. A meeting that becomes inquorate may continue but any decisions will be non-binding.

## **Board administration**

66. The chair shall agree the Administering Authority's Democratic Services team (the 'Board Secretary') an agenda prior to each Board meeting.
67. The agenda and supporting papers will be issued at least 5 working days in advance of the meeting except in the case of matters of urgency.
68. Draft minutes of each meeting including all actions and agreements will be recorded and circulated to all Board members within 10 working days after the meeting. These draft minutes will be subject to formal agreement by the Board at their next meeting. Any decisions made by the Board should be noted in the minutes and in addition where the Board was unable to reach a decision such occasions should also be noted in the minutes.
69. The minutes may with the agreement of the Board, be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act and/or they represent data covered by the Data Protection Act 1998.
70. The Board Secretary shall ensure that Board members meet and maintain the knowledge and understanding as determined in the Board's Knowledge and Understanding Policy and Framework and other guidance or legislation.

71. The Board Secretary shall arrange such advice as is required by the Board subject to such conditions as are listed in these Terms of Reference for the use of the budget set for the Board.
72. The Board Secretary shall ensure an attendance record is maintained along with advising the Administering Authority on allowances and expenses to be paid under these terms.
73. The Board Secretary shall liaise with the Administering Authority on the requirements of the Board, including advanced notice for officers to attend and arranging dates and times of Board meetings.

#### **Public access to Board meetings and information**

74. The Board meetings can be open to the general public (unless there is an exemption under relevant legislation which would preclude part (or all) of the meeting from being open to the general public). The Board is subject to the Access to Information Procedure Rules in Part 5 of the Administering Authority's constitution and the publication requirements of the Act.
75. The following will be entitled to attend Board meetings in an observer capacity, and may speak with the permission of the chair:
  - (a) Members of the Committee
  - (b) The Administering Authority's Director – Finance and Procurement
  - (c) The Administering Authority's Head of Pensions
  - (d) The Administering Authority's Cabinet member with responsibility for Finance
  - (e) Any person requested to attend by the Board
76. In accordance with the Act the Administering Authority shall publish information about the Board to include:
  - (a) The names of Board members and their contact details.
  - (b) The representation of employers and members on the Board.
  - (c) The role of the Board.
  - (d) These Terms of Reference.
77. The Administering Authority shall also publish other information about the Board including:
  - (a) Agendas and minutes
  - (b) Training and attendance logs
  - (c) An annual report on the work of the Board to be included in the Fund's own annual report.
78. All or some of this information may be published using the following means or other means as considered appropriate from time to time:
  - (a) On the Fund's website.

- (b) As part of the Fund's Annual Report.
- (c) As part of the Governance Compliance Statement.

79. Information may be excluded on the grounds that it would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act and/or they represent data covered by the Data Protection Act 1998.

### **Expenses and allowances**

- 80. Any Wiltshire Member appointed to the Board will be entitled to receive expenses in accordance with Part 14 of the Administering Authority's constitution (Members' Allowance Scheme).
- 81. The independent governance adviser will be paid in accordance with the contract concluded with the Administering Authority.
- 82. Allowances and reimbursement of expenses for all other members of the Board will be decided by the Administering Authority.

### **Budget**

- 83. The expenses of the Board falls as a cost to the Fund. Therefore, the Committee will, via its delegation from full council, allocate an annual budget for the Board which is adequate to fulfil its role as part of its budget setting process. The budget will be managed by and at the discretion of the Board. The budget shall allow for:
  - a) accommodation and administrative support to conduct its meetings and other business;
  - b) training; and
  - c) legal, technical and other professional advice
- 84. The Board may make requests to the Administering Authority's Director – Finance and Procurement to approve any additional expenditure required to fulfil its obligations which will then be charged to the Fund budget.

### **Core functions**

- 85. The first core function of the Board is to assist the Administering Authority in securing compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme. Within this extent of this core function the Board may determine the areas it wishes to consider including but not restricted to:
  - a) Review regular compliance monitoring reports which shall include reports to and decisions made under the Regulations by the Committee.

- b) Review management, administrative and governance processes and procedures in order to ensure they remain compliant with the Regulations, Relevant Legislation and in particular the Code.
- c) Review the compliance of scheme employers with their duties under the Regulations and Relevant Legislation.
- d) Review such documentation as is required by the Regulations including the Governance Compliance Statement, Funding Strategy Statement and Statement of Investment Principles.
- e) Review scheme members and employers communications as required by the Regulations and Relevant Legislation.
- f) Monitor complaints and performance on the administration and governance of the scheme.
- g) Review the Internal Dispute Resolution Process.
- h) Review Pensions Ombudsman cases.
- i) Review the arrangements for the training of Board members and those elected members and officers with delegated responsibilities for the management and administration of the Scheme.
- j) Review the complete and proper exercise of employer and administering authority discretions.
- k) Review the outcome of internal and external audit reports.
- l) Review draft accounts and Fund annual report.

86. The second core function of the Board is to ensure the effective and efficient governance and administration of the Scheme. Within this extent of this core function the Board may determine the areas it wishes to consider including but not restricted to:

- a) Monitor performance of administration, governance and investments against key performance targets and indicators.
- b) Review the effectiveness of processes for the appointment of advisors and suppliers to the Administering Authority.
- c) Monitor investment costs including custodian and transaction costs.
- d) Monitor internal and external audit reports.
- e) Review the risk register as it relates to the scheme manager function of the Administering Authority.
- f) Review the outcome of actuarial reporting and valuations.
- g) Provide advice and make recommendations when required to the Committee on areas that may improve the effectiveness and efficient operation and governance of the Fund.

87. In support of its core functions the Board may make a request for information to the Committee with regard to any aspect of the Administering Authority's function. Any such request should be reasonably complied with in both scope and timing.

88. In support of its core functions the Board may make recommendations to the Committee which should be considered and a response made to the Board on the outcome within a reasonable period of time.

## Reporting

89. The Board is accountable solely to the Administering Authority for the effective operation of its functions.
90. The Board shall report to the Committee as often as the Board deems necessary and at least annually:
  - a) a summary of the work undertaken since the last report
  - b) the work plan for last year and the programme for the next 12 months
  - c) areas raised to the Board to be investigated since the last report and how they were dealt with
  - d) any risks or other areas of potential concern it wishes to raise
  - e) details of training received since the last report and planned
  - f) details of all expenses and costs incurred over the past 12 months and projected for the next year
  - g) details of any conflicts of interest identified since the last report and how they were dealt with
91. The Board should also report its requests, recommendations or concerns to the Committee. In support of this any member of the Board may attend a Committee meeting as an observer.
92. The Board should report any concerns over a decision made by the Committee to the Committee subject to the agreement of at least 50% of voting Board members provided that all voting members are present. If not all voting members are present then the agreement should be of all voting members who are present, where the meeting remains quorate.
93. On receipt of a report under paragraphs 90 and 91 above the Committee should, within a reasonable period, consider and respond to the Board.
94. Where the Board is not satisfied with the response received it may request that a notice of its concern be placed on the website and in the Fund's annual report.
95. Where the Board is satisfied that there has been a breach of regulation which has been reported to the Committee under paragraph 90 and 91 and has not been rectified within a reasonable period of time it is under an obligation to escalate the breach.
96. The appropriate internal route for escalation is to the Administering Authority's Director – Finance and Procurement as the Section 151 Officer.
97. The Board may report concerns to the LGPS Scheme Advisory Board for consideration subsequent to, but not instead of, using the appropriate internal route for escalation.
98. Board members are also subject to the requirements to report breaches of law under the Act and the Code and the whistleblowing provisions set out in the Administering Authority's whistle blowing policy.

## **Review of Terms of Reference**

99. These Terms of Reference shall be reviewed on each material change to those parts of the Regulations and relevant scheme guidance covering local pension boards and at least every 5 years.

100. These Terms of Reference were last reviewed on 22 October 2015.

CURRENT VERSION

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**Wiltshire Council  
Constitution  
Protocol 2  
Terms of Reference of the  
Wiltshire Pension Fund  
Committee and Local  
Pension Board**

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# PROTOCOL 2A: TERMS OF REFERENCE OF THE WILTSHIRE PENSION FUND COMMITTEE

## 1. Introduction

- 1.1 This document sets out the terms of reference of the Wiltshire Pension Fund Committee of Wiltshire Council (the “Administering Authority”) being the scheme manager as defined under Section 4 of the Public Service Pensions Act 2013.
- 1.2 The Committee is constituted as a Committee of the Administering Authority under Section 101 of the Local Government Act 1972 and has been assigned general duties, responsibilities and powers assigned to any sub-committees or officers under Wiltshire Council’s constitution.

## 2. Interpretations

2.1 The following terms have meanings as outlined below:

- 2.1.1 **‘the Regulations’** means the Local Government Pension Scheme Regulations 2013 (as amended from time to time), the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 (as amended from time to time) including any earlier regulations as defined in these regulations to the extent they remain applicable and the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 (as amended from time to time);
- 2.1.2 **‘Relevant Legislation’** means relevant overriding legislation as well as the Pension Regulator’s Codes of Practice as they apply to the Administering Authority notwithstanding that the Codes of Practice are not legislation;
- 2.1.3 **‘the Scheme’** means the Local Government Pension Scheme in England and Wales;
- 2.1.4 **‘Pension Fund Officers’** shall mean the Director of Finance and Procurement, Head of Pension Administration and Relations and/or the Head of Pension Fund Investments as appropriate for the context, in line with their general roles and responsibilities;
- 2.1.5 **‘the Board’** means the Local Pension Board established under Section 5 of the Public Service Pensions Act 2013 and regulation 106 of the Local Government Pension Scheme Regulations 2013 (as amended) and as set out in Protocol 2B of this constitution; and
- 2.1.6 **‘Treasurer of the Fund’** shall mean the Director of Finance and Procurement, or nominee where any conflict may arise.

## 3. Statement of purpose

3.1 The Committee is to act on behalf of the Administering Authority in its role as a scheme manager of the Scheme.

3.2 In particular:

- 3.2.1 To have full decision-making responsibility on all aspects of the administration and management of the pension fund;

- 3.2.2 The power to delegate Pension Fund functions to Pension Fund officers, the Investment Sub-Committee and other service areas within the Administering Authority as the Committee may consider appropriate to ensure the smooth administration of the Pension Fund having regard to the Scheme of Delegation to Officers as set out in Part 3 of the Wiltshire Council Constitution;
- 3.2.3 the Committee shall work with the Board considering all their recommendations and determine any appropriate action(s) to be taken, or provide a reason to the Board for not enacting a recommendation made by them; and
- 3.2.4 maintain a business plan and other key Wiltshire Pension Fund documents such as the Governance Compliance Statement, Funding Strategy Statement and Investment Strategy Statement to facilitate the delegation to officers of key strategic functions of the Scheme.

#### **4. Duties of the Committee**

- 4.1 The Committee should at all times act in a reasonable manner in the conduct of its purpose. In support of this duty all Committee members shall make declarations on the register of interests of the Administering Authority in accordance with its Code of Conduct.

#### **5. Membership**

- 5.1 The chair and vice chair will be appointed from one of five of the voting Wiltshire Council Members.
- 5.2 Committee membership may be terminated prior to the end of the Member's term of office if:
  - 5.2.1 there exists a conflict of interest in relation to a Committee member which cannot be managed within the internal procedures of the Committee;
  - 5.2.2 a Committee member becomes incapable of acting;
  - 5.2.3 a member representative ceases to be a member of the body or scheme on which their appointment relied;
  - 5.2.4 an employer representative ceases to hold the office, employment or membership of the body on which their appointment relied; and/or
  - 5.2.5 a Member ceases to represent their constituency.

#### **6. Recruitment process and term lengths**

##### Elected Member Representatives

- 6.1 Members elected from both Administering Authority and Swindon Borough Council will be appointed by Wiltshire Council's Full Council. Full Council should consider their appointments in terms of the Member's relevant experience of pension related matters and their willingness to exercise this specific function on behalf of the Administering Authority.

##### Employer Representatives

- 6.2 The voting Employer Representatives will serve a four-year fixed term from appointment. On expiry of the four-year term, applications for the position will be sought (from the incumbent and other applicable employer bodies) and an appointment process will be undertaken by the Committee. Should more than one application be received for the role, appointment will be made by interview.

6.3 All members may be re-appointed following a four-year term.

#### Non-voting Employee Representatives

6.4 Representatives will be sought from the recognised Trade Union bodies and be reviewed by the Unions after the representative has served a four-year fixed term from appointment. On completion of the review the Union may choose whether to put forward the same representative or choose to appoint another representative from one of their number.

6.5 For non-elected member representatives and employer representatives, appointments shall be made as follows:

- 6.5.1 Nominations will be initially sought in a manner which seeks to fairly reflect the Scheme employers and membership of the Fund, however where no nominations are initially received, further requests for nominations can be sought from any appropriate representative;
- 6.5.2 Successful nominations will be invited to interview by a panel of Committee members and Pension Fund officers; and
- 6.5.3 Successful interviewees will be recommended to Full Council for approval and invited to become a member.

6.6 All representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

### **7. Appointment of Chairman, Vice Chairman and Substitute Members**

7.1 The Administering Authority will administer the appointment process of the Chairman, Vice Chairman and Substitute Members.

7.2 Full Council will appoint a Chairman and Vice Chairman annually. The appointment of these roles will consider each individual's knowledge and understanding of pensions including any relevant professional qualification that the Members may hold.

7.3 Substitute members – Full Council will appoint substitute members as required giving consideration to each individual's knowledge and understanding of pensions including any relevant professional qualification that the Members may hold.

### **8. Notification of appointment**

8.1 When appointments to the Committee have been made the Administering Authority shall publish the name of Committee member.

8.2 Appointments are not required under the Public Services Pension Act 2013 (formerly Pension Act 2004 section 248a) to maintain a sufficient level of knowledge and understanding, however it is expected that good practice will be followed, in so far that appointees will abide by the requirements specified in the Pension Regulator's code of practice 14 and the Pension Act 2004 sections 247 to 249.

8.3 For those appointees who sit on the Fund's investment sub-committee it is expected that their knowledge and understanding will enable them to continue to comply with the FCA's MiFID II Regulations (or as amended from time to time) in relation to the Fund's professional investor status.

## **9. Duties of the Chair**

The Chair:

- 9.1 Shall ensure the Committee delivers its purpose as set out in these Terms of Reference and all relevant legislation.
- 9.2 Shall ensure that meetings are productive and effective, and that opportunity is provided for the views of all members to be expressed and considered.
- 9.3 Shall seek to reach consensus and ensure that decisions are properly put to a vote, won by a simple majority and when it cannot be reached that the instances of a failure to reach a consensus position will be recorded and published.

## **10. Meetings**

- 10.1 Meetings of the Committee will be held at least four times a year.
- 10.2 The Pension committee and any sub-committee will follow those parts of the Council procedure rules set out in Part 4 of Wiltshire Council's constitution as apply to them.

## **11. Quorum**

- 11.1 A meeting is only quorate when at least 25% of voting members are present, subject to a minimum of 3.
- 11.2 A meeting that becomes inquorate may continue but any decisions will be non-binding.

### Public Access to Committee meetings and information

- 11.3 For the avoidance of doubt Part 5 of Wiltshire Council's constitution reflects the current statutory requirements set out in Section 100 Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. These rules apply to the Pensions Committee or any sub-committee except where any particular issue is governed by other specific legislation.

## **12. Functions of the Committee**

- 12.1 The Committee exercises the functions of the Council as Administering Authority. To fulfil its functions the Wiltshire Pension Fund Committee will operate within a framework of key Governance and Compliance documents which it will ensure are maintained.
- 12.2 The key documents are:
  - 12.2.1 Governance Compliance Statement;
  - 12.2.2 Funding Strategy Statement;
  - 12.2.3 Investment Strategy Statement;
  - 12.2.4 Administering Authority Discretions Policy;
  - 12.2.5 Stewardship Code Statement;
  - 12.2.6 Communications Strategy;
  - 12.2.7 Business Plan;
  - 12.2.8 Administration Strategy;
  - 12.2.9 Cessations Policy; and
  - 12.2.10 Annual Report and Accounts.

- 12.3 The Committee shall be responsible for approving:

- 12.3.1 The Fund's budget;
- 12.3.2 The Triennial Valuation's key assumptions and results in relation to the Pension Fund; and
- 12.3.3 For reviewing and approving the Annual Report and Accounts for final approval by the Audit Committee.

### **13. Delegations**

#### Investment Sub-Committee

- 13.1 Authority is delegated to the Investment sub-Committee to review, monitor, implement and provide comment on the Fund's investment strategy, but the Committee shall retain responsibility for the final approval of the Fund's investment strategy.
- 13.2 Guidance of the full scope of the Investment Sub-Committee's terms of reference are set out in its own document and can be provided by the Investment Sub-Committee.
- 13.3 Authority is delegated to the Treasurer of the Fund (or their nominated representative) to conduct urgent business between meetings, in consultation with the Chair and Vice Chair of the Committee. Any business conducted in this manner must be reported to the next ordinary meeting of the Committee. The scope of delegation is laid out in the sub-Schemes and delegations document.
- 13.4 Authority is delegated to the Chair to cast a Shareholder Vote in respect of Special Reserve Matters pertaining to Brunel Pension Partnership, following consultation with Pension Fund Officers and members of the Committee, where there is urgent business to be conducted between meetings.
- 13.5 Authority is delegated to the Head of Pensions Administration and Relations and the Head of Pension Fund Investments to prepare the Fund's budgets, although approval of the budget shall remain with the Committee.

### **14. Reporting**

- 14.1 Giving consideration to relevant law and good governance practice the Committee will:
  - 14.1.1 Publish a meetings attendance record in the Annual Report and Accounts;
  - 14.1.2 Invite the Local Pension Board to input into matters of governance and administration; and
  - 14.1.3 Report to the Local Pension Board on action(s) it has taken concerning the Board recommendations.

# PROTOCOL 2B: TERMS OF REFERENCE OF THE LOCAL PENSION BOARD OF WILTSHIRE COUNCIL

## 1. Introduction

- 1.1 This document sets out the Terms of Reference of the Local Pension Board of Wiltshire Council (the “Administering Authority”) being a scheme manager as defined under Section 4 of the Public Service Pensions Act 2013. The Local Pension Board (the “Board”) is established under Section 5 of that Act and Regulation 106 of the Local Government Pension Scheme Regulations 2013 (as amended).
- 1.2 The Board is established by the Administering Authority and operates independently of the Committee. Relevant information about its creation and operation are contained in these Terms of Reference.
- 1.3 The Board is not a committee constituted under Section 101 of the Local Government Act 1972 and therefore no general duties, responsibilities or powers assigned to such committees or to any sub-committees or officers under the constitution, or scheme of delegation of the Administering Authority apply to the Board unless expressly included in this document.
- 1.4 Except where approval has been granted under Regulation 106(2) of the Regulations the Board shall be constituted separately from any committee or sub-committee constituted under Section 101 of the Local Government Act 1972 with delegated authority to execute the function of the Administering Authority.

## 2. Interpretation

- 2.1 The following terms have the meanings as outlined below:
- 2.1.1 **'the Act'** The Public Service Pensions Act 2013.
- 2.1.2 **'the Code'** means the Pension Regulator's Code of Practice No 14 governance and administration of public service pension schemes and any successor Codes of Practice.
- 2.1.3 **'the Committee'** means the Wiltshire Pension Fund Committee which has delegated decision making powers for the Fund in accordance with Section 101 of the Local Government Act 1972.
- 2.1.4 **'the Fund'** means the Wiltshire Pension Fund managed and administered by the Administering Authority.
- 2.1.5 **'the Guidance'** means the guidance on the creation and operation of local pension boards issued by the Scheme Advisory Board.
- 2.1.6 **'the Regulations'** means the Local Government Pension Scheme Regulations 2013 (as amended from time to time), the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 (as amended from time to time) including any earlier regulations as defined in these regulations to the extent they remain applicable and the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 (as amended from time to time).
- 2.1.7 **'Relevant Legislation'** means relevant overriding legislation as well as the Pension Regulator's Codes of Practice as they apply to the Administering



Authority and the Board notwithstanding that the Codes of Practice are not legislation.

2.1.8 **'the Scheme'** means the Local Government Pension Scheme in England and Wales.

2.1.9 **'Other Member'** means a person who does not have a pre-existing employment, financial or other material interest in either the Administering Authority or any scheme employer in the Fund and is not a consultant or adviser of the Fund in the last 5 years from the date of the advertisement and they are not a member of the Fund or a Wiltshire Member. Membership is defined as any status holding an existing liability.

### **3. Statement of purpose**

3.1 The purpose of the Board is to assist the Administering Authority in its role as a scheme manager of the Scheme.

3.2 Such assistance is to:

3.2.1 monitor compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme; and

3.2.2 (b) to ensure the effective and efficient governance and administration of the Scheme.

### **4. Duties of the Board**

4.1 The Board should always act in a reasonable manner in the conduct of its purpose. In support of this duty all Board members shall make declarations on the register of interests of the Administering Authority in accordance with its Code of Conduct.

### **5. Establishment**

5.1 The Board was established on 1 April 2015 after approval by Full Council at its meeting on 24 February 2015 (minute 22).

### **6. Membership**

6.1 The Board shall consist of 6 voting members, as follows:

6.1.1 3 Member Representatives (as set out in paragraph 7.1 and appointed in accordance with paragraphs 7.6-7.11 below); and

6.1.2 3 Employer Representatives (as set out in paragraph 7.12 and appointed in accordance with paragraphs 7.13-7.22 below).

6.2 There shall be an equal number of Member and Employer Representatives.

6.3 There shall also be an independent chairman who is not entitled to vote.

6.4 The Board will also have access to an independent governance adviser.

### **7. Member representatives**

7.1 Member representatives shall either be scheme members or have capacity to represent scheme members of the Fund. At least one-member representative should be an active member of the Wiltshire Pension Fund.

7.2 Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

7.3 Substitutes shall not be appointed.

7.4 The 3-member representatives shall be appointed following a transparent recruitment process. Of these a minimum of 1-member representative and a maximum of 2-member representatives shall be nominated from a recognised trade union.

7.5 At least 1-member representative position should be open to all Fund members and be approved by the Administering Authority (rather than the Committee) based on the process outlined below.

For the member representatives:

7.6 The Administering Authority (rather than the Committee) will administer the appointment process as follows.

7.7 The Administering Authority shall advertise the member representative role, including information on where to access a nomination pack for each of the 3-member groups. The Administering Authority shall also notify all employer organisations and registered trade unions in writing of the vacancies, including information on where to access a nomination pack for each of the member groups. The nomination pack will include these Terms of Reference, details of the member representative role, a nomination form and instructions for application. The Administering Authority anticipates that any nominations it receives for a trade union representative will have also compiled with that trade union's nomination process. The closing date for receipt of nominations by the Administering Authority will initially be four weeks from the date of advertisement or notice, but where subsequent rounds of nomination are sought this period can alter, as legitimate circumstances dictate.

7.8 The Administering Authority's Director – Democratic Services and the Administering Authority's Director – Finance and Procurement (or their nominated representatives) will score all nominations returned by the deadline against criteria relating to each nominee's ability to meet the capacity requirements of the role, to produce a shortlist.

7.9 Should there be more applications from candidates able to fulfil all the criteria of the role than the number of vacancies available, an election process will take place during which all active members of the Fund will be asked to cast one vote based on a brief biography published for each candidate for the non-trade union nominated member representative role(s). The candidate with the highest number of votes will be recommended to Full Council. In the event of a tie the candidate with the highest score at the shortlisting stage will be recommended.

7.10 Where no nominations are submitted in the initial round of advertising for a role, one subsequent request for nominations will be made to the relevant member group and if there is still no success, an advert to the wider member group will take place regardless of their trade union membership, or if they are an active or non-active scheme member. If suitable nominations are still not received, Pension Fund Officers will be entitled to approach suitable individuals who they believe may be suitable members to serve a term of office on behalf of a member group. Approval of a suitable individual will be required from Administering Authority's Director – Democratic

Services and the Administering Authority's Director – Finance and Procurement (or their nominated representatives). A recommendation will then be made to full council for the appointment to the Board.

7.11 Full Council/the Standards Committee on behalf of the Council will appoint the member representative(s) of the Board.

For the Employer representatives

7.12 Employer representatives shall be suitable office holders of employers within the Fund or have experience of representing scheme employers in a similar capacity. No officer of Wiltshire Council who is responsible for the discharge of any function of the Administering Authority under the Regulations may serve as a member of the Board.

7.13 Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

7.14 Substitutes shall not be appointed.

7.15 The employer representative(s) shall be appointed following a transparent recruitment process which should be open to all employer organisations and be approved by the Administering Authority (rather than the Committee) based on the process outlined below.

7.16 The Administering Authority (rather than the Committee) will administer the appointment process as follows.

7.17 To ensure that the employer representative(s) are truly representative of the employer organisations within the Fund, whilst also being given equal opportunity for nomination, employer organisations within the Fund will be divided into three groups based on organisation size (by number of employees) for nomination purposes:

7.17.1 Group 1: Wiltshire Council;

7.17.2 Group 2: Swindon Borough Council and Wiltshire Police; and

7.17.3 Group 3: all other employer organisations within the Fund.

7.18 The Administering Authority shall publish information on where to access a nomination pack for each employer group. The nomination pack will include these Terms of Reference, details of the employer representative role, a nomination form and instructions for application. Each employer within the group will be invited to put forward one suitable nominee using the prescribed nomination form, which must be returned to the Administering Authority within four weeks of the date of the invitation. However, where subsequent rounds of nomination are sought this period can be altered, as legitimate circumstances dictate.

7.19 The Administering Authority's Director – Democratic Services and the Administering Authority's Director – Finance and Procurement (or their nominated representatives) will score the nomination(s) returned by the deadline against criteria relating to each nominee's ability to meet the capacity requirements of the role, to produce a shortlist of nominees from an employer group.

- 7.20 Should there be more applications from candidates able to fulfil all the criteria of the role than the number of vacancies available, an election process will take place during which all employer organisations of the Fund will be asked to cast one vote based on a brief biography published for each candidate. The candidate with the highest number of votes will be recommended to Full Council. In the event of a tie the candidate with the highest score at the shortlisting stage will be recommended.
- 7.21 Where no nominations are submitted in the initial round of advertising the role, one subsequent request for nominations will be made to the relevant employer group, following which a third request will be made to the wider employer group. If suitable nominations are still not received Pension Fund Officers will be entitled to approach employer representatives who they believe may be suitable representatives to serve a term of office on behalf of an employer group.
- 7.22 Full Council/the Standards Committee on behalf of the Council will appoint the employer representative(s) of the Board.

#### Other Members

- 7.23 One other member shall be appointed to the Board to act as independent chair by the agreement of both the Administering Authority and the Board.
- 7.24 Other members do not have voting rights on the Board.

### **8. Appointment of chair**

- 8.1 The Administering Authority (rather than the Committee) will administer the appointment process as follows.
- 8.2 The independent chair shall be appointed by the Administering Authority but shall count as an 'Other' member under paragraphs 7.23-7.24 above.
- 8.3 The Administering Authority shall advertise the role of chair on the Fund website, the Wiltshire Council job vacancy website and such other appropriate media as it thinks fit, including information on where to access a nomination pack. The nomination pack will include these Terms of Reference, details of the role or chair, a nomination form and instructions for application. The closing date for receipt of nominations by the Administering Authority will be four weeks from the date of advertisement. However, where subsequent rounds of nomination are sought this period can be altered, as legitimate circumstances dictate.
- 8.4 The Administering Authority will score all nominations returned by the deadline against criteria relating to each nominee's ability to meet the relevant experience and capacity requirements of the role, to produce a shortlist of nominees.
- 8.5 Shortlisted nominees will be invited to an interview by the Administering Authority's Director of Democratic Services and the Administering Authority's Director of Finance and Procurement (or their nominated representatives). A recommendation will then be made to Full Council/the Standards Committee on behalf of the Council for the appointment of the chair to the Board based on criteria relating to ability to meet the experience and capacity requirements of the role.

8.6 Full Council will ratify the chair to the Board. However, the appointment of the chair shall be subject to the passing of a motion to confirm by a majority of the employer and member representatives of the Board.

8.7 The Board will appoint the vice chair from amongst its remaining voting members, alternating on an annual basis between an employer representative and a member representative.

## **9. Duties of chair**

9.1 The chair of the Board:

9.1.1 Shall ensure the Board delivers its purpose as set out in these Terms of Reference;

9.1.2 Shall ensure that meetings are productive and effective and that opportunity is provided for the views of all members to be expressed and considered; and

9.1.3 Shall seek to reach consensus and ensure that decisions are properly put to a vote and won by a simple majority where consensus cannot be reached. Instances of a failure to reach a consensus position will be recorded and published.

## **10. Independent governance adviser**

10.1 The Administering Authority will procure the services of the independent governance adviser in accordance with Part 11 of the Administering Authority's constitution, having regard to the best interests of the purpose of the Fund. The role will be re-tendered periodically and be consistent with the wider procurement strategy of the Fund as a whole.

10.2 In this respect the term independent means having no current employment, contractual, financial or other material interest in either Wiltshire Council or any scheme employer in the Fund other than for this role; and not being a member of the LGPS in the Fund.

## **11. Notification of appointments**

11.1 When appointments to the Board have been made the Administering Authority shall publish the name of Board members, the process followed in their appointment together with the way in which the appointments support the effective delivery of the purpose of the Board.

## **12. Terms of Office**

12.1 The term of office for Board members is 4 years.

12.2 On completion of a Board member's term the nomination process will be undertaken as outlined above and incumbents may seek re-appointment as part of this process. However, an extension to terms of office may be made by the Administering Authority with the agreement of the Board.

12.3 Board membership may be terminated prior to the end of the term of office if:

12.3.1 there exists a conflict of interest in relation to a Board member which cannot be managed within the internal procedures of the Board;

12.3.2 a Board member becomes incapable of acting;

- 12.3.3 a Board member becomes responsible for the discharge of any function of the Administering Authority under the Regulations (apart from any function relating to Local Pension Boards or the Scheme Advisory Board), for instance by being appointed to the Committee or accepting employment in relation to the Fund;
- 12.3.4 a Board member resigns;
- 12.3.5 a member representative ceases to be a member of the body or scheme on which their appointment relied;
- 12.3.6 an employer representative ceases to hold the office, employment or membership of the body on which their appointment relied;
- 12.3.7 a Member ceases to represent their constituency; or
- 12.3.8 the Administering Authority (at its sole discretion) determines that a member is no longer able to demonstrate his or her capacity to attend and prepare for meetings or to participate in required training

### **13. Conflicts of interest**

- 13.1 All members of the Board must declare to the Administering Authority on appointment and at any such time as their circumstances change, any potential conflict of interest arising because of their position on the Board.
- 13.2 A conflict of interest is defined as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Board. It does not include a financial or other interest arising merely by that person being a member of the Scheme.
- 13.3 On each appointment to the Board and following any subsequent declaration of potential conflict, the Administering Authority shall ensure that any potential conflict is effectively managed in line with the internal procedures of the Administering Authority, the requirements of the Act, the requirements of the Code and the requirements of Relevant Legislation on conflict of interest for Board members.

### **14. Knowledge and understanding (including Training)**

- 14.1 Knowledge and understanding must be considered in light of the role of the Board to assist the Administering Authority with the requirements outlined in paragraph 3 above. The Board shall establish and maintain a Knowledge and Understanding Policy and Framework to address the knowledge and understanding requirements that apply to Board members under the Act.
- 14.2 Board members shall attend and participate in training arranged to meet and maintain the requirements set out in the Board's Knowledge and Understanding Policy and Framework.
- 14.3 Board members shall participate in such personal training needs analysis or other processes that are put in place to ensure that they maintain the required level of knowledge and understanding to carry out their role on the Board.
- 14.4 Failure to attend training or participate in the processes referred to above may lead to removal from the Board.

### **15. Meetings**

- 15.1 Meetings of the Board will be held at least four times a year.

15.2 The Board will meet at the Administering Authority's main offices, or another location to be agreed by the chair. Meetings will be held during normal working hours at times to be agreed by the chair.

15.3 The chair of the Board may call additional meetings with the consent of voting members of the Board. Urgent business of the Board between meetings may, in exceptional circumstances, be conducted via communications between members of the Board including telephone conferencing and emails.

## **16. Quorum**

16.1 A meeting is only quorate when at least 50% of voting members are present and with at least one scheme member and employer member representative present.

16.2 A meeting that becomes inquorate may continue but any decisions will be non-binding.

## **17. Board administration**

17.1 The chair shall agree with the Administering Authority's Democratic Services team (the 'Board Secretary') an agenda prior to each Board meeting.

17.2 The agenda and supporting papers will be issued at least 5 working days in advance of the meeting except in the case of matters of urgency.

17.3 Draft minutes of each meeting including all actions and agreements will be recorded and circulated to all Board members within 10 working days after the meeting. These draft minutes will be subject to formal agreement by the Board at their next meeting. Any decisions made by the Board should be noted in the minutes and in addition where the Board was unable to reach a decision such occasions should also be noted in the minutes.

17.4 The minutes may with the agreement of the Board, be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act and/or they represent data covered by the Data Protection Act 2018.

17.5 The Board Secretary shall ensure that Board members meet and maintain the knowledge and understanding as determined in the Board's Knowledge and Understanding Policy and Framework and other guidance or legislation.

17.6 The Board Secretary shall ensure an attendance record is maintained along with advising the Administering Authority on allowances and expenses to be paid under these terms.

17.7 The Board Secretary shall liaise with the Administering Authority on the requirements of the Board, including advanced notice for officers to attend and arranging dates and times of Board meetings.

## **18. Public access to Board meetings and information**

18.1 The Board meetings will be open to the public (unless there is an exemption under relevant legislation which would preclude part (or all) of the meeting from being open to the public). The Board is subject to the Access to Information Procedure Rules in

Part 5 of the Administering Authority's constitution and the publication requirements of the Act.

18.2 The following will be entitled to attend Board meetings in an observer capacity, and may speak with the permission of the chair:

18.2.1 Members of the Board;

18.2.2 The Administering Authority's Director – Finance and Procurement;

18.2.3 The Administering Authority's Head of Pensions, Administration and Relations;

18.2.4 The Administering Authority's Head of Pension Fund Investments;

18.2.5 The Administering Authority's Fund Governance and Performance Manager;

18.2.6 The Administering Authority's Cabinet member for finance; and

18.2.7 Any person requested to attend by the Board.

18.3 In accordance with the Act the Administering Authority shall publish information about the Board to include:

18.3.1 The names of Board members.

18.3.2 The representation of employers and members on the Board.

18.3.3 The role of the Board.

18.3.4 These Terms of Reference.

18.4 The Administering Authority shall also publish other information about the Board including:

18.4.1 Agendas and minutes

18.4.2 Training and attendance logs

18.4.3 An annual report on the work of the Board to be included in the Fund's own annual report.

18.5 All or some of this information may be published using the following means or other means as considered appropriate from time to time:

18.5.1 On the Fund's website.

18.5.2 As part of the Fund's Annual Report.

18.5.3 As part of the Governance Compliance Statement.

18.6 Information may be excluded on the grounds that it would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A (2) of that Act and/or they represent data covered by the Data Protection Act 2018.

## **19. Expenses and allowances**

19.1 Any Wiltshire Member appointed to the Board will be entitled to receive expenses in accordance with the Administering Authority's constitution (Members' Allowance Scheme).

19.2 The independent governance adviser will be paid in accordance with the contract concluded with the Administering Authority.



19.3 Allowances and reimbursement of expenses for all non-Wiltshire Member members of the Board will be decided by the Administering Authority.

## **20. Budget**

20.1 The expenses of the Board falls as a cost to the Fund. Therefore, the Committee will, via its delegation from Full Council, approve the allocation of an annual budget for the Board which is adequate to fulfil its role as part of its budget setting process. The budget will be managed by and at the discretion of the Board.

20.2 The budget shall allow for:

20.2.1 accommodation and administrative support to conduct its meetings and other business;

20.2.2 training;

20.2.3 legal, technical and other professional advice; and

20.2.4 other contractual arrangements, as approved by Committee as part of the annual budget.

20.3 The Board may make requests to the Administering Authority's Director of Finance and Procurement to approve any additional expenditure required to fulfil its obligations which will then be charged to the Fund budget.

## **21. Functions**

21.1 The first function of the Board is to assist the Administering Authority in securing compliance with the Regulations, other legislation relating to the governance and administration of the Scheme and requirements imposed by the Pensions Regulator in relation to the Scheme. Within the extent of this function the Board may determine the areas it wishes to consider including but not restricted to:

21.1.1 Regular compliance monitoring of reports which shall include reports to and decisions made by the Committee, under the Regulations;

21.1.2 Management, administrative and governance processes and procedures to ensure that they remain compliant with the Regulations, Relevant Legislation and in particular the Code;

21.1.3 The compliance of scheme employers with their duties under the Regulations and Relevant Legislation;

21.1.4 Reviewing such documentation as is required by the Regulations including the Governance Compliance Statement, Funding Strategy Statement and Investment Strategy Statement;

21.1.5 Reviewing scheme members and employers' communications as required by the Regulations and Relevant Legislation;

21.1.6 Monitoring complaints and performance on the administration and governance of the scheme.

21.1.7 The Internal Dispute Resolution Process;

21.1.8 Pensions Ombudsman cases;

21.1.9 The arrangements for the training of Board members and those elected members and officers with delegated responsibilities for the management and administration of the Scheme;

21.1.10 The complete and proper exercise of employer and administering authority discretions.

21.1.11 The outcome of internal and external audit reports;

21.1.12 The draft accounts and Fund annual report.

- 21.2 The second function of the Board is to ensure the effective and efficient governance and administration of the Scheme. Within the extent of this function the Board may determine the areas it wishes to consider including but not restricted to:
- 21.2.1 Monitor performance of administration, governance and investments against key performance targets and indicators.
  - 21.2.2 Review the effectiveness of processes for the appointment of advisors and suppliers to the Administering Authority.
  - 21.2.3 Monitor investment costs including custodian and transaction costs.
  - 21.2.4 Monitor internal and external audit reports.
  - 21.2.5 Review of the risk register as it relates to the scheme manager function of the Administering Authority.
  - 21.2.6 Review the outcome of actuarial reporting and valuations.
  - 21.2.7 Provide advice and make recommendations when required to the Committee on areas that may improve the effectiveness and efficient operation and governance of the Fund.
- 21.3 In support of its functions the Board may make a request for information to the Committee regarding any aspect of the Administering Authority's function. Any such request should be complied with where reasonable both in scope and timing.
- 21.4 The Board may make recommendations to the Committee which should be considered, and a response made to the Board on the outcome within a reasonable period.

## **22. Reporting**

- 22.1 The Board is accountable solely to the Administering Authority for the operation of its functions.
- 22.2 The Board will submit reports to the Committee as often as the Board deems necessary, typically through the minutes of its meetings. The Board should also report its requests, recommendations or concerns to the Committee. In support of this any member of the Board may attend a Committee meeting as an observer.
- 22.3 The Board should report any concerns over a decision made by the Committee to the Committee subject to the agreement of at least 50% of voting Board (as detailed in paragraph 16.1)
- 22.4 The Local Pension Board via its annual report will detail its work over the preceding 12 months. Such reports will include:
- 22.4.1 a summary of the work undertaken since the last report;
  - 22.4.2 the work plan for last year and the programme for the next 12 months;
  - 22.4.3 areas raised to the Board to be investigated since the last report and how they were dealt with;
  - 22.4.4 details of training received since the last report and planned;
  - 22.4.5 details of all expenses and costs incurred over the past 12 months and projected for the next year; and
  - 22.4.6 details of any conflicts of interest identified since the last report and how they were dealt with.

- 22.5 On receipt of a report under paragraph 22.2 and 22.3 above the Committee should, within a reasonable period, consider and respond to the Board.
- 22.6 Where the Board is not satisfied with the response received it may request that a notice of its concern be placed on the website and in the Fund's annual report.
- 22.7 Where the Board is satisfied that there has been a breach of regulation which has been reported to the Committee under paragraph 22.2 and 22.3 and has not been rectified within a reasonable period the Board is under an obligation to escalate the breach.
- 22.8 The appropriate internal route for escalation is to the Administering Authority's Director of Finance and Procurement as the Section 151 Officer.
- 22.9 The Board may report concerns to the LGPS Scheme Advisory Board for consideration after, but not instead of, using the appropriate internal route for escalation.
- 22.10 Board members are also subject to the requirements to report breaches of law under the Act and the Code and the whistleblowing provisions set out in the Administering Authority's whistle blowing policy.

### **23. Review of Terms of Reference**

- 23.1 These Terms of Reference shall be reviewed on each material change to those parts of the Regulations and relevant scheme guidance covering Local Pension Boards and at least every 5 years.
- 23.2 These Terms of Reference were last reviewed on 21 July 2020

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**Wiltshire Council  
Constitution  
Part 15  
Wiltshire Council Human  
Resources Code of Conduct**

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CURRENT VERSION

# PART 15

## WILTSHIRE COUNCIL HUMAN RESOURCES CODE OF CONDUCT

*This policy can be made available in other languages and formats such as large print and audio. Please contact the Human Resources Policy and Strategy team for further information.*

### 1. What is it?

#### 1.1 Wiltshire Council's code of conduct:

- 1.1.1 sets out minimum standards of behaviour for employees;
- 1.1.2 provides guidelines to help maintain and improve standard;
- 1.1.3 aims to protect the reputation of both employees and the council.

#### 1.2 This code of conduct is not exhaustive and does not replace the general requirements of the law, common sense and good conduct.

### 2. Who does it apply to?

#### 2.1 This policy applies to all employees of Wiltshire Council except for teachers who have their own code of conduct.

### 3. What is my responsibility?

#### 3.1 You need to:

- 3.1.1 Read this policy;
- 3.1.2 Ensure you understand it;
- 3.1.3 Ask if there are any points that are unclear;
- 3.1.4 Use this code of conduct, alongside other council policies, to guide you in your role.

#### 3.2 Breach of this code of conduct may lead to disciplinary action which could result in dismissal. Please refer to the [disciplinary procedure](#) for more information.

### 4. What are the main points?

#### Introduction

#### 4.1 The public is entitled to expect the highest standards of behaviour from local government employees.

#### 4.2 You represent the council and are trusted to act in a way which promotes the council's interests and protects its reputation.

- 4.3 You are accountable for your actions and should ask your manager for advice if you are not sure of the appropriate action to take.

#### Interests

- 4.4 Conflicts of interest may occur if a decision of the council could affect you, or close friends and relatives, either positively or negatively.
- 4.5 Interests could include:
- 4.5.1 involvement with businesses which have existing or proposed contracts with the council;
  - 4.5.2 membership of organisations or groups which may oppose council policies;
  - 4.5.3 roles undertaken outside of work (e.g. acting as a school governor, a member of an NHS trust board).
- 4.6 You should ask yourself the question “Would a member of the public think that my family or I would benefit from the connection between my personal interest and my employment with Wiltshire Council?”
- 4.7 If the answer is yes then you must declare the interest using the online form or in writing to the head of governance.
- 4.8 Under section 117 of the Local Government Act 1972 you must disclose any interest in an existing or proposed contract in writing as soon as is reasonably practicable.

#### Political neutrality

- 4.9 You must not allow your own personal or political opinions to interfere with your work.
- 4.10 When engaged on council business you must not wear or display items (badges, banners etc.) which indicate your support or opposition to any political party.
- 4.11 You must respect the individual rights of all Members and assist them, regardless of their political group, to carry out their responsibilities. Any advice given should be impartial, objective and helpful.
- 4.12 Under the Local Government & Housing Act 1989 certain employees are in politically restricted posts which restricts their political activities outside of work. These restrictions form part of their contract of employment and post holders receive full details on appointment. Officers must have regard to the Council’s policy on politically restricted posts.

#### Outside Commitments

- 4.13 Your activities outside of work should not conflict with your duty to the council.



- 4.14 Employees on grade I (spinal point 28) or above must obtain written consent from their Executive Director before engaging in any other business or accepting additional employment.
- 4.15 Any additional employment should not conflict with the council's interests or have the potential to bring the council into disrepute.
- 4.16 You may not set up a business, or accept a job with a business, which is in direct competition with the council.
- 4.17 If you work for another organisation you may not act as a messenger between that organisation and the council. Formal channels of communication must be maintained.
- 4.18 Any secondary employment must not be carried out during your contracted council working hours, nor whilst on standby for official call out purposes unless such employment can be undertaken from your home.
- 4.19 It is your responsibility to monitor the number of hours you work and to ensure that you are rested and refreshed and able to carry out your role. On average you should not work more than 48 hours in total each week unless you have opted out of the working time regulations.

#### Confidentiality

- 4.20 You must take all reasonable steps to ensure that the loss, destruction, inaccuracy or improper disclosure of information does not occur as a result of your actions.
- 4.21 You must not disclose personal or financial information about any other member of staff or service user without the express consent of that individual or authorisation from your Executive Director.
- 4.22 Confidential information, belonging to the council, should not be disclosed to any person not authorised to receive it.
- 4.23 You must not use any information obtained in the course of your employment to cause damage to the council or for personal gain or benefit. Nor should you pass information on to others who may use it in such a way.

#### Time, facilities and publications

- 4.24 You must spend all of your contracted hours working for the council.
- 4.25 You may not make personal use of the council's property or facilities (stationery, photocopiers, car parks etc.) unless authorised to do so by your manager. Computers and software may only be used in line with the [Email, Internet and Computer Use policy](#).
- 4.26 You may only use the council telephones to make or receive private calls in exceptional circumstances, and with the permission of your manager.
- 4.27 Any public funds entrusted to you must be used in a responsible and lawful manner.

4.28 If you want to publish any material which you have written in connection with your duties or in which you describe yourself as holding a position within the council you must first gain the consent of your Executive Director.

4.29 If, in the course of your work, you create a:

4.29.1 copyright work (for example a procedures manual or a software programme);

4.29.2 patentable invention;

4.29.3 design capable of registration;

this would become the property of the council and, if appropriate, you would be required to cooperate in the registration formalities

4.30 You may retain fees for any lectures delivered with the agreement of your Executive Director.

### Equality

4.31 The council is firmly committed to the principles of equality and diversity and has a positive duty to promote these within the community it serves.

4.32 You must treat colleagues, clients and customers with respect, do not discriminate unlawfully against any person and treat members and co-opted members of the authority professionally.

4.33 If you have any involvement in making appointments you should ensure that your decisions are based only on the ability of the candidate to undertake the duties of the post. If any applicant is a close personal friend or relative you should not be involved in the appointment process.

4.34 You should not be involved in any decisions relating to discipline, pay or promotion of close personal friends or relatives.

### Gifts, Hospitality and Sponsorship

4.35 You must not accept any fee or reward for work done other than your pay and allowances as set out in your contract of employment except as set out in paragraphs 4.37 and 4.38 below.

4.36 It is an offence under the Prevention of Corruption Acts to accept gifts, loans, fees or rewards as an inducement to act in a certain way in your official capacity.

4.37 You may accept small items (e.g. inexpensive pens, diaries, flowers, chocolates) but they must be registered.

4.38 You may only accept an offer of a more significant gift (as a guide worth more than £25) or hospitality (e.g. visits, meals, sporting events etc.) if there is a genuine need to do so in order to represent the council in the community.

- 4.39 Gifts, benefits and hospitality offered to you or members of your family as a consequence of your employment must be declared using the online form or in writing to your manager whether accepted or not.
- 4.40 You should never accept significant gifts or hospitality from service users, actual or potential contractors or outside suppliers.
- 4.41 If an external organisation wishes, or is sought, to sponsor a council activity the rules concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors. Your Executive Director must be involved in any decision.
- 4.42 Where the council wishes to sponsor an event or service no employee or member of their family must benefit unless full disclosure of interest has been made to the relevant Executive Director. All sponsorship must be recorded.

#### Uniform/PPE

- 4.43 Uniforms are provided for some employees and these should be worn unless otherwise agreed with the service director
- 4.44 Suitable personal protective equipment will be issued and must be worn where a risk assessment indicates it is appropriate.

#### Speaking to the media

- 4.45 Approaches from all national press, radio or TV stations or specialist press should be directed to the media relations team who will discuss the nature of the story and then contact the appropriate officer or member asking them to respond.

#### Misconduct

- 4.46 Employees should conduct themselves in a professional manner at work. Serious misconduct and/or criminal offences committed during or outside of working hours which bring you or the council into disrepute may be the subject of disciplinary action which could lead to dismissal.

### **5. Are there any exemptions?**

- 5.1 No – however some parts of the code of conduct will have more of an effect on senior, managerial and professional employees than others.
- 5.2 Many employees are responsible under their own professional codes of conduct. In cases where professional codes of conduct appear to conflict with the council's own code advice should be obtained from your service director.

### **6. Line manager responsibilities**

- 6.1 You should provide additional advice and guidance on any points within the code of conduct.
- 6.2 You should signpost employees to relevant policies, documents and guidelines.

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**Wiltshire Council  
Constitution  
Part 15  
Wiltshire Council Human  
Resources Code of Conduct  
Policy and Procedure**

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REVISED VERSION

# PART 15

## WILTSHIRE COUNCIL HUMAN RESOURCES CODE OF CONDUCT POLICY AND PROCEDURE

*This policy can be made available in other languages and formats such as large print and audio on [request](#).*

### 1. What is it?

#### 1.1 Wiltshire Council's Code of Conduct:

- 1.1.1 sets out minimum standards of behaviour for employees;
- 1.1.2 provides guidelines to help maintain and improve standard;
- 1.1.3 aims to protect the reputation of both employees and the council.

#### 1.2 This Code of Conduct is not exhaustive and does not replace the general requirements of the law, common sense and good conduct.

#### 1.3 Go straight to the section:

- 1.3.1 [Who does it apply to](#)
- 1.3.2 [My responsibility](#)
- 1.3.3 [Introduction](#)
- 1.3.4 [Behaviour at work](#)
- 1.3.5 [Interests](#)
- 1.3.6 [Political neutrality](#)
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- 1.3.11 [Gifts, hospitality and sponsorship](#)
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- 1.3.13 [Speaking to the media](#)
- 1.3.14 [Misconduct](#)
- 1.3.15 [Mental health, drugs and alcohol issues](#)
- 1.3.16 [Are there any exemptions?](#)
- 1.3.17 [Roles and responsibilities](#)
- 1.3.18 [Further advice and information](#)

### 2. Who does it apply to?

2.1 This policy applies to all Wiltshire Council employees unless a separate contractual policy applies to a transferred employee to whom separate TUPE terms and conditions of employment apply.

2.2 This policy applies to centrally employed teachers but does not apply to teaching and non-teaching staff employed in maintained schools or academies.

### **3. What is my responsibility?**

#### 3.1 You need to:

- 3.1.1 read this policy;
- 3.1.2 ensure you understand it;
- 3.1.3 ask if there are any points that are unclear;
- 3.1.4 use this Code of Conduct, alongside other council policies, to guide you in your role.

3.2 Breach of this Code of Conduct may lead to disciplinary action which could result in dismissal. Please refer to the [disciplinary procedure](#) for more information.

### **4. What are the main points?**

#### Introduction

- 4.1 The public is entitled to expect the highest standards of behaviour from local government employees.
- 4.2 You represent the council and are trusted to act in a way which promotes the council's interests and protects its reputation.
- 4.3 You are accountable for your actions and should ask your manager for advice if you are not sure of the appropriate action to take.

#### Behaviour at work

- 4.4 The council has a set of behaviour principles which describe how you are expected, as a minimum, to carry out your work for Wiltshire Council.
- 4.5 Wiltshire Council behaviour principles have been aligned to Nolan's [7 principles of public life](#) which underpin the members Code of Conduct and are the basis of ethical standards for those appointed to public office.
- 4.6 Wiltshire Council behaviour principles are grouped into seven categories:
  - 4.6.1 Honesty and integrity
  - 4.6.2 Accountability and selflessness
  - 4.6.3 Openness
  - 4.6.4 Objectivity and respect
  - 4.6.5 Leadership
  - 4.6.6 Working together
  - 4.6.7 Doing your best
- 4.7 These principles set out how you are expected to behave to support the council's vision and values, and the way you should expect your colleagues and managers to behave.
- 4.8 The Wiltshire Council behaviour principles guidance provides further details and example of acceptable behaviour and conduct in relation to:



- 4.8.1 How we do things
- 4.8.2 How we treat others
- 4.8.3 What we say and how we say it
- 4.8.4 How we can expect to be treated

### Interests

- 4.9 Conflicts of interest may occur if a decision of the council could affect you, or close friends and relatives, either positively or negatively.
- 4.10 Interests could include
  - 4.10.1 involvement with businesses which have existing or proposed contracts with the council;
  - 4.10.2 membership of organisations or groups which may oppose council policies;
  - 4.10.3 roles undertaken outside of work (e.g. acting as a school governor, a member of an NHS trust board)
- 4.11 You should ask yourself the question “Would a member of the public think that my family or I would benefit from the connection between my personal interest and my employment with Wiltshire Council?”
- 4.12 If the answer is yes then you must declare the interest using the online form or in writing to the head of governance.
- 4.13 Under section 117 of the Local Government Act 1972 you must disclose any interest in an existing or proposed contract in writing as soon as is reasonably practicable.

### Political neutrality

- 4.14 You must not allow your own personal or political opinions to interfere with your work.
- 4.15 When engaged on council business you must not wear or display items (badges, banners etc.) which indicate your support or opposition to any political party.
- 4.16 You must respect the individual rights of all councillors and assist them, regardless of their political group, to carry out their responsibilities. Any advice given should be impartial, objective and helpful.
- 4.17 Under the Local Government & Housing Act 1989 certain employees are in politically restricted posts which restricts their political activities outside of work. These restrictions form part of their contract of employment and post holders receive full details on appointment.

### Outside Commitments

- 4.18 Your activities outside of work should not conflict with your duty to the council.

- 4.19 Employees on grade I (spinal point 18) or above must obtain written consent from their executive Director before engaging in any other business or accepting additional employment.
- 4.20 Any additional employment should not conflict with the council's interests or have the potential to bring the council into disrepute.
- 4.21 You may not set up a business, or accept a job with a business, which is in direct competition with the council.
- 4.22 If you work for another organisation you may not act as a messenger between that organisation and the council. Formal channels of communication must be maintained.
- 4.23 Any secondary employment must not be carried out during your contracted council working hours, nor whilst on standby for official call out purposes unless such employment can be undertaken from your home.
- 4.24 It is your responsibility to monitor the number of hours you work and to ensure that you are rested and refreshed and able to carry out your role. On average you should not work more than 48 hours in total each week unless you have opted out of the working time regulations.

#### Confidentiality

- 4.25 You must take all reasonable steps to ensure that the loss, destruction, inaccuracy or improper disclosure of information does not occur as a result of your actions.
- 4.26 You must not disclose personal or financial information about any other member of staff or service user without the express consent of that individual or authorisation from your corporate Director.
- 4.27 Confidential information, belonging to the council, should not be disclosed to any person not authorised to receive it.
- 4.28 You must not use any information obtained in the course of your employment to cause damage to the council or for personal gain or benefit. Nor should you pass information on to others who may use it in such a way.

#### Time, facilities and publications

- 4.29 You must spend all of your contracted hours working for the council.
- 4.30 You may not make personal use of the council's property or facilities (stationery, photocopiers, car parks etc.) unless authorised to do so by your manager. Computers and software may only be used in line with the Email, Internet and Computer Use policy and other related policies including the [data protection policy](#), [personal use of social media policy](#) and [acceptable usage policy](#).
- 4.31 You may only use the council telephones to make or receive private calls in exceptional circumstances, and with the permission of your manager.

- 4.32 Any public funds entrusted to you must be used in a responsible and lawful manner.
- 4.33 If you want to publish any material which you have written in connection with your duties or in which you describe yourself as holding a position within the council you must first gain the consent of your executive Director.
- 4.34 If, in the course of your work, you create a copyright work (for example a procedures manual or a software programme); patentable invention; design capable of registration; this would become the property of the council and, if appropriate, you would be required to cooperate in the registration formalities.
- 4.35 You may retain fees for any lectures delivered with the agreement of your executive Director.

### Equality

- 4.36 The council is firmly committed to the principles of [equality and diversity](#) and has a positive duty to promote these within the community it serves.
- 4.37 You must treat colleagues, clients and customers with respect, do not discriminate unlawfully against any person and treat members and co-opted members of the authority professionally.
- 4.38 If you have any involvement in making appointments you should ensure that your decisions are based only on the ability of the candidate to undertake the duties of the post. If any applicant is a close personal friend or relative you should not be involved in the appointment process.
- 4.39 You should not be involved in any decisions relating to discipline, pay or promotion of close personal friends or relatives.
- 4.40 For further details see [personal relationships at work and other related matters policy](#).

### Gifts, Hospitality and Sponsorship

- 4.41 You must not accept any fee or reward for work done other than your pay and allowances as set out in your contract of employment except as set out in paragraphs 37 and 38 below.
- 4.42 It is an offence under the Prevention of Corruption Acts to accept gifts, loans, fees or rewards as an inducement to act in a certain way in your official capacity.
- 4.43 You may accept small items (e.g. inexpensive pens, diaries, flowers, chocolates) but they must be registered.
- 4.44 You may only accept an offer of a more significant gift (as a guide worth more than £25) or hospitality (e.g. visits, meals, sporting events etc.) if there is a genuine need to do so in order to represent the council in the community.

- 4.45 Gifts, benefits and hospitality offered to you or members of your family as a consequence of your employment must be declared using the [online form](#) or in writing to your manager whether accepted or not.
- 4.46 You should never accept significant gifts or hospitality from service users, actual or potential contractors or outside suppliers.
- 4.47 If an external organisation wishes, or is sought, to sponsor a council activity the rules concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors. Your executive Director must be involved in any decision.
- 4.48 Where the council wishes to sponsor an event or service no employee or member of their family must benefit unless full disclosure of interest has been made to the relevant executive Director. All sponsorship must be recorded.

#### Uniform and PPE

- 4.49 Uniforms are provided for some employees and these should be worn unless otherwise agreed with the Director.
- 4.50 Suitable personal protective equipment will be issued and must be worn where a risk assessment indicates it is appropriate.

#### Speaking to the media

- 4.51 Approaches from all national press, radio or TV stations or specialist press should be directed to the media relations team who will discuss the nature of the story and then contact the appropriate officer or member asking them to respond.

#### Misconduct

- 4.52 Employees should conduct themselves in a professional manner at work. Serious misconduct and/or criminal offences committed during or outside of working hours which bring you or the council into disrepute may be the subject of [disciplinary action](#) which could lead to dismissal.
- 4.53 If you display continued poor behaviour or conduct at work your manager may choose to address this with you via one of the following policies:
  - 4.53.1 [dignity at work](#) (if you are the subject of a complaint by another employee)
  - 4.53.2 [improving work performance](#)
  - 4.53.3 [disciplinary](#)

#### If you experience poor behaviour

- 4.54 If you experience poor or inappropriate behaviour or conduct at work, you may address this via the following policies:
  - 4.54.1 [dignity at work](#)
  - 4.54.2 [grievance](#)

## Mental health, drugs and alcohol issues

4.55 Remember that someone's inappropriate behaviour or conduct may be the result of a mental health issue. Poor behaviour should be investigated for any links with a mental health issue. It may be helpful to refer to guidance on [Mental Health Awareness](#)

4.56 You may experience inappropriate behaviour or conduct at work due to someone's use of alcohol, drugs or other substances. Someone's use of substances can also be linked to a mental health issue – it may be helpful to refer to [guidance for managers – misuse of drugs, alcohol or other substances](#).

### **5. Are there any exemptions?**

5.1 No – however some parts of the Code of Conduct will have more of an effect on senior, managerial and professional employees than others.

5.2 Many employees are responsible under their own professional Codes of Conduct. In cases where professional codes of conduct appear to conflict with the council's own Code advice should be obtained from your Director.

### **6. Roles and responsibilities**

6.1 Employee responsibilities:

6.1.1 To read this policy together with the [Wiltshire Council behaviour principles guidance](#) and to ensure you understand the minimum conduct expected within the Council and discuss anything you are unsure of with your manager.

6.1.2 To read and understand the key HR policies referred to in this policy.

6.2 Line manager responsibilities:

6.2.1 To provide additional advice and guidance on any points within the Code of Conduct. You should be aware that some employees with protected characteristics may require additional support with understanding the code including potentially staff from different cultures, certain disabilities and other protected characteristics.

6.2.2 To signpost employees to relevant policies, documents and guidelines including [Wiltshire Council behaviour principles guidance](#).

6.2.3 To address any incidents where employees are consistently not behaving in an appropriate way, via the relevant policy.

6.2.4 To investigate whether a mental health or disability issue may be affecting the employee's behaviour at work and to put measures in place to support the employee with this.

6.3 HR responsibilities:

6.3.1 To provide guidance on this policy.

6.3.2 To support managers with any training required.

## 7. Further advice and information

7.1 There are a number of related documents and policies which you should be aware of:

- 7.1.1 [Wiltshire Council Constitution](#)
- 7.1.2 [Media relations protocol](#)
- 7.1.3 [Data protection policy](#)
- 7.1.4 [Personal use of social media policy](#)
- 7.1.5 [Personal relationships at work and related matters](#)
- 7.1.6 [Dignity at work policy](#)
- 7.1.7 [Equality and diversity policy](#)
- 7.1.8 [Disciplinary procedure](#)
- 7.1.9 [Wiltshire Council behaviour principles guidance](#)

7.2 For further information please speak to your manager, Director or contact a member of the [HR advisory team](#).

**Wiltshire Council**

**Council**

**21 July 2020**

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**Notice of Motion No.21 – Walking and Cycling**

**From Councillors Brian Mathew and Graham Ross Henning**

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**To consider the following motion submitted in accordance with the constitution:**

**Council Notes:**

That there has been an unprecedented increase in walking & cycling among all sections of the population during the COVID 19 pandemic.

That a major deterrent to taking up cycling among many is the perception that sharing the roads with fast motor traffic is not safe.

**Council believes:**

That following the short term COVID 19 work to re-prioritise road space for cycling and walking, Wiltshire could become a truly cycle and walking friendly county, into the future, reducing road traffic and pollution while improving public health.

That policy, planning and policing should support initiatives for cyclists and pedestrians to make these activities safer and more enjoyable for commuting, shopping, exercise and amenity. Thus, it will be possible to attract more Wiltshire citizens and visitors to choose cycling and walking over driving, to reduce health costs and road maintenance, and to help the county reach its climate emergency commitments to reach carbon neutrality by 2030.

**Council Resolves:**

- 1) That Wiltshire Council highways and planning departments should prioritize the requirements of cyclists and pedestrians when planning works on Wiltshire's roads, bridleways and footpaths. That all planning applications must show clear evidence of integration of safe cycling and pedestrian routes with those of the surrounding street layouts, and that any infrastructure planning by the Council should place safe cycling as a high investment priority and move it up from its current medium priority, as set in the current Local Transport Plan (LPT3) to sit alongside walking.
- 2) That Wiltshire Council's Cabinet further supports these principles by the appointment of two 'Czars' from among current portfolio holders, with one for cycling and one for walking, to promote and facilitate change to both activities, by listening to what area boards, town and parish councils and community cycling, walking and environment groups have to say to them and by communicating and developing these ideas with cabinet members for health, transport and spatial planning.
- 3) That Wiltshire Council will expand its 'Bikeability' programme to all age groups, from 8 to 80, or if this is not possible develop a parallel system for adults, seeking funding

from related retail outlets and the involvement of local qualified trainers and cycling groups.

4) Wiltshire Council will review with Sustrans and other cycling and walking groups the digitally available footpath and cycle route maps for the whole county.

5) That Wiltshire Council will with parish and town councils consider:

- a) making widespread provision of theft-resistant cycle parking facilities sufficient for the demand.
- b) reducing traffic speeds in urban areas.
- c) the adoption of auto speed watch cameras
- d) dual-use cycle/footpaths in pedestrianized areas and between towns and villages.



**Wiltshire Council**

**Council**

**21 July 2020**

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**Notice of Motion No.22 – Wiltshire Air Ambulance Resolution**

**From Councillors Brian Dalton and Ian Thorn**

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**To consider the following motion submitted in accordance with the constitution:**

**This Council acknowledges** the outstanding work of all those emergency, armed forces and other services, including our own staff, who responded to the Novichok attack in Salisbury and Amesbury. Among those who put themselves at risk were the Wiltshire Air Ambulance team.

**This Council notes** the commitment made by Government to meet the costs incurred and the losses made by this Council and the other services involved including the Wiltshire Air Ambulance.

**This Council calls on** Government to honour that commitment and specifically the promise made by this Council to Wiltshire Air Ambulance to meet their costs and losses documented at over £100,000.

**This Council calls on** its leadership to:

- 1) meet with the leadership of Wiltshire Air Ambulance to formulate and execute a campaign to fulfil the promise made to them.
- 2) make further representations directly to Government to meet the losses and costs incurred by Wiltshire Air Ambulance in the Novichok attack
- 3) contact our five Wiltshire MPs urging them to support this campaign for fair treatment of the Wiltshire Air Ambulance.

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**Wiltshire Council**

**Council**

**21 July 2020**

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## **Appointment of Chairmen and Vice-Chairmen of Committees**

Council is asked to appoint a Vice Chairman to the Wiltshire Pension Fund Committee.

<b>Committee</b>	<b>Chairman</b>	<b>Vice-Chairman</b>
Wiltshire Pension Fund Committee	Cllr Tony Deane (no change)	Cllr Pauline Church

Ian Gibbons  
Director- Legal and Governance

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Background papers: None

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