

**Wiltshire Council**

**Council**

**16 June 2020**

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**Councillor Questions Update**

**Questions Received**

1. A total of 2 questions from Councillors have been received since the last meeting of Full Council on 25 February 2020.
2. Details of the question submitted and the order they will be received at the meeting are shown at Appendix 1. Responses are included at Appendix 2.
3. A total of 1 non-operational question was received before the first deadline of 2 June 2020, and was therefore guaranteed a written response as attached to this report.
4. A total of 1 questions was received after the first deadline of 2 June 2020, and was therefore guaranteed a verbal response at the meeting.
5. The Chairman will go through the questions and responses, as is customary, take them as read and giving the questioner an opportunity to ask one relevant supplementary question for each question submitted. In accordance with Part 4 of the Constitution members were requested to submit their questions in priority order.

**Proposal**

6. To receive the questions as detailed.

**Stuart Figini, Senior Democratic Services Officer**

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Appendix 1 - Councillor Questions Summary

Appendix 2 - Questions received

## **Appendix 1 - Councillor Submitted Questions Summary**

Questions will be received in the order listed below as specified in the Constitution - so that every member who submitted a question has the opportunity to ask a supplementary prior to another member having the opportunity to ask a second supplementary.

Questions for Council (attached at Appendix 2)

<b>Ref</b>	<b>Questioner</b>	<b>Date Received</b>	<b>Written or Verbal</b>	<b>Subject</b>	<b>Cabinet Member</b>
20-14	Cllr Brian Mathew	21/2/2020	Written	Condition of Wiltshire EV charging points	Cllr Bridget Wayman
20_15	Cllr Jon Hubbard	9/6/2020	Verbal	Member access to Part II	Cllr Philip Whitehead

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**From Councillor Brian Mathew – Box and Colerne**

**To Councillor Bridget Wayman – Cabinet Member for Highways, Transport and Waste and Councillor Toby Sturgis**

**Question (20-14)**

Will Wiltshire Council investigate the state of its EV charging points and ensure that they:

- a) are functioning
- b) are repaired when this is needed
- c) the companies involved in installing them are asked to assist with this or face deselection in subsequent rounds of Wiltshire Council EV charging point installations.

**Response (a and b)**

The Council has a total of 33 EVC units across the county in 25 locations. Currently the main failures are at the 3 old technology charger units that are uneconomical to repair. When the Council is made aware of an offline charger we instruct the supplier to attend site to diagnose and repair the unit.

The Council is currently working on a strategy to ensure current and future (growth) EV charge point service provision is achievable, meets customer needs and helps the Council achieve its target to be zero emissions by 2030.

**Response (c)**

Through the tender process we would ensure any contract for the supply, maintenance and repair of any EV charge points would contain clauses that require a supplier to deliver the satisfactory ongoing function of the charge units and prompt attendance to ensure any repair when required. Such requirements would form mandatory elements of any such contract and the supplier would be obliged to carry them out promptly. The proposed action to deselect may not be proportionate, given that it can be remedied by a robustly drafted contract and effective contract management.

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**From Councillor Jon Hubbard, Melksham South Division**

**To Councillor Philip Whitehead, Leader of the Council**

**Question (20-15)**

It appears to have become practice for the Cabinet to have extended the exclusion of the press and public to include elected members of council. Since I was first elected to Wiltshire Council in 2009 this never happened until November 2019 and now again in June 2020.

Can the Leader please explain why the council is now taking decisions in this matter, thus excluding democratically elected members from being able to participate. What has changed in the last seven months from the previous 10 years?

**Response**

The approach I have taken as Leader to confidential and exempt (Part 2) items is consistent with the rules and guidance on access to information contained in legislation and in Part 5 and Protocol 1 of the Constitution and advice from the relevant statutory officers:

The rules on access to information are contained in Part 5 of the Constitution:

[https://cms.wiltshire.gov.uk/documents/s166417/Part05\\_AccesstoInformation.pdf](https://cms.wiltshire.gov.uk/documents/s166417/Part05_AccesstoInformation.pdf)

Supplementary guidance on Members' Access to confidential and exempt (Part 2) Information is included at Schedule 1 to the Member Officer Relations Protocol (Protocol 1):

[https://cms.wiltshire.gov.uk/documents/s166419/Protocol01\\_MemberOfficerRelations.pdf](https://cms.wiltshire.gov.uk/documents/s166419/Protocol01_MemberOfficerRelations.pdf)

By convention the Council deems that Group Leaders, the Chairman of the Overview and Scrutiny Management Committee and Chairman of a relevant Overview and Scrutiny Select Committee generally require access to part 2 information to enable them to discharge their roles properly. Therefore, in most cases Members holding these roles will have access to any Part 2 information included with the agenda for Cabinet. Other Members may also access Part 2 reports if they are able to demonstrate a 'need to know' and Members are normally allowed to remain in Cabinet for consideration of Part 2 items within my discretion as Leader.

Exceptionally, in some instances, such as matters involving individual members of staff, it is appropriate to take a more restrictive approach to Member access to a Part 2 report because of the need to protect the interests of the individuals concerned and the integrity of any formal consultation which will take place with them if Cabinet approves the proposals. In such circumstances I have explained the position in advance to the Chairman of Overview and Scrutiny and Group Leaders and have agreed that they may remain in the meeting for consideration of the Part 2 item and have access to the report at that time. Once consultation has taken place with the individual members of staff the report is generally released for wider consultation within the organisation.