

Wiltshire Council

Cabinet

17 September 2019

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### Statement from Colin Gale

**To Councillor Richard Clewer – Deputy Leader and Cabinet Member for Corporate Services, Heritage, Arts, Tourism, Housing and MCI**

#### Statement

On 14<sup>th</sup> May 2019, I wrote to the Monitoring Officer under the above heading, advising him of the groups remaining concern that documentation essential to the executive committee to make that decision was not also available to the public at the 28 day point. I further advised that the group had forwarded the issue through our MP, Claire Perry to the Ministry for Housing, Communities and Local Government, in an effort to clarify the disputed situation. The Minister in his response drew attention to a document titled “Open and accountable local government – A guide for the press and public on attending and reporting meetings of local government” which had been published by his department in August 2014, commenting that it gave practical information about the documents and information available to the public, and drawing our attention in particular, to pages 12 and 13, which cover Key Decisions taken by councils. The Minister also suggested that, should concerns remain after reading these guidelines, contact should be made with the Council’s Monitoring Officer to establish how the authority’s position aligns with the rights and responsibilities set out in the guidelines.

On 9<sup>th</sup> September, the following reply was received from the Monitoring Officer:

***“ As you have stated, where the Council intends to make a key decision, Regulation 9 of the 2012 Regulations requires the Council to give publicity to that intention by publishing a document which includes the matters listed in regulation 9 (1)(a) to (f). This document has to be published at least 28 days before the decision is taken. There is no provision for that document to be subsequently amended. At the time that notice of the intention to make a decision on the future of the Everleigh HRC was published in the Council’s Forward Plan, The Consultation Report did not exist as the results of the consultation process had yet to be reviewed and collated. There was, therefore, no document that could be referred to in the Forward Plan.. The Consultation Report was included with the agenda for Cabinet on 9 October, which was published a week before the meeting, in accordance with the statutory requirements. I am therefore satisfied that the statutory requirements were complied with in respect of the Cabinet decision of 9 October to close the Everleigh HRC.”***

The group remain concerned that the statutory requirements for the supply of Key Documents were not complied with and have decided to refer the Wiltshire Council response back to the Minister for his decision on the compliance with the regulation.