

SUMMONS

Meeting: Council
Place: Council Chamber - County Hall, Bythesea Road, Trowbridge, BA14 8JN
Date: Tuesday 18 October 2022
Time: 10.30 am

Members are reminded to sign the attendance sheet before entering the Council Chamber

Please direct any enquiries on this Agenda to Tara Shannon of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718352 or email tara.shannon@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

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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.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

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 the Previous Meeting** (*Pages 7 - 24*)

To approve the minutes of the meeting of Full Council held on 17 May 2022.

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 Chairman.

5 **Petitions Update**

No petitions were received to report to the meeting,

6 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting.

Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Statements must relate to a specific agenda item.

Please contact the officer named on the first page of this agenda for any further clarification.

Questions

To receive any questions from members of the public received in accordance with the constitution.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named above no later than 5pm on Tuesday 11 October 2022 in order to be guaranteed to receive a written response, or no later than 5pm on Thursday 13 October to receive a verbal response at the meeting.

Please contact the officer named on the first page 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.

COUNCIL UPDATES

- 7 **Update on the Council's Response to the Climate Emergency** (*Pages 25 - 52*)

To receive a report from the Chief Executive

- 8 **Update on Responding to the Cost of Living Challenge** (*Pages 53 - 58*)

To receive a report from the Chief Executive

- 9 **Update on Social Mobility and Community Conversations** (*Pages 59 - 66*)

To receive a report from the Chief Executive

ITEMS FOR COUNCIL

- 10 **Independent Remuneration Panel Recommendation - Audit & Governance Committee** (*Pages 67 - 110*)

To consider a report from the Independent Remuneration Panel

- 11 **Appointment of an Independent Person (S.28 Localism Act 2011)** (*Pages 111 - 114*)

To receive a report from the Monitoring Officer

- 12 **Community Governance Review 2021/22** (*Pages 115 - 184*)

To consider the Final Recommendations of the Electoral Review Committee.

CONSTITUTION

- 13 **Proposed Changes to the Constitution**

To consider the following proposed changes to the constitution.

- 13a) **Protocol 6: Complaints Procedure** (*Pages 185 - 206*)

To receive a report from the Monitoring Officer

- 13b) **Part 3B: Responsibility for Functions - Prevent Duty and Channel Programme** (*Pages 207 - 216*)

To consider a report from the Director, Public Health.

- 13c) **Part 12: Members' Code of Conduct** (*Pages 217 - 280*)

To consider a report from the Monitoring Officer regarding a recommendation from the Standards Committee.

MEMBERS' MOTIONS

14 **Notice of Motion No.22-02 - Cost of Living** *(Pages 281 - 282)*

To consider the attached motion from Councillors Richard Clewer and Laura Mayes.

OTHER ITEMS OF BUSINESS

15 **S.85 Local Government Act 1972 - Extension of Office** *(Pages 283 - 286)*

To receive a report from the Monitoring Officer

16 **Membership of Committees** *(Pages 287 - 290)*

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.

17 **Announcements from Cabinet and Committees**

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

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

18 **Members' Questions**

Members 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 on Tuesday 4 October 2022 in order to be guaranteed a written response.

Any question received after 5pm on 4 October 2022 and no later than 5pm on Tuesday 11 October 2022 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 Members 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
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire

Council

MINUTES OF THE COUNCIL MEETING HELD ON 17 MAY 2022 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Stuart Wheeler (Chairman), Cllr James Sheppard (Vice-Chairman), Cllr Phil Alford, Cllr Liz Alstrom, Cllr Helen Belcher, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr David Bowler, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Steve Bucknell, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Mary Champion, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Mark Connolly, Cllr Caroline Corbin, Cllr Jane Davies, Cllr Andrew Davis, Cllr Matthew Dean, Cllr Dr Monica Devendran, Cllr Nick Errington, Cllr Adrian Foster, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Ross Henning, Cllr Sven Hocking, Cllr Nick Holder, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Peter Hutton, Cllr Mel Jacob, Cllr Simon Jacobs, Cllr George Jeans, Cllr Johnny Kidney, Cllr Carole King, Cllr Gordon King, Cllr Edward Kirk, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Kathryn Macdermid, Cllr Dr Brian Mathew, Cllr Laura Mayes, Cllr Dr Mark McClelland, Cllr Charles McGrath, Cllr Ian McLennan, Cllr Dominic Muns, Cllr Dr Nick Murry, Cllr Nabil Najjar, Cllr Kelvin Nash, Cllr Christopher Newbury, Cllr Ashley O'Neill, Cllr Jack Oatley, Cllr Andrew Oliver, Cllr Stewart Palmen, Cllr Bill Parks, Cllr Antonio Piazza, Cllr Tony Pickernell, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Rich Rogers, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Paul Sample JP, Cllr Mike Sankey, Cllr Jonathon Seed, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Ian Thorn, Cllr Elizabeth Threlfall, Cllr Tim Trimble, Cllr Tony Trotman, Cllr Mark Verbinnen, Cllr David Vigar, Cllr Iain Wallis, Cllr Derek Walters, Cllr Bridget Wayman, Cllr Philip Whitehead, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill

22 Election of Chairman 2022/23

On the nomination of Councillor Nick Botterill, seconded by Councillor Richard Clewer, it was,

Resolved:

To elect Councillor Stuart Wheeler as Chairman for the forthcoming year.

23 Election of Vice-Chairman 2022/23

On the nomination of Councillor Richard Clewer, seconded by Councillor Jacqui Lay it was,

Resolved:

To elect Councillor James Sheppard as Vice-Chairman for the forthcoming year.

24 **Apologies**

Apologies for absence were received from Councillors Brian Dalton, Kevin Daley, Sarah Gibson, Bob Jones, Sam Pearce-Kearney, Paul Oatway QPM, Pip Ridout, and Jo Trigg.

25 **Minutes of Previous Meeting**

The minutes of the meeting held on 15 February 2022 were presented for consideration, and it was,

Resolved:

To approve and sign the minutes as a true and correct record.

Under Chairman's Announcements an issue was raised in relation to the process for consideration or discussion on the minutes. It was stated that any Member was able move an amendment or correction to the minutes before they were approved for consideration by the meeting.

26 **Declarations of Interest**

There were no declarations.

27 **Chairman's Announcements**

Events Attended by the Chairman, Cllr Stuart Wheeler from Tuesday 15 February 2022:

- Saturday 5 March 2022 - Mayor of Trowbridge's Mayoral Dinner and Dance, Civic Centre, Trowbridge.
- Sunday 13 March 2022 - The High Sheriff's Service for the Rule of Law, Salisbury Cathedral.
- Monday 14 March 2022 - Commonwealth Day Flag Raising Ceremony, County Hall.
- Monday 9 May 2022 - Preview evening of 'Celebration - a Festival of Flowers', Salisbury Cathedral.
- Thursday 12 May 2022 - Royal Wootton Bassett Town Council Mayor Making Ceremony, RWB Town Hall.

Events Attended by the Vice-Chairman, Cllr James Sheppard, from Tuesday 15 February 2022:

- Sunday 13 March 2022 - The High Sheriff's Service for the Rule of Law, Salisbury Cathedral.
- Thursday 17 March 2022 - The Showmen's Guild of Great Britain Western Section's Annual Luncheon, Hilton Swindon.
- Monday 9 May 2022 - Preview evening of 'Celebration - a Festival of Flowers', Salisbury Cathedral.

28 **Public Participation**

No questions or statements had been received for the meeting.

29 **Petitions**

No petitions had been received for receipt or presentation to the meeting in accordance with the timescales set out within the Constitution. A member of the public had on the morning of the meeting sought to submit a petition. Under the Constitution this would be considered at the next meeting, but due to the length of the agenda the Chairman, as an exception, accepted the petition for presentation as requested.

A statement was therefore made by Mr Bruce Moss for a petition regarding works to the B3108 in Winsley.

Councillor Dr Mark McClelland, Cabinet Member for Transport, Waste, Street Scene and Flooding, provided a response detailing previous requests from the Parish Council and the then Community Area Transport Group, public consultation, and the identification of a period for least impact for any closure to the road, and provision of replacement bus services and additional signage. He highlighted the benefits of the works to improve links for cycling and pedestrians.

30 **Political Balance and Allocation of Members to Committee**

The Chairman clarified that agenda items 9a, 9b and 9c would all be taken together and that the proposals were to be circulated in an agenda supplement and were displayed at the meeting. The Committee allocations had been prepared following agreement by Group Leaders.

Councillor Richard Clewer, Leader of the Council, proposed the combined appointment motions This was seconded by the Deputy Leader, Councillor Laura Mayes.

The motion was then put to the vote, and it was,

Resolved:

- a) **To note the report and the legal requirements.**
- b) **To re-appoint the following committees with the terms of reference as set out in the Constitution:**
 - **Strategic Planning Committee**
 - **Area Planning Committees: Northern, Eastern, Southern and Western**
 - **Licensing Committee**
 - **Overview and Scrutiny Management Committee**
 - **Children's Select Committee**

- **Environment Select Committee**
 - **Health Select Committee**
 - **Standards Committee**
 - **Audit and Governance Committee**
 - **Staffing Policy Committee**
 - **Officer Appointments Committee**
 - **Electoral Review Committee**
 - **Appeals Committee**
 - **Wiltshire Police and Crime Panel (joint with Swindon Borough Council)**
 - **Wiltshire Pension Fund Committee (joint with Swindon Borough Council)**
 - **Health and Wellbeing Board**
- c) **To re-appoint those Area Boards, constituted as area committees under item 9a paragraphs 14 – 16 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.**
- e) **To appoint members to the Dorset and Wiltshire Fire Authority, in accordance with the guidance set out in the report.**
- f) **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 9a (Appendix 3)**
- g) **To appoint councillors to serve on those committees in accordance with the agreed scheme of allocations (as set out in Agenda Supplement 2), until the next occasion membership is reviewed under the provisions of the Local Government & Housing Act 1989.**
- h) **To appoint substitute members (to a maximum of four per group) to the committees referred to in (A) above.**
- i) **To appoint those councillors representing electoral divisions to their respective area boards as set out 9b Appendix 1.**
- j) **To note that following delegation by Full Council the Standards Committee appointed the following persons as non-voting co-opted members of the Standards Committee for the remainder of the council term:**
- **Gordon Ball**
 - **Kathy Barnes**
 - **Joanne Cetti**
 - **Julie Phillips**

k) To note that Council appointed the following persons as Independent Persons each for a four year term from May 2021:

- Tony Drew
- Damian Kearney
- Patricia Bunch

l) To note the following non-elected members of the Children’s Select Committee.

Non-Elected Voting Members	Representing
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)
Non-Elected Non-Voting Members	Representing
Maisy Humphrey (Sub Declan Kiely)	School, Children and Young People representatives
Nikki Barnett	Further Education Representative
Sarah Busby	Secondary Schools Head teacher Representative
Catriona Williamson	Primary School Head teacher Representative
John Hawkins	School Teacher Representative

m) To note the following co-opted members of the Wiltshire Pension Fund Committee:

Name	Representing
(to be confirmed – currently Cllr Vijay Manro)	Swindon Borough Councillor (as determined by Swindon Borough Council)
(to be confirmed – currently Cllr Steve Heyes)	Swindon Borough Councillor (as determined by Swindon Borough Council)
Tracy Adams	Employer Representative
Claire Anthony	Employer Representative

Stuart Dark	Scheme Member Observer- appointed by Unison
Mike Pankiewicz	Scheme Member Observer- appointed by Unison

- n) To note the membership of the Local Pension Board under the Public Service Pensions Act 2013 until the expiry of the 4 year term

Name	Representing
Mark Spilsbury	Independent Chairman
Asifa Ashraf	Scheme Member Representative
Marlene Corbey	Scheme Member Representative
Mike Pankiewicz	Scheme Member Representative
Paul Smith	Employer Member Representative
Laura Fisher	Employer Member Representative
Ian Jones	Employer Member Representative

- o) To note the following co-opted members to the Police and Crime Panel:

Name	Representing
To be confirmed – previously Cllr Junab Ali	Swindon Borough Council (as determined by Swindon Borough Council)
To be confirmed – currently Cllr Abdul Amin	Swindon Borough Council (as determined by Swindon Borough Council)
To be confirmed – currently Cllr Alan Bishop	Swindon Borough Council (as determined by Swindon Borough Council)
To be confirmed – currently Cllr Jenny Jeffries	Swindon Borough Council (as determined by Swindon Borough Council)
Mamie Beasant	Independent co-optee
Anna Richardson	Independent co-optee

- p) That Council appoint the following 6 members to serve as Council representatives on the Dorset and Wiltshire Fire Authority:

Conservative (4)	Liberal Democrat (2)	Independent (0)	Labour (0)
Cllr Pip Ridout	Bob Jones		

Cllr Ashley O'Neill	Brian Dalton		
Cllr Paul Oatway			
Cllr Kelvin Nash			

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

Committee	Chairman	Vice-Chairman
Strategic Planning Committee	Howard Greenman	Tony Trotman
Northern Area Planning Committee	Tony Trotman	Howard Greenman
Eastern Area Planning Committee	Philip Whitehead	Paul Oatway
Southern Area Planning Committee	Andrew Oliver	Sven Hocking
Western Area Planning Committee	Christopher Newbury	Bill Parks
Licensing Committee	Peter Hutton	Allison Bucknell
Standards Committee	Paul Oatway	Allison Bucknell
Audit and Governance Committee	Mark Connolly	Stuart Wheeler
Staffing Policy Committee	Stuart Wheeler	Allison Bucknell
Officer Appointments Committee	Richard Clewer	Laura Mayes
Wiltshire Pension Fund Committee	Richard Britton	Committee Appointment
Health and Wellbeing Board (Chairman	Richard Clewer	NA

r) 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 the annual meeting of council.

s) 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. Each panel when convened will elect its own chairman.

31 **Proposed Changes to the Constitution - Part 3B - Audit and Governance Committee**

The Chairman invited Councillor Ashley O'Neill, Cabinet Member with responsibility for governance, to introduce the item.

As detailed in the report the Audit & Governance Committee had requested it be able to appoint up to two Non-Voting Co-opted Members. The appropriate constitution changes had been reviewed and added to by the Standards Committee to provide additional clarity on membership, who recommended Council adopt the proposed changes. The proposal was moved by Councillor O'Neill, seconded by Councillor Mark Connolly, Chairman of the Audit & Governance Committee.

The Chairman then invited comments from Group Leaders.

Councillor Richard Clewer, Leader of the Council, stated he was happy to support the changes. Councillor Ian Thorn, Leader of the Liberal Democrat Group, supported the proposals and awaited the recommendation of the Independent Remuneration Panel on whether the role should receive an allowance. Councillor Ricky Rogers, Leader of the Labour Group, also supported the proposal.

The item was then debated. During debate a minor ambiguity was identified and it was agreed by the movers to include clarifying punctuation, and it was stated that the addition of a trained non-voting Member would be improve the operation of the Audit & Governance Committee.

At the conclusion of debate, with no further comments from the Cabinet Member, and subject to the minor change suggested, it was,

Resolved:

- 1) **To approve the revisions to Part 3B of the Constitution as set out in Appendix B.**
- 2) **To delegate the appointment of up to 2 non-voting co-opted members to the Audit and Governance Committee and the arrangements for the selection of such members to the Monitoring Officer in consultation with the Chairman of the Audit and Governance Committee.**

In accordance with the Constitution there was a recorded vote.

For: 84

Against: 0

Abstention: 3

Details are attached to the minutes. One Member added their verbal vote to the electronic tally of 83.

32 **Parish Name Change Review**

The Chairman invited Councillor Ian Blair-Pilling, Chairman of the Electoral Review Committee, to introduce the item. It was explained the Committee had recommended the changing of two parish names at the request of the relevant parish councils, with details as set out in the report. The proposal was moved by Councillor Blair-Pilling, seconded by Councillor Gavin Grant.

The Chairman then invited comments from Group Leaders.

Councillor Richard Clewer, Leader of the Council, supported the proposal. Councillor Ian Thorn, Leader of the Liberal Democrat Group, thanked the Chairman for the work on the Committee and supported the proposals, noting the importance to local people and councils of names and other arrangements. Councillor Ernie Clark, Leader of the Independent Group, supported the proposal, and noted more significant proposals would be forthcoming from the Committee.

The item was then debated. It was requested that the minutes and resolution be clear which parish of Charlton in Wiltshire was having its name change, to be as clear as in the report. Other comments were made regarding if there was any legal impact from making a name change to a parish for instance on agreements they had, and the costs of any reviews taking place and potential cost to parishes.

At the conclusion of debate, the Chairman responded to comments raised in debate. He provided detail of the information gathering that the Committee undertook, confirmed costs of any action was not recovered from parishes, and noted the importance to parishes of their governance arrangements.

It was then,

Resolved:

- 1) **To approve the name changes for the following parishes and parish councils:**
 - a) **Biddestone to be changed to Biddestone and Slaughterford;**
 - b) **Charlton (near Pewsey) to be changed to Charlton St Peter.**

- 2) **To authorise the Solicitor to the Council to make any necessary legal orders and notifications to enact the above changes**

In accordance with the Constitution there was a recorded vote.

For: 82
Against: 0
Abstention: 3

Details are attached to the minutes.

33 **Notices of Motion**

No motions on notice were received for the meeting.

34 **Overview and Scrutiny Annual Report to Council**

The Chairman invited Councillor Graham Wright, Chairman of the Overview and Scrutiny Committee, to present the Annual Report on Overview and Scrutiny activity.

Councillor Wright provided details of the work undertaken in the past year, both to assist with policy development and hold decision makers to account, with 80% of Cabinet decisions being scrutinised in some form, and 67% of eligible members participating in at least one Scrutiny activity. He gave thanks to officers, members and partners for their collaboration, especially on the many task groups looking at priority matters, and the Vice-Chairman of the Committee, Councillor Christopher Williams. He discussed using metrics and statistics to focus work in effective ways, and discussed particularly the detailed work of the Financial Planning Task Group and the Global Warming and Climate Change Emergency Task Group, which he chaired. He offered thanks to the Chairmen of each Select Committee and highlighted key work they had undertaken.

The Chairman of the Council then moved that the annual report of Overview and Scrutiny be noted. This was seconded by the Vice-Chairman.

The Chairman then invited Group Leaders to comment on the report.

Councillor Richard Clewer, Leader of the Council, noted the importance of Overview and Scrutiny to help understand issues and provide policy suggestions, even if these were not always able to be enacted. Councillor Ian Thorn, Leader of the Liberal Democrat Group, thanked Councillor Wright for his chairmanship over the past year. He noted the importance of overview and scrutiny and urged the council to scrutinise policies as soon as practicable, in order to provide the most assistance. Councillor Ernie Clark, Leader of the Independent Group, offered his thanks, and noted the importance of overview and scrutiny for non-executive members. Councillor Ricky Rogers, Leader of the Labour Group, welcomed the comprehensive report and thanked members who had participated.

Chairmen of the Select Committees were then given the opportunity to comment. During debate Councillor Jon Hubbard, Chairman of Children's Select Committee, paid tribute to the Scrutiny team, who had gone above and beyond to ensure effective scrutiny activity including across the Covid-19 pandemic. He encouraged members to participate in the process, noting the impact they could have on policy development.

Comments raised in debate included noting the significant work taking place with the Financial Planning Task Group, especially with the financial pressures the council faced. The role of the executive engaging with the Scrutiny committees was raised.

Other comments raised included questioning overview and scrutiny work relating to area boards, in particular if it had looked at grants criteria, and impacts on council workers on recent terms and conditions changes, and whether there was a role for overview and scrutiny on some of those issues. The Chairman invited Councillor Wright to make any further comments in response to debate. He welcomes discussions with others on future scrutiny work and thanked members for their comments.

Following discussion, it was,

Resolved:

That Council note the Overview and Scrutiny Annual Report.

35 **Announcements from Cabinet and Committees**

It was formally noted that there have been no executive decisions taken under special urgency provisions in the last year.

36 **Members' Questions**

A written response had been provided to question 22-09 from Councillor Bridget Wayman, as detailed in Agenda Supplement 1.

Councillor Wayman commented that the response was misleading in relation to core funding for Areas of Outstanding Natural Beauty (AONB). She considered if the core funding did not increase, they could not employ necessary staff. As a supplementary she asked if the council would find an additional £7k for that budget.

In response Councillor Richard Clewer, Leader of the Council, stated he had sympathy with the position for the AONB. Funding primarily came from central government, and a review from government had proposed significant changes to the ways national parks and AONB should be handled, and he hoped that would include reform of funding. The council was looking to bring together bodies to assist on income generation, and he noted the council had approved its budget at its last meeting, and at the moment he did not think it was appropriate to make adjustments in order to maintain financial prudence.

A written response had been provided to question 22-10 from Councillor Trevor Carbin, as detailed in Agenda Supplement 1.

Councillor Carbin sought details on the further involvement of Wiltshire Council on Project Gigabit.

Councillor Ashley O'Neill, Cabinet Member with responsibility for Broadband, recognised the importance of rural broadband for the Wiltshire economy. Funding for the gigaclear rollout had come to an end, and officer resource was being assigned to work with BDUK, to seek to maximize the number of properties achieved ultrafast broadband, and was preparing materials for engaging communities.

(Duration of meeting: 10.30 - 11.45)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications, direct line ((01225) 713114 or email communications@wiltshire.gov.uk

Full Council Meeting – 17 May 2022 – Members Attendance

Councillor Name	Time In	Time Out (Meeting close 11:45)
Phil Alford	10:30	11.45
Liz Alstrom	10:30	11.45
Helen Belcher	10:30	11.45
Chuck Berry	10:30	11.45
Ian Blair-Pilling	10:30	11.45
Nick Botterill	10:30	11.45
David Bowler	10:30	11.45
Richard Britton	10:30	11.45
Allison Bucknell	10:30	11.45
Steve Bucknell	10:30	11.45
Clare Cape	10:30	11.45
Trevor Carbin	10:30	11.45
Daniel Cave	10:30	11.45
Mary Champion	10:30	11.45
Pauline Church	10:30	11.45
Ernie Clark	10:30	11.45
Richard Clewer	10:30	11.45
Zoë Clewer	10:30	11.45
Mark Connolly	10:30	11.45
Caroline Corbin	10:30	11.45
Kevin Daley	Apologies	Apologies
Brian Dalton	Apologies	Apologies
Jane Davies	10:30	11.45
Andrew Davis	10:30	11.45
Matthew Dean	10:30	11.45
Dr Monica Devendran	10:30	11.45
Nick Errington	10:30	11.45
Adrian Foster	10:30	11.45
Sarah Gibson	Apologies	Apologies
Gavin Grant	10:30	11.45
Howard Greenman	10:30	11.45
Ross Henning	10:30	11.45
Sven Hocking	10:30	11.45
Nick Holder	10:30	11.45
Ruth Hopkinson	10:30	11.45
Jon Hubbard	10:30	11.45
Peter Hutton	10:30	11.45
Tony Jackson	Apologies	Apologies
Mel Jacob	10:30	11.45
Simon Jacobs	10:30	11.45
George Jeans	10:30	11.45
Bob Jones MBE	Apologies	Apologies
Johnny Kidney	10:30	11.45

Carole King	10:30	11.45
Gordon King	10:30	11.45
Edward Kirk	10:30	11.45
Jerry Kunkler	10:30	11.45
Jacqui Lay	10:30	11.45
Kathryn MacDermid	10:30	11.45
Dr Brian Mathew	10:30	11.45
Laura Mayes	10:30	11.45
Dr Mark McClelland	10:30	11.45
Charles McGrath	10:30	11.45
Ian McLennan	10:30	11.45
Dominic Muns	10:30	11.45
Dr Nick Murry	10:30	11.45
Nabil Najjar	10:30	11.45
Kelvin Nash	10:30	11.45
Christopher Newbury	10:30	11.45
Ashley O'Neill	10:30	11.45
Jack Oatley	10:30	11.45
Paul Oatway QPM	Apologies	Apologies
Andrew Oliver	10:30	11.45
Stewart Palmen	10:30	11.45
Bill Parks	10:30	11.45
Sam Pearce-Kearney	Apologies	Apologies
Antonio Piazza	10:30	11.45
Tony Pickernell	10:30	11.45
Horace Prickett	10:30	11.45
Nic Puntis	10:30	11.45
Tamara Reay	10:30	11.45
Pip Ridout	Apologies	Apologies
Rich Rogers	10:30	11.45
Ricky Rogers	10:30	11.45
Tom Rounds	10:30	11.45
Paul Sample JP	10:30	11.45
Mike Sankey	10:30	11.45
Jonathon Seed	10:30	11.45
James Sheppard	10:30	11.45
Martin Smith	10:30	11.45
Caroline Thomas	10:30	11.45
Ian Thorn	10:30	11.45
Elizabeth Threlfall	10:30	11.45
Jo Trigg	Apologies	Apologies
Tim Trimble	10:30	11.45
Tony Trotman	10:30	11.45
Mark Verbinnen	10:30	11.45
David Vigar	10:30	11.45
Iain Wallis	10:30	11.45

Derek Walters	10:30	11.45
Bridget Wayman	10:30	11.45
Mary Webb	Apologies	Apologies
Stuart Wheeler	10:30	11.45
Philip Whitehead	10:30	11.45
Suzanne Wickham	10:30	11.45
Christopher Williams	10:30	11.45
Graham Wright	10:30	11.45
Robert Yuill	10:30	11.45

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Recorded Votes – 17 May 2022

Item 10 – Proposed Changes to the Constitution

Vote	Councillors	Count
For	Cllr Phil Alford, Cllr Liz Alstrom, Cllr Helen Belcher, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr David Bowler, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Steve Bucknell, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Mary Champion, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Mark Connolly, Cllr Caroline Corbin, Cllr Jane Davies, Cllr Andrew Davis, Cllr Matthew Dean, Cllr Dr Monica Devendran, Cllr Nick Errington, Cllr Adrian Foster, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Ross Henning, Cllr Sven Hocking, Cllr Nick Holder, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Peter Hutton, Cllr Mel Jacob, Cllr Simon Jacobs, Cllr George Jeans, Cllr Johnny Kidney, Cllr Carole King, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Kathryn Macdermid, Cllr Dr Brian Mathew, Cllr Laura Mayes, Cllr Dr Mark McClelland, Cllr Charles McGrath, Cllr Ian McLennan, Cllr Dominic Muns, Cllr Dr Nick Murry, Cllr Nabil Najjar, Cllr Kelvin Nash, Cllr Ashley O'Neill, Cllr Jack Oatley, Cllr Andrew Oliver, Cllr Stewart Palmen, Cllr Bill Parks, Cllr Antonio Piazza, Cllr Tony Pickernell, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Rich Rogers, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Paul Sample JP, Cllr Mike Sankey, Cllr Jonathon Seed, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Ian Thorn, Cllr Elizabeth Threlfall, Cllr Tim Trimble, Cllr Tony Trotman, Cllr Mark Verbinnen, Cllr David Vigar, Cllr Iain Wallis, Cllr Derek Walters, Cllr Bridget Wayman, Cllr Philip Whitehead, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill	84
Abstain	Cllr Edward Kirk, Cllr James Sheppard and Cllr Stuart Wheeler	3
Against	None	0

Item 11 – Parish Name Change Review

Vote	Councillors	Count
For	Cllr Phil Alford, Cllr Liz Alstrom, Cllr Helen Belcher, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr David Bowler, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Steve Bucknell, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Mary Champion, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Mark Connolly, Cllr Caroline Corbin, Cllr Jane Davies, Cllr Andrew Davis, Cllr Matthew Dean, Cllr Dr Monica Devendran, Cllr Nick Errington, Cllr Adrian Foster, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Ross Henning, Cllr Sven Hocking, Cllr Nick Holder, Cllr Ruth Hopkinson, Cllr Peter Hutton, Cllr Mel Jacob, Cllr Simon Jacobs, Cllr George Jeans, Cllr Johnny Kidney, Cllr Carole King, Cllr Gordon King, Cllr Edward Kirk, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Kathryn Macdermid, Cllr Dr Brian Mathew, Cllr Laura Mayes, Cllr Dr Mark McClelland, Cllr Charles McGrath, Cllr Ian McLennan, Cllr Dominic Muns, Cllr Nabil Najjar, Cllr Kelvin Nash, Cllr Christopher Newbury, Cllr Ashley O'Neill, Cllr Jack Oatley, Cllr Andrew Oliver, Cllr Stewart Palmen, Cllr Bill Parks, Cllr Antonio Piazza, Cllr Tony Pickernell, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Rich Rogers, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Mike Sankey, Cllr Jonathon Seed, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Ian Thorn, Cllr Elizabeth Threlfall, Cllr Tim Trimble, Cllr Tony Trotman, Cllr Mark Verbinnen, Cllr David Vigar, Cllr Iain Wallis, Cllr Bridget Wayman, Cllr Philip Whitehead, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill	82
Abstain	Cllr James Sheppard, Cllr Derek Walters and Cllr Stuart Wheeler	3
Against	None	0

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Wiltshire Council

Full Council

18 October 2022

Update on the Council's Response to the Climate Emergency

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 tackle the climate emergency in Wiltshire. This is the sixth progress report to Cabinet following updates in October 2019, July 2020, February 2021, July 2021 and February 2022. Significant progress is reported against each of the seven Climate Strategy themes.

Proposal

That Council:

Notes the actions taken in response to the climate emergency following the last update in February 2022.

Reason for Proposal

To provide Council with an update on actions taken in response to the climate emergency.

Terence Herbert
Chief Executive

Update on the Council's Response to the Climate Emergency

Purpose of Report

1. To provide the sixth progress update on actions taken in response to the climate emergency.

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 (2022-32) of:
 - i. Empowered People
 - ii. Resilient Society
 - iii. Thriving Economy
 - iv. Sustainable Environment

Specifically, the mission to make Wiltshire a place where 'we are on the path to carbon neutral (net zero)'.

3. The update on the actions taken in response to the climate emergency is structured against the seven delivery themes of the draft climate strategy.

Background

4. At its meeting held on 26 February 2019 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.

5. As part of this motion, the council resolved that Cabinet should report to Full Council on a six-monthly basis regarding the actions the council is taking and will take to address the climate emergency. The fifth report was presented to Cabinet in February 2022.

6. A Global Warming and Climate Emergency Task Group was established by Environment Select Committee in 2019 to develop recommendations to seek to achieve the target of making the county of Wiltshire carbon neutral by 2030. The task group developed two reports and recommendations covering energy, transport and air quality (see Environment Select Committee papers for [13 January 2021](#)) and planning (see Environment Select Committee papers for [3 March 2021](#)).
7. In November 2021 the Task Group updated its name to the Climate Emergency Task Group and agreed its revised objectives as:
 - To help shape and influence the development of Wiltshire Council's programme (in all relevant areas) for meeting its objective of making Wiltshire Council carbon neutral and seeking to make the county of Wiltshire carbon neutral by 2030 (excluding the geographical area administered by Swindon Borough Council).
 - To scrutinise the delivery of this objective through the Climate Strategy (2022-2027) and its delivery plans, as well as key plans, policies and programmes, such as the Local Plan, Local Transport Plan and Green and Blue Infrastructure Strategy. Including the way in which the Council is measuring progress and how it is performing and reporting against baselines.
 - To provide recommendations on other aspects of decarbonising the county including partnership working and community-led approaches as well as acting as a national role model.
8. The Wiltshire [Climate Strategy](#) was approved by Council in February 2022. It sets out a framework for the council's climate programme under seven delivery themes. Page 18 of the strategy document commits us to developing delivery plans with more detail on actions and targets under the areas of focus in the strategy.
9. On 1 February 2022, Cabinet delegated permission to the Corporate Director for Place in consultation with the Cabinet Member for Climate Change to approve delivery plans for the climate strategy once developed (see item 21 [here](#)).
10. This report is to be considered by Cabinet on 11 October 2022.

Main Considerations for the council

11. The council has again made significant progress in responding to the climate emergency, as detailed below.
12. Following adoption of the [Climate Strategy](#) in February this year, delivery plans have been published which set out how Wiltshire Council will deliver its objectives. The first one, our [Carbon Neutral Council Plan](#) 2022-2024, focuses on achieving our commitment to be carbon neutral as an organisation by 2030. The second delivery plan - [Climate Strategy Delivery Plan for Wiltshire 2022-2024](#) - is outward-facing and focuses on actions that Wiltshire Council can take either alone or in partnership with others to lead the transition to a carbon neutral county.

13. Prioritisation of actions takes into account the Climate Strategy 'areas of focus' where it was clear that work needed to be done. Some of these were marked with an exclamation mark to indicate that work needed to start immediately. The actions have been prioritised according to their impact on carbon emissions, but also their ability to kick start the necessary change or generate the understanding that we will need to help us move to a carbon neutral Wiltshire. The plans also take into account co-benefits, feasibility and cost. A set of Key Performance Indicators (KPIs) will help us to track delivery and these are listed at the end of both delivery plans.
14. Work was carried out by the council and consultants Anthesis, specialists in providing support and expertise to organisations looking to be as sustainable as possible, to understand the specific measures required for the county to achieve carbon neutrality. The resulting Pathways [reports](#), published in May 2022, have provided the council with a clear picture of the way forward, progress made so far and have informed the delivery plans.

Public engagement

15. All 18 Area Boards have confirmed Addressing Climate Change / Environmental Issues as a priority for 22/23 and appointed an Environment Lead. A meeting of the Area Board Environment Leads in March 2022 identified a need to hold a webinar on electric vehicle charging infrastructure for town and parish councils. The webinar was held in September (see paragraph 25).
16. An update on projects in each area will be provided at the next 6 monthly update which is scheduled for May 2023.
17. Thirty-three people from across Wiltshire have been recruited to take part in a Climate and Environment Forum to be held online 2-4 times a year. The Forum is a reference group for Wiltshire Council's Environment directorate to enable a regular two-way dialogue and ideas sharing with a representative group of Wiltshire residents. The first informal meeting was held in July 2022 and the first formal meeting in October 2022 to discuss this progress update.
18. The #WiltsCanDoThis social media campaign was refreshed for 2022 with a focus on the cost of living crisis, and what people can do to save money which is also good for the environment
19. Between 15 August 2021 and 15 August 2022, 123 posts have been shared across Facebook and Twitter reaching 179.5k individual accounts (please note that Twitter doesn't provide this data so Twitter reach is not included in this figure). Our content was viewed by these individual accounts 278.1k times. There have been 2.4k clicks on links within the social media posts. There were also 137 comments on posts, 605 likes and 313 shares or retweets.
20. Top posts included grants to improve home energy efficiency and cost of living advice like washing clothes at a lower temperature and using the microwave instead of a conventional oven where appropriate.

Adaptation and Resilience

21. Wiltshire Council is a member of the Local Resilience Forum (LRF) along with organisations such as Environment Agency, NHS, emergency responders and Met Office. Recently the LRF Severe Weather Group has started to include climate change as a regular item on its meeting agenda, enabling the council's Climate Team to attend and play a more active part in this Forum focussing on resilience to the effects of climate change.
22. The council is aware of where flooding is taking place, and works in partnership with the Environment Agency, Natural England and other partners e.g. landowners to identify and reduce flood risk. This will include infrastructure spend of £400k on CCTV drainage repair work and then £400k completing land drainage schemes. Additional corporate capital funding of £500k per year has been made available for 3 years to mitigate flooding as a result of climate change and land use changes. New infrastructure is designed using Environment Agency flood risk data which has not informed existing pipe networks, and will take account of climate change.
23. In July Cabinet approved [proposals](#) which include £333,000 each year invested into emptying gullies. Currently the council spends £1.27m each year emptying gullies, with those on main roads or at most risk of flooding emptied once a year, and others cleared and emptied every three years. This new investment will pay for an extra combination jet vacuum unit to enable the highways teams to focus on problem areas throughout the county that are at most risk of flooding.

Delivery theme: Transport

Electric Vehicle Infrastructure

24. Progress has been made on implementing the council's Electric Vehicle Charging Infrastructure Plan (approved October 2021). The feasibility study into the replacement of existing EV charging infrastructure has been completed and the location of these charge points has been identified in line with the 2022-24 plan (see Appendix 1)
25. The council has carried out a tender process for provision and replacement of EV charging points at towns with a population of 10,000 or more with the aim for these communities to have at least one council-sponsored public EV charge point. The contract has been awarded and arrangements are being made for start of the contract. Timings of implementation will be communicated shortly. All of the council's electric vehicle charge points use electricity from a green tariff.
26. In addition to the replacement programme above, Town and Parish Councils are able to access support to apply for grant funding for EV chargers, with council grants of up to £2,500 per site. A webinar for town and parish councils and village hall committees was held on 14 September to communicate the council's approach to EV charging infrastructure, including plans for a longer-term EV infrastructure strategy and sharing information on grants from the Office of Low Emissions Vehicles (OLEV). Over 80

participants registered to attend, representing more than 60 organisations across the county.

Public transport

27. Wiltshire Council has been awarded £1.2m by the government's Department for Transport (DfT) to launch an improved flexible, on-demand bus service in the Pewsey Vale area. A consultation survey ran from 25 May to 15 July and allowed people to have their say and let us know what they would like to see from the service.
28. Flexible, on-demand bus services do not run to a set timetable like usual buses. Instead, they enable people to phone or book a bus service via an app, to take them anywhere within the service area at a time to suit them. In the case of this new service, the area it will cover takes in much of Pewsey Vale; from the eastern edge of Devizes, north to Beckhampton and Marlborough, and east to Collingbourne Ducis, Shalbourne and Froxfield, including Pewsey, Burbage, Great Bedwyn and Everleigh. This rural service would provide links to Devizes, Ludgershall and Tidworth, so people can take bus services to other towns.
29. The DfT has confirmed that the Devizes Gateway station project is to be developed further. The study will be led by Network Rail, working in partnership with Wiltshire Council, Great Western Railway and other local partners. The £400,000 study is planned to be completed by March 2023 and will build on the work undertaken for the Devizes Gateway Strategic Outline Business Case, which was submitted to the DfT in November 2021. The study will be made up of two main elements. The first of these will focus on Devizes Gateway and look at station infrastructure requirements, train services and station transport connections, such as bus services and cycling routes. The second element will focus on Westbury station and look at a strategic vision and timetable planning. The proposals meet the council's business plan objective to have well-connected communities.

Active travel

30. People in Wiltshire were consulted during August and September for their views on two cycling and walking plans, one for the whole of the county and one for Salisbury. The two Local Cycling and Walking Infrastructure Plans (LCWIPs) set out proposals for cycling and walking networks in each area and highlight how these will be improved to create connected networks for pedestrians and cyclists.
31. The Wiltshire LCWIP is an infrastructure framework for the whole county, while the Salisbury document focuses on the cycling and walking opportunities in the city and the local area. LCWIPs for Chippenham, Devizes and Trowbridge are also in development, but at an earlier stage of the process, and in the future the council will also work on LCWIPs for Amesbury, Bradford on Avon, Calne, Corsham, Malmesbury, Marlborough, Melksham, Royal Wootton Bassett, Tidworth, Warminster and Westbury. The council has engaged with the relevant Town Councils to produce the LCWIPs and encourages them to help deliver the infrastructure where possible.

32. The aim of the LCWIPs is to provide an environment that will enable and encourage more trips to be made on foot or by bike, and help to improve air quality, reduce traffic congestion and also cut carbon emissions. Where relevant, they will also be used to inform the planning process, and future funding from the Department for Transport for cycling and walking schemes will be linked to each final plan.
33. The council has recently completed a self-assessment for the newly formed Active Travel England. The results will be used to help inform the award of future development and capacity funding to enable the preparation of schemes for future bids. The council assessed itself as Level 1, which is the level that most councils are expected to be at this stage.
34. The council is working on a number of cycling and walking schemes around the county. Appendix 2 provides a summary of current progress. The latest project to be implemented is a substantial walking and cycling scheme between Winsley and Bradford on Avon which was completed during the school holidays. This scheme provides a safe route to the local secondary school from the village for pupils. Other active travel schemes are in the process of being prepared with a view to submitting bids when the opportunities arise.
35. An e-bike hire scheme is being set up in Salisbury, with docking stations at the hospital and at the railway station. The aim is to expand this to Amesbury and Stonehenge to promote green tourism once further funding is available.
36. The council is reviewing the demand for bike hangars using the data collected in Salisbury in a survey we ran with Co-Cars. We will use this to select preferred sites for a pilot and will discuss these potential pilot locations with the relevant ward councillors.
37. Bradford on Avon town council is talking to Co-Cars about running a demand survey for a car club and we will help publicise this once it is finalised. We are looking into funding such as Defra Air Quality funds which might be used to implement the pilot scheme.

Air Quality

38. The 2022 Annual Status Report (ASR) has been submitted to DEFRA which reports in detail on the progress made in addressing poor air quality in the 8 Air Quality Management Areas (AQMAs) in Wiltshire. All Wiltshire's AQMA have been declared due to exceedances in NO₂ from road traffic. Once the ASR has been accepted by DEFRA it will be available on the council's website.
39. The Wiltshire Air Quality Action Plan (AQAP) is in the process of being updated and will be subject to public consultation later this year. We will be using Community Infrastructure Levy funding for replacement of our elderly real time monitoring stations and will be shortly commencing a procurement exercise to replace these and add a new station in Calne.

Delivery Theme: Housing and the Built Environment

40. The Council, as Local Planning Authority, is [legally obliged](#) to ensure the policies of the Local Plan Review, when taken as a whole, are designed to ensure that new development contributes to the mitigation of, and adaptation to, climate change. As part of current work on the Local Plan, two policy themes are being developed that relate to the review of Core Policies 41 (Sustainable Construction and Low Carbon Energy) and 42 (Renewable Energy).
41. In terms of sustainable construction, the preferred policy direction is seeking to employ a fabric first approach to the design of new buildings that incorporates energy use and space heating standards. Such policies are considered to be achievable and sound with very little additional increase in build costs when compared to current building regulations. Evidence on this matter has been developed through an extensive peer review of policies in other Local Plans, including work that has recently been the subject of independent examination by the Planning Inspectorate. Further testing of our draft policy will be undertaken later this year through viability assessment and sustainability appraisal.
42. Whilst Core Policy 42 of the Core Strategy remains compliant with national planning policy, the evidence base that supports it is being updated to inform the development of the policy. A new Renewable Energy Study is being prepared by Land Use Consultants and the Centre for Sustainable Energy. The Study will assess the technical potential for renewable energy renewable and low carbon energy, as well as factors that may affect the extent to which technologies can be deployed e.g. grid connection capability, planning constraints and economic barriers. An important element of the Study involves undertaking landscape sensitivity testing for various scales of wind and ground mounted solar development which will include assessments of direct, indirect and cumulative impacts.

Housing retrofit

43. The [Housing Energy Efficiency Programme](#) (HEEP) which will retrofit all 5,000 council homes by 2030 has started and we have carried out retrofit assessments for the first 800 properties. The aim of the project is to reduce the amount of CO₂ produced by 15,000 tonnes across our housing stock.
44. 90 council homes have been retrofitted ahead of the main HEEP using Green Homes Grant Local Authority Delivery Scheme 1b funding. 211 measures have been installed, including: loft insulation, cavity wall insulation, ventilation, LED lights, smart hot water cylinders, air source heat pumps, Quantum storage heaters, PV panels, solar diverters (hot water from PV), heating controls. We have spent £480,000 of the grant and have had good feedback from BEIS with regards to the wider programme and communications.
45. The [Warm and Safe Wiltshire service](#) continues to be delivered by Wiltshire Council and Swindon Borough Council, in partnership with Centre for Sustainable Energy (CSE). Free advice is offered to households on energy efficiency and cutting energy

bills, in order to help residents live in safer, healthier homes. The service has been used by 654 households in the months April to July 2022.

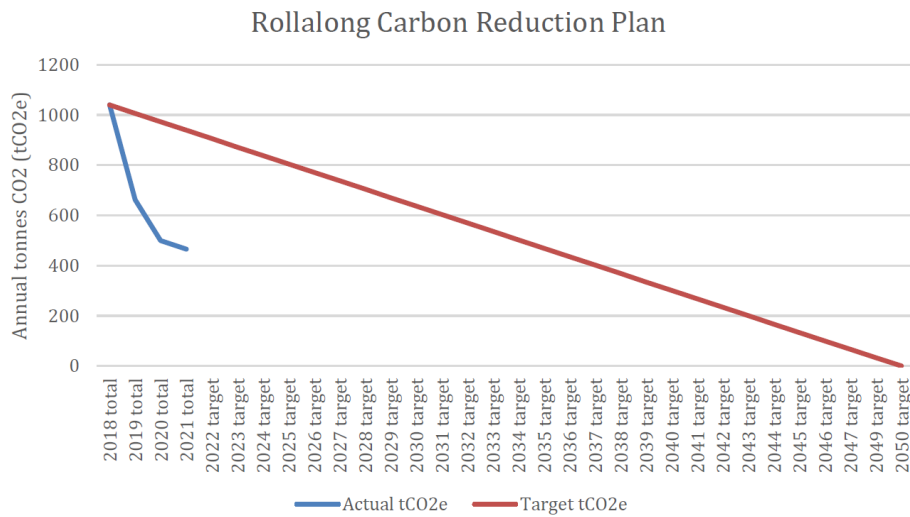
46. The Retrofit Project is another project being carried out in partnership with CSE, aimed at finding out more about the retrofit experience and understanding retrofit needs for different types of homes in Wiltshire. The study engages with a number of households that have contacted the Warm and Safe service, advises them on the measures needed to retrofit their home, such as insulation, installing heat pumps or solar panels, and also finds out about how the residents are impacted by the changes. The desktop element of this research has been completed and will provide information on different housing archetypes and identify real life experiences and challenges to retrofitting existing private sector housing stock.

Private Sector Housing

47. An initiative has been undertaken in South West Wiltshire to identify privately rented properties with poor Energy Performance Certificates (EPC) of F & G which by law should not be let out, and also those properties with no EPC at all. The council has identified 50 plus properties since November 2021 that did not have EPCs and has negotiated with the landlords for these to be completed, providing education about legal requirements at the same time. South West Wiltshire has a higher proportion of properties that have poor EPC ratings compared with other parts of the county.

New Build Social Housing

48. The council has tendered a 3 year contract to find a Modern Method of Construction (MMC) provider to deliver 1000 new affordable zero carbon homes. MMC is a process which focuses on off-site construction techniques, such as mass production and factory assembly, as alternatives to traditional building. The process has been described as a way to produce more, better quality homes in less time. By pooling our demand with other like-minded organisations we can enable these efficiencies by ordering homes from a set of standard house types.
49. This tender was undertaken in collaboration with Magna Housing Association and the contract has been awarded to Rollalong who are currently working on our pilot programme of 19 zero carbon council homes. The factory is based in Wimborne, Dorset and enables opportunities for local employment. During a time of huge price increases and price uncertainty, the tender price, albeit 12% higher than the pilot order based on 2019 prices, has been fixed until March 2023. Therefore all orders placed by March will come with cost certainty.
50. The tender process was the first to include a Cost, Quality and Social Value procurement split with Social Value making up 10% of the overall score. The Social Value to this contract offered over £8m of social value to Wiltshire Specifically.
51. In terms of the quality questions, a strong focus was placed on the commitment of the factory delivering zero carbon homes offering an efficient end product for our customer as well as evidencing their own roadmap to reducing embodied carbon (see chart below).



52. Planning determination has been achieved on our Rowde site, which will deliver 10 of the pilot homes. Planning is awaited for Corsley. It is anticipated that all 19 units will be completed on site by April 2023.

Non domestic retrofit

53. In February 2022, the council in association with Community First, held an online event for members of the Wiltshire Village Hall network with a focus on village hall buildings and their path to net zero. The event was attended by 28 people from a range of village halls. Information was shared on the ‘Fabric First’ approach and low carbon technologies, with a focus on providing further information for village halls to take away and consider. Two thirds of the halls had already had some improvement measures to their existing buildings. Village Halls that were already on their low carbon journey shared their experience of undertaking measures, and how they were funded.

Delivery theme: Natural Environment

Engagement

54. On 15 July 2022, Wiltshire Council hosted a [Natural Environment Summit](#) to bring key groups and organisations together to discuss opportunities to make meaningful long-term improvements to local biodiversity. A number of organisations and groups attended, including National Trust, Royal Society for the Protection of Birds (RSPB), Wiltshire Wildlife Trust, Salisbury & Wilton Swifts and the River Marden Project. The purpose of the Natural Environment Summit was to better understand and explore the different collective expertise available and to share knowledge and ideas. It also looked at ways to work together to boost nature's recovery and mitigate climate change. A variety of topics were discussed, including a detailed look at the Environment Act and its opportunities, biodiversity net gain, and the important role of landowners in nature's recovery.

55. The council is at the very early stages of engaging with landowners and their agents to see what initiatives are being proposed to help with climate mitigation and nutrient offsetting and to find out how we can help to facilitate these plans when suitable.
56. As part of a pilot study to test community engagement techniques for the roll out of local-level plans (Settlement Frameworks) to support the [Wiltshire Green and Blue Infrastructure \(GBI\) Strategy](#) and the Local Nature Recovery Strategy, the council undertook face to face community engagement with four communities across Wiltshire in March 2022. Devizes, Calne, Trowbridge and Bradford on Avon were chosen. The council secured £10,000 of funding from Natural England to undertake work with local consultants on ways to engage the public.. As well as reviewing existing local GBI' (e.g. green open spaces, woodlands, river corridors, canals)' and mapping the data, this engagement allowed us to find out what GBI projects local communities were currently engaged in and wished to see in the future. The engagement process also introduced the [Community Environmental Toolkit](#) and explained how it could be used to assist communities.
57. The council is starting to work with the Environmental Farmers' Group to look for opportunities for environmental offsetting. It is a farmer co-operative to improve our local environment and to facilitate access to the new environmental schemes and trading opportunities, supported by the Game and Wildlife Conservation Trust. We also work with local farm cluster groups in the Hampshire Avon catchment. This initial work has focussed on the delivery of cover crops in the Hampshire Avon catchment for water quality reasons, but there will be wider benefits from these schemes.

Wildflower areas

58. Wiltshire Council implemented works to trial rewilding and wildflower areas across rural road verges and more urban grassy areas and parklands, to increase biodiversity and improve the natural environment. Sixteen areas chosen by towns and parish councils throughout Wiltshire have been left unmown to allow for rewilding to take place, as native flora and fauna are left to grow. Rewilding is aimed at restoring an area's natural process, creating natural ecosystems that require little or no management.
59. Wildflower areas will not only increase biodiversity, creating vital habitats for insects and other wildlife and attract natural pollinators such as bees, but also breathe new life and colour into the county's roads and grassy areas. Each designated area will receive a single cut in March and then be left uncut until September to allow the native fauna and wildflowers to thrive. More information including the list of areas can be found [here](#).

Woodland creation

60. The council submitted a joint bid with Swindon Borough Council's Great Western Community Forest team to the Woodland Creation Accelerator Fund. The bid was for £300,000 to fund 3 full time woodland officer fixed term (2 year) posts and one part-time fixed term data mapping / funding officer (2 years) to support the facilitation of tree planting across the county in partnership with communities and landowners and

the third sector. The tree officers would act as coordinators for a relaunched Wiltshire and Swindon Tree Warden network in association with the Tree Council. As part of the bid we set targets for woodland planting delivery for the 2023-24 and 2024-25 planting seasons as well as committing to delivering tree planting in at least 3 lower super output areas in the 25% most deprived.

61. We should know soon whether we have received the funding, with the first tranche of funds being released to the successful bidders soon thereafter.

Salisbury River Park

62. The [Salisbury River Park](#) £27 million transformational scheme aims to reduce flood risk to over 350 homes and businesses in Salisbury. It will also create 2 hectares of enhanced riverside habitat for the benefit of wildlife, remove obstructions to allow fish migration to continue upstream and create 13 hectares of high quality public open space, including enhanced foot and cycle paths that benefits residents and visitors. The Salisbury River Park project is a collaboration between the Environment Agency, Wiltshire Council, Salisbury City Council and Swindon and Wiltshire Local Enterprise Partnership.
63. A programme to plant over 600 trees throughout the Salisbury River Park project started in June 2022 with the first new trees planted along Coldharbour Lane, near Fisherton Recreation Ground. Nine Hornbeam trees have initially been planted to replace the Ash trees that were recently removed due to ash dieback disease. This will be followed over the next 18 months, as construction continues, by a variety of native tree species being planted throughout the scheme. Around 100 trees have had to be removed to enable the main scheme works to start next month. This is the earliest the main works could commence due to ecological restrictions on the timing of any works within the river channels.
64. In the first phase, the River Avon channel in the Central Car Park will be dewatered to enable work to start in the river channel. Excavation work will also start in Central Car Park and Fisherton Recreation Ground. A temporary play area will be built in Ashley Road Open Space. Foundation works will also commence at Ashley Road for the construction of a flood defence wall.

Delivery theme: Energy

65. The Solar Together Wiltshire collective buying project launched in May and attracted more than 10,000 registrations across Wiltshire and Swindon. Of these, more than 1000 Wiltshire residents and businesses have now paid a deposit to have solar photovoltaic panels and/or battery storage installed by Infinity Renewables or EE Renewables over the next 6 months. This project will add to the renewable generation capacity in Wiltshire and save money for bill payers. A final report of the project will be available for the next progress update.
66. The council has commenced senior-level discussions with Scottish and Southern Electricity Network, our local Distribution Network Operator, with the aim of easing grid constraints in the county. An increase in grid capacity is crucial to enable delivery

of low carbon technologies such as renewable energy, heat pumps and electric vehicle chargers.

Delivery theme: Green economy

67. Wiltshire Council has allocated £1 million a year between 2021-2025 to support activity on the high street, providing meaningful and transformational support to grow businesses, support employment and transform Wiltshire's high streets to meet the needs of the local community. Wiltshire Council's business plan enshrines our commitment to creating and supporting vibrant town centres. An improved offer and experience of town centres and high streets will support an increase of local people using their local centre. Additional environmental benefits are expected as proposals are developed.
68. In April 2022 Government published its UK Shared Prosperity Fund ("UKSPF") prospectus, requesting Local Authorities to prepare Investment Plans to set out how they will invest allocations for levelling up in their area. The government indicated its allocation of £5.7m UKSPF to Wiltshire Council. Investment made under this fund will be able to demonstrate the extent of contribution to net zero and nature recovery objectives, including the UK's legal commitment to cut greenhouse gas emissions to net zero by 2050, wider environmental considerations, such as resilience to natural hazards and the national 25 Year Environment Plan commitments. Projects will support green growth by considering how they can work with the natural environment and consider their impact on our natural assets and nature.

Skills development

69. The council worked with John of Gaunt School to bring climate science and green jobs to life through the Careers Hub's "Embedding Careers into the Maths Curriculum" project. The project was aimed at encouraging girls to study maths to a high level and to demonstrate to all students the ways that maths is used in a wide variety of jobs. The project involved two classroom sessions looking at how maths is used by the council's climate team, how statistics and graphs are used to present climate science, and the students used the results of the Climate Strategy survey in 2021 to present the results to Cllr Tamara Reay using pictograms, bar graphs and posters. The class then visited County Hall to see the sustainable aspects of the building, as well as seeing the council chamber and taking part in some climate related activities.
70. A draft Green Skills Action plan for Wiltshire and Swindon is being developed by the Green Skills Task and Finish group, a subgroup of Swindon and Wiltshire's Local Enterprise Partnership Skills and Talent Board. The plan aims to ensure demand for upskilling existing employees in sustainable practices is met with sufficient provision and that demand for new jobs to support net zero is met by the supply of appropriate provision. Reports will be produced on a six monthly basis for the duration of the planned actions (2022 – 2026) to set out progress on the aspiration for greater numbers of green jobs in the economy.

Engagement

71. [Birchall Tea](#) in Amesbury achieved the Carbon Neutral International Standard a few years ago and the council has been using this company as an exemplar of what can be achieved, to celebrate their success and share knowledge between businesses to enable them to learn from each other.
72. The council has held a consultation for a report on what our Inward Investment strategy should be and to highlight any barriers to companies looking to locate in Wiltshire. The report is now complete and one of the sectors that is highlighted as an area of opportunity is the green economy.

Delivery theme: Waste

Waste collection service

73. New countywide collection rounds for residual non-recyclable waste were implemented between 28 February and 11 March 2022. These more efficient rounds have allowed for the collection vehicle fleet to be further reduced by 4 vehicles to 117 (the waste collection contract began operating in 2018 with 149 vehicles. This reduced to 121 vehicles in 2020 following the implementation of more efficient collection rounds for mixed dry recycling).
74. A review of the efficiency of the collection rounds for garden waste are planned for later in 2022.
75. Proactive communications continue to be delivered via social media and other appropriate channels to encourage residents to continue to recycle as much of their waste as possible, and to provide information to help reduce levels of material contamination.
76. A review of communal waste and recycling facilities, typically provided for domestic multi-occupancy premises, has been completed to ensure that the containment provided is adequate and supported by the necessary signage to allow occupants to fully utilise the facilities provided. Activity is planned during the remainder of 2022 to upgrade facilities where such interventions have been identified as being needed. This is a crucial step towards increasing the quality of recyclables collected, and to reduce the levels of recycling contamination with “non-target” materials or general refuse.
77. The council’s waste contractor and client team have actively participated in demonstrations and trials of Electric Vehicles designed for waste collection activities, aimed at informing future service design opportunities. Representatives of the council and the waste contractor have also visited a key vehicle manufacturing facility to help understand the feasibility and opportunities of moving the substantially sized waste collection vehicle fleet to alternative fuel and so inform future service design and procurement options.

Household recycling centres

78. In January 2022, the waste service commissioned a detailed compositional analysis of the non-recyclable waste collected at the council's Household Recycling Centres (HRCs). The results of the analysis highlighted that 45% of the material typically received as residual waste across the HRC network was either recyclable or suitable for reuse. This indicates that much of this material had not been pre-sorted before being brought to site for disposal. The analysis also showed that 8.1% of this material, typically disposed of as "residual non-recyclable waste", was suitable for collection via the council's blue-lidded bin kerbside recycling service (i.e. plastic bottles, pots, tubs and trays, glass bottles and jars, aluminium and steel cans, and cardboard and paper).
79. The council has calculated the carbon impact of operating the HRC service. This analysis has shown that 85% of the carbon emitted by the HRC service results from the disposal of waste and recycling which is received at the sites, with only 10% of carbon resulting from residents visiting the sites in their vehicles and 4% of emissions arising from the haulage of collected waste and recycling. 1% of emissions arise from direct site operations, such as compacting waste. Whilst disposal of non-recyclable waste equates to under 30% of the overall waste collected at these sites, as this waste is all sent to landfill, it is responsible for emitting over 90% of the carbon produced. Diverting sorted black bag waste collected at the household recycling centres to an energy from waste facility is estimated to have the potential to save more than 10,500 tonnes of CO₂e per annum.
80. Based on this data, the council is actively developing proposals to introduce initiatives to reduce the amount of HRC waste which is sent to landfill.
81. A paint re-use trial has commenced at the Amesbury and Salisbury HRCs, and is being widely promoted to Wiltshire council tenants in the South of the county. This will also be promoted among other community groups to encourage them to access free paint available at these HRCs, and therefore help the council avoid the expensive treatment costs that disposing of this waste product can incur. Consideration will be given to extending this approach to other HRCs across the county once the results of the trial have been assessed later in 22/23.

Publication of the 2021/22 End Destination Register

82. The council monitors the destinations of material collected for recycling, composting and reuse as far as is practicable from data supplied by its contractors. It publishes an End Destination Register every year to summarise this information and provide residents with information as to where their waste has been sent to be managed. The 2021/22 register has been published on the council's website since the last update and shows that 94.8% of the material collected for recycling, reuse and composting was managed within the UK, thereby reducing the "waste miles" travelled. The remaining 5.2% was managed at facilities in Europe.

Recycling and Landfill Diversion

83. Wiltshire's household recycling rate outturn for 2021/22 was 42.5%. This is the proportion of household waste managed which is recycled, composted or sent for reuse.
84. Through a combination of this activity, together with the amount of residual non-recyclable waste sent to waste treatment facilities to either generate energy or produce a fuel, the council diverted 80.9% of the waste it managed from landfill (2021/22).
85. The council continues to subsidise the cost of purchasing food waste digesters and compost bins for Wiltshire residents, to support those that wish to compost their food and garden waste at home. Between August 2021 and June 2022, 749 Green Johanna's were purchased by Wiltshire residents. These composting units are estimated to have collectively diverted over 187 tonnes of food and garden waste from the residual household waste bins, which saves carbon emissions from collection and treatment. The ability to produce a good quality home compost that avoids the need for commercial peat-based compost and chemical fertilisers also brings significant carbon reduction benefits.

Delivery theme: Carbon Neutral Council

86. The council is working with the Carbon Literacy Project to deliver carbon literacy training and 13 staff completed a successful pilot course in July. Carbon Literacy is defined as: "An awareness of the carbon costs and impacts of everyday activities and the ability and motivation to reduce emissions, on an individual, community and organisational basis". The aim of the one day course is to create a low carbon culture, where those attending understand the scale of the problem and feel empowered to take action on climate change as well as support and accept climate mitigation policies.
87. A council working group has been developing specific actions for Leisure, Libraries and the History Centre which include energy use reduction as well as opportunities to engage the community given their unique contact with the public. Leisure Centres are one of our highest energy users and Malmesbury Health and Wellbeing Manager has started pulling together ideas for energy savings in leisure centres and will work with centre managers and our Energy Team to roll it out.
88. Libraries have signed up to the Green Libraries Manifesto and submitted a bid to Green Libraries for books and resources on sustainability.
89. The History Centre uses the sustainable laboratory standard and is able to use its role as adviser to Wiltshire museums to share best practice particularly in relation to energy efficiency and collections conservation and storage practices.
90. The council [publishes](#) an annual report on the greenhouse gas (GHG) emissions arising from its own estate and operations in line with the [Greenhouse Gas Protocol](#). Emissions included arise from council owned or controlled estate or buildings, council

operational fleet, streetlights and business travel. The figures exclude emissions from schools and academies, social housing and outsourced operations. In 2014-15 scope 1 & 2 emissions were 23,758 tonnes of CO₂ equivalent and in 2021/22 were 5275 tonnes of CO₂e. The council's GHG emissions fluctuate from year to year due to acquisition and divestment of buildings, change of use of buildings, seasonal weather conditions which affect the need for heating and cooling buildings, and improvements to energy efficiency made during the year. The council is engaged in a range of work to deliver savings in emissions and costs. Examples include rationalisation and improvement of the council's property portfolio, investment in energy efficiency measures within the remaining estate such as lighting and heating equipment upgrades, investment in appropriate renewable energy technologies and the replacement of street lighting units with LED lights which use considerably less energy. During accounting year 2020/21 occupancy and usage of buildings and staff travel were affected by COVID-19, which meant that carbon emissions went up in 2021/22 as normal operations resumed.

Procurement

91. Following a robust procurement process, the council has awarded its new Streetscene contract to Idverde, the current contractors. Streetscene covers a wide range of services, including grounds maintenance, grass cutting, street cleaning, delivering election materials to polling stations and keeping play areas safe and tidy.
92. The new contract will bring the council a £400,000 annual saving against the current spend and will also see year on year carbon reduction until the contract is carbon neutral by 2030. It also includes targets for environmentally managed land areas and a range of social value benefits, too - the contract will look to include community support, with Idverde to provide Streetscene activity days, equipment or training. The carbon benefits are being delivered by the electrification of the fleet and by moving to alternative fuels for machinery, such as the biofuel hydrotreated vegetable oil. The move to more sustainable land management is also built into the contract with a target to support fauna and flora through schemes such as wildflower areas.
93. Wiltshire libraries have recently been through a procurement for library stock provision. The Libraries are members of the Consortium for United Stock Purchase (CUSP) which is a group of 12 local authorities from the South West that collaborate during tendering and contracting library stock, the group consists predominately of public libraries with some Schools Library Services too.
94. During procurement specific questions were asked about: social value; environmental sustainability and carbon management policies; a description of how suppliers plan to reduce their carbon emissions; their engagement with publishers regarding sustainable book production and delivery; and adoption of more sustainable packaging and labelling materials. The latter covered what steps they are taking to reduce the use of single use plastic in the book jackets and sleeves.

Pensions and investments

95. Wiltshire Pension Fund (WPF) is an early adopter of the Task Force on Climate-related Disclosures (TCFD). WPF is a separate entity from the council with its own governance and board, which has agreed a goal to work towards net zero by 2050. WPF has published their second annual report including an indicator showing the carbon intensity of their investments (please see full [report](#)). As of March 2022, 4.5% of the fund was invested in renewable energy, a very significant increase on the previous year, while the proportion invested in fossil fuels reduced to 1.5%.
96. As set out in the annual Treasury Management [report](#) to Cabinet in July 2022: 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. Where appropriate, the council will consider investments that deliver environmental and social benefits, whilst maintaining our Security, Liquidity and Yield criteria.
97. In March 2022, the Council made an investment with Standard Chartered Bank, which was classified as a 'sustainable deposit'. This investment was recently renewed for another three months at 1.24% which was in line with market interest rates. Standard Chartered Bank report that the deposit is linked to sustainability and the [sustainable development goals of the UN](#), which focus on addressing global challenges such as poverty, inequality, and prosperity as well as climate change.
98. The council is investigating the possibility of setting up a new money market fund with Northern Trust Asset Management. Northern Trust reports that the fund incorporates their custom ESG strategy and metrics, as they take the first steps towards the integration of sustainability.

Fleet

99. The council's emerging Fleet Strategy includes key climate and greenhouse gas objectives to transition the council's fleet to electric and alternative fuels; decrease mileage and fuel consumption through telematics and feedback in vehicles; pool cars to be reduced in size and increasingly electric; explore offsetting until full carbon neutrality is achievable. The council has ordered 10 EV pool cars, 15 EV vans, and a further 17 EV vans are going through the procurement process.
100. The council's emerging Depot Strategy will incorporate EV charging of council fleet vehicles and funding for a feasibility study has been secured. A working group has been set up and the council is currently identifying the depot service requirements.

Static emissions

101. The Property Carbon Reduction Programme (PRCP) has so far delivered 50 completed projects with 17 more currently awarded and underway. These range from LED lighting upgrades to PV solar panel installations to the removal of oil fuelled heating and other carbon saving works. This represents a total capital commitment of £3.5m and is so far estimated to save 1500 tonnes of CO₂ per year from the council's

carbon footprint. Estimated carbon savings are being verified using the billing and meter data from each site. More information on this will be ready at the next report.

102. The programme has focused specifically on PV installations during 2022 in response to the energy market price rises, as they will help to mitigate the impact of those increased costs. The council now has over 1,600 kWp of electricity generation installed on corporate properties which it is estimated will have reduced energy bills by over £130,000.
103. Thanks to sustained investment in solar PV over time and the above recent programmes of work, in 2021/22 we generated over 550,000 kWh renewable electricity on the corporate estate.
104. We have also been looking at a programme of solar canopy installations in sites where there are suitable council owned car parks sited next to high energy using buildings. The first site for this programme to be rolled out will be Five Rivers Leisure Centre in Salisbury. Planning agreement has been obtained for the work which should be completed in Spring 2023.
105. As reported in the last update, in addition to the council's own funding through the PRCP, £4.5 million of government funding was secured from the Public Sector Decarbonisation Scheme to carry out work during 2021 to decarbonise 4 major sites and to improve energy efficiency at 12 others. All of the work on site has now completed, and the switch over from gas to electric at 4 Heat Pump sites is complete.
106. In 2022 we secured a further £961,753 of Public Sector Decarbonisation Scheme grant funding to decarbonise 3 sites by installing biomass boiler systems. These works have been tendered and have started at Lime Kiln Leisure Centre and Warminster Leisure Centre. The third site, Monkton Park, is waiting for planning permission to determine if it can go ahead.
107. A grant of £99,775 has been secured from the Low Carbon Skills Fund to develop detailed Heat Decarbonisation Plans for 17 high energy use buildings where fossil fuels are still used for heating. This work will be completed before March 2023.
108. The £12 million project to convert the council's streetlighting to energy efficient LED lighting is complete for all standard streetlights in Wiltshire. The remaining units being heritage and special units, of which 420 have been converted out of 2500. The project is predicted to be complete by the end of March 2023. The equivalent of around 1770 tonnes of CO₂ will be saved each year, which will also provide significant cost savings for the council in future years as well as reduced maintenance costs.

Overview and Scrutiny Engagement

109. The Pathways reports were presented to the Climate Emergency Task Group on 13 May ahead of a presentation by Anthesis consultants to all councillors on 26 May. The Climate Emergency Task Group commented on the Climate Strategy delivery

plans at its meeting on 5 August 2022. On 6 May 2022, the Task Group received a briefing from the Army on their response to the climate emergency.

Safeguarding Implications

110. The impacts of climate change are amplifying safeguarding issues and falling heavily on vulnerable people both globally and in the UK.
111. Evidence suggests that vulnerable demographic groups experience disproportionate effects on their health outcomes from climate related impacts.
112. This includes young children, babies and older people who are particularly affected by extremes in temperature and the disruption caused by severe weather such as flooding¹. People with physical or mental health problems have a lower ability to act due to physical constraints or a lower awareness of their circumstances. People with low personal mobility or living in areas with lower accessibility of services tend to have less ability to respond and recover because it may take them longer to help themselves or to seek and receive help from others.

Public Health Implications

113. Climate change and public health are inextricably linked. Adopting a climate strategy for Wiltshire, which looks to reduce carbon emissions in Wiltshire, will have a significant and positive impact on the health of the population. Actions from implementing the strategy will improve health outcomes for all residents and help reduce health inequalities. Better home insulation will not only reduce emissions but also provide healthier homes for some of our most vulnerable people. Active travel schemes will help increase levels of physical activity, connecting people to their local communities and potentially leading to improved air quality through reduced car use. Local food production will decrease food miles, benefiting the environment, whilst providing healthier choices.

Procurement Implications

114. Project leads will be engaging with Procurement directly and in line with the council's procurement policy.

Equalities Impact of the Proposal

115. One of the key principles is for the Climate Strategy to be equitable, ensuring the transition to low carbon, climate resilient future is fair.

Environmental and Climate Change Considerations

116. 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.

¹ [Socially vulnerable groups sensitive to climate impacts | Climate Just](#)

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

117. This paper is for Cabinet and Council to note and does not require a decision to be made.

Financial Implications

118. In response to the acknowledgement that there is a climate emergency and the resolution made by Council to make the county of Wiltshire carbon neutral by 2030, a Sustainable Environment is a key principle of the Council's Business Plan.
119. As part of the Budget Setting process, Revenue and Capital budgets have been updated to deliver against this objective, this includes continued investment, new investment and savings and covers the programmes listed in the report above.
120. The emerging Fleet Strategy which is due to be consulted on and agreed in 2022 will require further capital investment in vehicles and infrastructure and seeks to deliver a carbon neutral provision for 2030 for all council vehicles.
121. The Pathways [reports](#) by Anthesis consultants published in May 2022 set out anticipated costs and benefits to the council and to the Wiltshire economy of delivering carbon neutrality.

Legal Implications

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

Workforce Implications

123. Replacement of our fleet with electric vehicles where possible and encouraging staff to use the new bikes being provided for short journeys will require changes to ways of working. The Climate Strategy also commits us to rolling out carbon literacy training to staff.

Options Considered

124. The only option considered is to note the report.

Conclusions

125. 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 and continue to progress as set out in this report.

Parvis Khansari, Corporate Director – Place

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Appendices

Appendix 1: List of EV charge points planned

Appendix 2: Active Travel update

Appendix 1

Locations currently identified for new or replacement electric vehicle charge points (EVCPs), in line with the [EV charging infrastructure plan](#).

Phase one - installation or replacement of more than 8 fast charge points in identified public car parks. Each charge point will serve two charging bays.

Phase two - installation of more than 7 fast charge points either new or replacement in public car parks and at other public locations including at leisure centres and tourist destinations. Each charge point will serve two charging bays.

Additional sites are being explored to provide EVCPs in every urban community area with a population over 10,000 (2011 Census).

Installation site address and postcode	Type of charge point for replacement/ installation	Number of units	Number of Bays
Wilton (Park and Ride) SP2 OAN	7kW Dual Alfen Eve Proline	1	2
Trowbridge County Hall, Library Car Park BA14 8JN	7kW Dual Alfen Eve Proline	1	2
Borough Fields, Royal Wootton Bassett, SN4 7AX	7kW Dual Alfen Eve Proline	1	2
Station Road, Devizes, SN10 1BZ	7kW Dual Alfen Eve Proline	1	2
Tisbury Community Campus, Weaveland Road, SP3 6HJ	7kW Dual Alfen Eve Proline	1	2
Britford (Park and Ride), Salisbury, SP5 4DS	7kW Dual Alfen Eve Proline	1	2
Petersfinger (Park and Ride), Salisbury, SP5 3BZ	7kW Dual Alfen Eve Proline	1	2
London Road (Park and Ride), Salisbury, SP1 3HP	7kW Dual Alfen Eve Proline	1	2
Beehive (Park and Ride), Salisbury, SP4 6BT	7kW Dual Alfen Eve Proline	1	2
Sprinfeld, Corsham, SN13 0BS	7kW Dual Alfen Eve Proline	1	2
Five Rivers Leisure Centre, SP1 3NR	7kW Dual Alfen Eve Proline	2	4
Melksham Campus, SN12 8DQ	7kW Dual Alfen Eve Proline	3	6
Sadlers Mead, Chippenham, SN15 3QP	7kW Dual Alfen Eve Proline	6	12
Gladstone Road, Chippenham, SN15 3DW	50kW Kempower C Station	1	2
King Street, Melksham, SN12 6HB	50kW Kempower C Station	1	2

Installation site address and postcode	Type of charge point for replacement/ installation	Number of units	Number of Bays
Lovemead Car Park, Trowbridge, BA14 8EA	50kW Kempower C Station	1	2
Central Car Park, Warminster	50kW Kempower C Station	1	2
Brown Street (West), Salisbury, SP1 1HE	50kW Kempower C Station	1	2

Appendix 2

Active Travel - Update September 2022.

Information about current schemes currently under construction can be found at [New active travel schemes - Wiltshire Council](#)

Cycling and Walking Schemes.

Scheme Name	Location	Description	Status
Hilperton Road, Trowbridge	The Halve to Quarter Way Lane	Cycle super highway, two toucan crossings, and a shared-use path	Completed May 2022.
Hilperton Road to Melksham	A361 Hilperton Road, Trowbridge to Melksham via Semington	Cycle path comprising segregated cycle facilities, shared-use paths, point closures and utilisation of a country byway	Substantially complete.
Easton Lane	Easton Lane linking Corsham and Chippenham	Part of NCN 403 between Corsham and Chippenham; point closure and signage improvements at the Corsham end.	Completed in summer 2022
The Centre	The Centre, Amesbury	Shared-use path from School Lane to the High Street	Construction completed summer 2022.
Winsley to Bradford on Avon	B3108 between Downs View, Bradford on Avon and Winsley	Shared-use path linking St Lawrence School and Winsley	Construction completed in September 2022.
RWB to Swindon cycle link	Between Royal Wootton Bassett and Swindon	Shared-use path partly on the highway but mainly across open country.	Land acquisition and design is ongoing.
Fugglestone cycle path	Wilton Hill to Fugglestone, Salisbury	Shared-use path between Wilton Hill and the Fugglestone Red estate.	Design and survey work being undertaken.
Quidhampton Path	Lower Road to the A3094/A36 junction, Quidhampton	Shared-use path from Lower Road via Edgam Place and through field to the A3094/A36.	Land acquisition has been agreed and designs are being finalised.
Longhedge to Old Sarum eastern Path	Old Sarum / Longhedge Village, Salisbury	Connecting SUPs between the two housing developments	Land acquisition is complete, survey and design work is being undertaken. Construction planned in 2023.
North Wilts Rivers Route	Between Chippenham and Calne	Sustrans cycle route along former railway line between	Route relies on short-term leases. A long-term approach to

Scheme Name	Location	Description	Status
		Chippenham and Calne	securing the route is being investigated.
Salisbury Road, Amesbury	Archer's Gate to Amesbury town centre	Shared-use path from Archer's Gate to Amesbury centre	Preliminary design work being undertaken. Third party land required to deliver the scheme.
Countess Roundabout, Amesbury	A345, Amesbury town centre towards Woodhenge, Larkhill and Durrington	Widen existing footway to create a shared-use path	Consultation is being undertaken on the section south of the roundabout.
Larkhill/ Packway Cycle links	The Packway and B3086 to Airman's Cross	Surfacing of bridleway north of the Packway to create a walking and cycling route while retaining an adjacent unsurfaced bridleway.	Feasibility work being undertaken on routes that connect Airman's Corner to the Rollestone Camp.
Monkton Park	Monkton Park, Chippenham	Upgrade of footpath in the park to a shared-use path	Officers working with the town council and the cycle development group to upgrade a path to shared use.
Melksham to Oaksfield cycle path	In the vicinity of Melksham Oak School	Footway and cycleway link mainly on existing RoW and Wiltshire Council land	Preliminary design work is being undertaken.
Cow Lane to London Road	St Mark's Roundabout to Cow Lane, Salisbury	Shared-use path	Design work has been commissioned.
Rudloe to Corsham footway	B3109 Rudloe and Corsham (Park Place to Skynet Drive)	Provision of new footway (230m) between Rudloe and Corsham	Scheme will be progressed when resources are available.
Green Lane	Bishopsdown to Longhedge	Upgrade of RoW to connect to the Old Sarum development	Design work has been commissioned.
Solstice Park link	Solstice Park to the Centre, Amesbury		Feasibility work has been commissioned
Future High Street Fund - Trowbridge	Trowbridge town centre	Improving the pedestrian routes into the town centre along 5 key access corridors; Wicker Hill, Church Street, Manvers Street, Castle Street and Roundstone Street	Design work on Church Steet/Union Street is well advanced with construction planned for October 2022. Other routes will be improved in 2023/24.

Local Cycling and Walking Infrastructure Plans

[Local Cycling and Walking Infrastructure Plans \(LCWIPs\) - Wiltshire Council](#)

Scheme Name	Location	Description	Status
Salisbury LCWIP	Salisbury and Wilton	Development of a walking and cycling infrastructure plan	Draft LCWIP produced. Consultation took place from July to 16th September 2022.
Wiltshire LCWIP	Countywide	Development of a walking and cycling infrastructure plan	Draft LCWIP and Infrastructure/Active Travel Parking Standards produced. Consultation took place from July to 16th September 2022.
Chippenham LCWIP	Chippenham (extent to be determined)	Development of a walking and cycling infrastructure plan	LCWIP being developed. Draft LCWIP due to be completed by November 2022.
Trowbridge LCWIP	Trowbridge (extent to be determined)	Development of a walking and cycling infrastructure plan	LCWIP being developed. Draft LCWIP due to be completed by November 2022.
Devizes LCWIP	Devizes (extent to be determined)	Development of a walking and cycling infrastructure plan	LCWIP being developed. Draft LCWIP due to be completed by November 2022.

Other Schemes and Initiatives

Scheme Name	Location	Description	Status
Co-bikes cycle hire	Salisbury	E-bike cycle hire scheme in Salisbury city centre (and potentially at Old Sarum, Stonehenge and Amesbury)	First hire point to be installed at Salisbury Rail Station. Other E-bike hire points are being investigated.
Cycle parking initiatives	Salisbury city centre	Pilot to introduce residential cycle hangars in on-street in the city.	Work is ongoing to identify a suitable location for a pilot project.
Wiltshire Healthy Schools Strategy	Schools Countywide	The programme includes a healthy weight element requiring schools to promote active travel.	Ongoing. The local award scheme supports Wiltshire schools implement a whole school approach to health and wellbeing.
WalkSafe	Countywide	Pedestrian training in primary schools	5000 trained over the last year.

Scheme Name	Location	Description	Status
Bikeability	Countywide	Cycle training in schools for pupils year 6 and above	Ongoing - Active Travel England become fund holders in March 2023
Adult Bikeability	Countywide	Cycle training for adults	This is now being offered to adults as part of our Capability Fund programme
Scootability	Countywide	Training at primary schools focussing on balance, control and responsible scooter use.	Ongoing within resource limits
Publicity and Events	Countywide	Campaigns, roadshows and initiatives, such as Road Safety Week, Christmas Drink Driving campaign, Operation Close Pass, Dr Bike workshops etc	Ongoing within resource limits

Wiltshire Council

Full Council

18 October 2022

Responding to the Cost of Living Challenge

Executive Summary

To update Council on the current and planned actions taken to support of the residents, business, and staff in the Wiltshire community

Proposal

To note the update

Reason for Proposal

To highlight the work of the Council in response to the national and local challenges.

Terence Herbert
Chief Executive Officer

Responding to the Cost of Living Challenge

Purpose of Report

1. To update Council on the current and planned actions taken to support of the residents, business, and staff in the Wiltshire community.

Relevance to the Council's Business Plan

2. The Council's activities support the Council's business plan outcomes to support a Thriving Economy, a Resilient Society through working with partners and our community to Empower People. Efforts to improve energy efficiency also support the work to place Wiltshire on the path to carbon neutral.

Background

3. A detailed update was given to the most recent meeting of the Cabinet held on the 27th of September 2022. The relevant papers are linked here for ease of reference:
 - [Verbal update from the Leader to Cabinet](#)
 - [Cabinet Minute 77 refers](#)
4. A notice of motion has also been submitted relating to Cost of Living – No. 2022-02 refers.

Main Considerations

5. Officers are heading up three main areas of work, overseen by the Corporate Leadership Team (CLT), which aim to:
 - Support our Residents – led by Emma Legg (Director – Ageing & Living Well)
 - Support for Doing Business (including Schools and other Educational Establishments) – led by Victoria Moloney (Head of Economy and Regeneration)
 - Support for our Staff - led by Tamsin Kielb (Assistant Director, HR & OD)
6. These areas of work are already a core function of the Council, and valuable lessons have been learnt from our Covid response to work including:
 - How best to structure internal decision making to support officers to respond in an agile way to the emerging needs from the communities they serve.
 - How to use our external networks, which had been strengthened during the pandemic, to best combine our efforts.
 - How we proactively use communication tools to empower our communities.

7. This means that the Council is well placed to respond effectively to the challenges faced by the communities of Wiltshire.
8. Officers are meeting regularly to ensure that actions are coordinated across the Council and with our partners across the community.
9. Officers have worked quickly to review the information on the Council's website and have updated the [cost of living](#), featuring it on the landing page of the website, ensure that residents can direct themselves to the best sources of information and support, including:
 - [Council tax, benefits and financial support](#)
 - [Energy costs advice and guidance](#)
 - [Housing information and support](#)
 - [Mental Health support](#)
 - [Local practical help](#)

Support for Residents

10. Officers are working together to ensure our services can respond effectively to emerging need, and to support our community to respond to the challenge. The work broadly covers our universal offer, ensuring that anybody can access information and support through the council and their communities; and our targeted work, ensuring that funding and assistance is coordinated for the most vulnerable in our society.
11. Some of the key themes/activities include:
 - a. Council supporting Voluntary organisations to bring together leaders across the faith, community, and voluntary sector leaders to launch a fundraising campaign encouraging people to donate (including unused rebates).
 - b. Working to map provision of voluntary-led support, including Warm Spaces and Foodbanks to share this information widely, but also use it to target provision where there are gaps.
 - c. Ensuring the existing Wellbeing Hub support line can assist residents and that information resources used are shared widely to ensure that anyone who has contact with a resident is able to direct them to support.
 - d. Looking at how barriers to accessing to support can be removed e.g. following on initiatives such as lifting restrictions on bus passes to ensure the most vulnerable can access services more easily.
12. As highlighted by the Leader at Cabinet, Area Boards have an opportunity to contribute to this work by helping to gather intelligence on what activity is taking place in their area, support through grant funding relevant projects and to promote the activities of the council and partners to ensure people can access assistance.
13. Area Boards have a track record of combining data through the [Joint Strategic Needs Assessment](#) along with their deep understanding their unique communities through

local. Council Directors are attending each Area Board meeting which will increase opportunities to share information.

14. Wiltshire's libraries already offer safe spaces for people for people during the day, with a range of community groups and activities hosted in their spaces. Staff have an excellent track record of signposting people to information, and actively supporting them to access computers for online help. Libraries will continue to work with council and community partners to host services that will create supportive and welcoming space for residents e.g. hosting drop-in sessions on financial well-being.
15. The Council, along with Swindon Borough Council, Dorset & Wiltshire Fire and Rescue Service in partnership with the Centre for Sustainable Energy, continues to support and promote the work of the [Warm & Safe Wiltshire](#) partnership help residents live in safer and healthier homes.
16. The Council will also continue to administer national schemes, such as Energy Rebates and the Household Support Fund, that target funding to the more vulnerable:
 - a. The energy rebate to homes in council tax bands A-D (153k households all paid out or allocated as credit to council tax bills) as well as 1k discretionary payments to households in other bands.
 - b. The Household Support Fund which has already allocated £2.7m to pensioners, vulnerable working age adults, those in temporary accommodation and to food banks and associated projects for those in need. The scheme has been targeted at those least able to cope, with 23,000 awards made. Phase 3, running from 1st October to 31st March 2023, has been approved with further support targeted to families with children eligible for free school meals, including the equivalent for those in early-years, low-income households including those with disability & long-term health conditions, elderly residents; and to support activities within: Adult & Children's Social Care, Warm Spaces, homeless and those at risk of homelessness, Food Banks and Local Welfare Provision.
 - c. The Council Tax Reduction Scheme is also available with, and an additional £140k for discretionary payments allocated.

Support for Doing Business

17. Officers continue to build on the successful network and partnerships with businesses to ensure that intelligence on impacts to the local economy is gathered and shared appropriately, and that businesses are signposted to the support they require. Intelligence will look particularly on the 6-month support timescale, and what sectors may face particular challenges beyond that period.
18. Officers will deliver the UK Shared Prosperity Fund in line with the Council's agreed priorities, including support for Warm and Safe, support for energy efficiency for businesses and support for personal mobility.

19. Active engagement is already underway with schools to ensure that they are supported to manage budgetary pressures and are sharing best practice including on energy efficiency.

Support for Staff

20. As well as ensuring staff have access to wellbeing and support resources, the Council will review policies and processes as appropriate, and will consider how staff can be flexibly deployed to meet emerging need.

Overview and Scrutiny Engagement

21. Overview and Scrutiny Management Committee have yet to ask for a specific update on these issues but will be able to review their workplans as they require.

Safeguarding Implications

22. There are no decisions arising from this update report. However, it is worth noting that as with the pandemic, safeguarding teams are aware that external pressures can increase the risk of harm to vulnerable children and adults. Teams are working to ensure that their programmes of work reflect the possible increase in demand.

Public Health Implications

23. Programmes that support healthy living are being reviewed to ensure that meet changing needs e.g. more people wanting to quit smoking, and cost of food changing.
24. Also, Public Health officers are also providing invaluable intelligence to the council to help target services better.

Procurement Implications

25. **Support** for Business will also look at the impacts of the Cost of Living on Council's procurement and commissioning relationships.

Equalities Impact of the Proposal

26. There are no equalities implications arising from this report.

Environmental and Climate Change Considerations

27. There are no direct implication arising from the report, but support for residents and businesses promoting energy efficiency will support net zero goals.

Workforce Implications

28. There are no workforces implications arising from this report

Financial Implications

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

Legal Implications

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

Conclusions

31. Council is asked to note the update.

Terence Herbert, Chief Executive

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Date of report: 3 October 2022

Appendices

None

Background Papers

None

Wiltshire Council

Full Council

18 October 2022

Update on Social Mobility and community conversations

Executive Summary

As part of Wiltshire Council's commitment to improving social mobility and tackling inequalities, senior leaders from a range of public sector organisations took part in community visits to Studley Green, Trowbridge and Bemerton Heath, Salisbury earlier this year. This has led to the development of ongoing community conversations for these areas, with the intention of piloting a bold and innovative approach and then adapting and rolling this out elsewhere in Wiltshire in due course.

Proposal

It is recommended that Council note the range of activity underway to support these communities and the ongoing opportunities for community activism and tailored support.

Reason for Proposal

Improving social mobility and tackling inequality is a guiding theme for the council's Business Plan. In everything we do, we consider the impact of the action on social mobility and ask how we can help to tackle the disparities in opportunities that exist within Wiltshire.

Terence Herbert
Chief Executive

Update on Social Mobility and community conversations

Purpose of Report

1. To appraise Council of activity arising from recent community visits and pilots of ongoing community conversations following this.

Relevance to the Council's Business Plan

2. Improving social mobility and tackling inequality is a guiding theme for the council's Business Plan. In everything we do, we consider the impact of the action on social mobility and ask how we can help to tackle the disparities in opportunities that exist within Wiltshire.

Background

3. Earlier this year, senior leaders from Wiltshire Council, the NHS, Wiltshire OPCC and others undertook community visits to Studley Green in Trowbridge and Bemerton Heath in Salisbury. The community visits were structured as an initial opportunity for leaders to hear directly from residents and other community representatives, including the relevant unitary councillor.
4. In Studley Green, a range of concerns were highlighted including:
 - The timing and accessibility of bus services, bus shelters and lack of community transport groups. The need to improve pavements for mobility scooters.
 - The response to concerns on crime and ASB and making 101 service user friendly
 - Increasing crisis situations with families and an increase in mental health problems
 - The need for more activities aimed at teenagers including those with additional needs
 - The need for a more vibrant VCS and community-led join up between organisations
 - More trees and CCTV in some areas could be environmental improvements
5. In Bemerton Heath, similar but slightly different themes emerged including:
 - Fly tipping and littering
 - User friendliness of 101 and responsiveness to concerns on crime and ASB
 - The need to improve access to healthcare when coming out of hospital
 - Mental health and addiction issues
 - Cost of public transport and the need to improve pavements and cycle paths
 - The VCS in Bemerton Heath has a range of groups up and running and good input from residents as well as links with PCSOs.

6. Both areas highlighted issues associated with an increase in cost of living.
7. Having listened to the concerns, the senior leaders agreed with communities that investment in preventing issues emerging should be a priority for both areas. Following the visits the organisations involved have been developing business cases for targeted interventions and given consideration to these areas' needs when developing investment strategies and bids for central government funds, such as the UK Shared Prosperity Fund and Levelling Up Funds. The intention is to develop a model and flexible toolkit for engaging whole communities over the longer term - taking all of the participants on the journey at a pace they are comfortable with, taking as long as it needs to take - and developing solutions which can be tailored to the strengths and needs of local areas. This approach can then be replicated and tailored as appropriate elsewhere in the county.
8. The model and overall approach is known as Asset Based Community Development (ABCD) – making use of what a community already has (such as existing organisations and resources) and using these things to make the area better for the people who live there. This has also been described as 'using what's strong to deal with what's wrong'. Similar approaches are also known as 'design thinking'
9. There are pre-existing examples of this approach in Wiltshire, including community led action planning using local Joint Strategic Needs Assessments and a Wiltshire Centre for Independent Living [ABCD project](#) in Devizes. The community led model for healthier communities in Wiltshire has also been a significant success (recognising that ideas to connect people with sport and physical activity can't be 'done to' communities, they can only ever be 'created with'). Over the last few years this programme has undertaken mapping of existing groups within communities, developed an offer with local communities (with local communities) and promoted the provision of weekly community-based sport and physical activity opportunities, successfully targeting over 470 inactive individuals aged 16-74. This has included engaging non-traditional partners such as Spurgeon's to promote activities such as buggy walks.
10. Authors such as Cormac Russell (Rekindling Democracy) make ABCD central to their proposed approach for rejuvenating community action. This is in response to issues highlighted by others such as Richard Sennet and [Ezio Manzini](#) who wrote presciently before the pandemic and cost of living crisis, *"communities that have greater social and civic connectivity and activity respond better to catastrophic events.... social resilience requires the existence of groups of people who interact and collaborate in a physical context. Proximity and relationship with a place are what enable these people to self-organize and solve problems in a crisis"*.
11. Since the leaders' visits, Wiltshire Council officers have been engaging in community conversations with the support of the relevant Strategic Engagement and Partnership Managers in the two pilot areas, to create opportunities for collaborative encounters and to consider how to support environments where these encounters can emerge, thrive, and evolve.
12. This has involved being present in the community, conducting further conversations with a level of persistent curiosity, and supporting a collective reimagining of how the needs and aspirations of the communities can be met. Wiltshire Council recognises that communities know their needs much better than us and that the best

approaches are those that enable, equip and empower people to create change for themselves. Core to the overall approach is:

- **Building relationships:** and establishing trust
- **Raising aspiration, building social capital and increasing social mobility**
- **Coproduction:** ideas to connect people and services are ‘created with’ communities
- **Learning about and understanding communities:** trying different approaches, understand why something is or isn’t working
- **Ongoing evidence and insight:** to help improve project delivery and inform future service delivery
- **Sustainability:** beyond initial investment period, by engaging local leaders and organisations who can access alternate funding.

13. It is recognised that building trusted relationships takes time and the approach has been developed with the partner organisations who were involved in the first community visits and with community leaders so that we are working with and not 'to' the community. Taking time to develop a coherent community conversation and community movement allows for minimising the duplication of other community offers and provides a more sustainable and long term improvement in outcomes which are community led.

14. Co-production is a particularly important aspect of Wiltshire’s approach, emerging out of and alongside the Asset Based Community Development and the community-led model. It should lead to greater innovation and better value for money - examples of this already in place in Wiltshire include Speedwatch and Paths for All. There is an agreement and commitment that we need to work together to effect change by seeing things not as single issues, not as things to be fixed by agencies and not without the communities where these impacts are being felt. A great deal of engagement and intervention has taken place over the years to help address the deep challenges facing individuals and communities, but the level of improvement has not always delivered what we would all have hoped for. Working to principles of co-production is intended to address this.

Traditional principles	Co-productive principles
Fix the problem	Grow the good life (Vision)
Manage need	Develop capability
Transactional culture	Above all relationships
Audit money	Connect multiple forms of resource
Contain risk	Create possibility
Closed/Targeted	Open: Take care of everyone

Source: “Radical Help” by Hilary Cottam

Main Considerations for the Council

15. The community conversations are continuing, drawing on what people like about their area, what can make it better, understanding motivations and how people may like to be involved in change. Partners in a range of community groups are involved in connecting with our communities, including Wiltshire-wide organisations such as the Community Foundation and Wessex Community Action and those involved in the very different local ecosystems of community groups (such as tenant engagement officers, police community support officers, patient participation managers,

community venue boards, parish, town and city councils etc). The intention is to generate further interest from the communities, to generate some quick wins but also plan for a bold movement over the long term.

16. The development of a movement for the longer term in the two areas means identifying a shared purpose, values and experiences and identifying meaningful actions, rewards and engagement. These need to be supported by sustainable resource, data, communications activity and organisation over the long term. It involves creating an understanding of what can be done with people power and where help from public service providers is needed to deliver the change required.
17. Examples of what is already being done with 'people power' include a new management committee being formed for the community centre in Studley Green; the activity of [Trowbridge Future](#); and further work by Rise61 taking place in Bemerton Heath.
18. The council is working closely with local partners to develop a number of partnership bids into Youth Investment Fund (YIF). Local youth charity [Rise 61](#) based in Bemerton Heath, have submitted their expression of interest form to the YIF and have an advanced project concept to develop a new youth [community hub](#) that has a café, gym and studio space. The charity have undertaken community consultation with local residents and young people to build the brief, desired location and building requirements. The proposed land for development is owned by Wiltshire Council and we are working with the charity to undertake a community asset transfer to enable this project to happen.
19. In the eligible Trowbridge wards, Wiltshire Council has facilitated local partner conversations with the local housing association, town council and Trowbridge Future, who are the local community youth organisation. The aspiration is to develop a youth hub, similar to the Bemerton Heath model, however, whilst the overall concept is clear there have been challenges in identifying a suitable piece of land for its location. Positive conversations are ongoing between all parties and we are very confident that a submission to the fund will be finalised in the near future. Existing activity on detached youth work and by Trowbridge Future and Wiltshire Youth for Christ continues.
20. Since the community visits some other quick wins have been supported by public service providers:
 - The council has lifted the 9.30am restriction on use of concessionary bus passes
 - The Police and Crime Commissioner has [consulted](#) further on the experience of reporting to 101
 - New Local Highway and Footway Improvement Groups (LHFIGs) have been created, empowered to invest in improving or repair existing infrastructure such as highways and footways, while still investing in new infrastructure. Consideration is being given to provision for bus shelters on Studley Green.
 - Litter picking events have been promoted
21. Looking to the longer term, we are working closely with our partners in the NHS BSW Integrated Care System and have confirmed priorities for the Wiltshire Integrated Care Alliance that will see the development of 'Neighbourhood Collaboratives' through Primary Care Networks (PCNs).

22. These have developed from a Neighbourhood Focus Site project, and the model supports neighbourhoods (PCN footprints) to establish collaborative groups, working in a population-health management focussed way to make changes aimed at addressing health inequalities. Fully established, 13 collaboratives will be working across Wiltshire with a fully formed model of support, leadership and networking to learn and share. It has been agreed in principle to work with Salisbury, Trowbridge and Devizes neighbourhoods in the first instance, but there is also significant interest from other areas to progress quickly.
23. The idea of these Neighbourhood Collaboratives is that: Wiltshire residents will be able to inform and affect local change to improve services that matter to them; Neighbourhoods are able to work together to identify and reduce health and care gaps by working together without boundaries; and professionals and communities have a way of working together to design and implement solutions to inequality gaps and to work through delivery of key required changes. The Health and Wellbeing Board has warmly welcomed the proposals and further background information is available [here](#).
24. Wiltshire is also currently awaiting feedback from the government on its UK Shared Prosperity Fund Investment Plan. Within the [plan](#) submitted to government in July, provision was made as follows:

Outcome

Communities have been empowered to act in their local area [for Levelling-Up]

Delivery: Levelling-Up Community Fund

Create delegated funds for neighbourhoods with significant deprivation (or using other proxies), and set-up community panels to make small grants that deliver Levelling-Up objectives for well-being and productivity in neighbourhoods.

Designed to increase community participation, working together, local responsibility and activism, improving civic pride, participation and social inclusion.

25. Once government go ahead is received for the plan the intention is to trial the delegated funds in Studley Green and Bemerton Heath first of all and to see how effective they are at encouraging community activism and collective action on measures that improve well-being and/or Productivity.
26. Irrespective of the government decision on UKSPF, the council is committed to resourcing appropriate activity within the two pilot areas.

Overview and Scrutiny Engagement

27. Aspects of activity set out within this report have been considered by overview and scrutiny.

Safeguarding Implications

28. Consent is sought as appropriate for participation in community conversations.

Public Health Implications

29. The community conversations and related activity intend to improve social mobility and tackle inequality. This aligns clearly with activity on the social determinants of health.

Procurement Implications

30. Delivery of the delegated funds could be either for the neighbourhood group to determine which measures are to be financially supported and the Council awarding grants and contracts to each delivery organisation; or for the Council to openly select a body to hold delegated funds and award contracts to delivery organisations as determined by neighbourhoods.

Equalities Impact of the Proposal

31. Improving social mobility and tackling inequality is a guiding theme for the council's Business Plan. In everything we do, we consider the impact of the action on social mobility and ask how we can help to tackle the disparities in opportunities that exist within Wiltshire. The two pilot areas were selected with an understanding of the persistent inequalities in outcome and their rankings within indices of multiple deprivation, where vulnerable groups and inequalities amongst protected characteristics are usually disproportionately represented.

Environmental and Climate Change Considerations

32. At this stage there are no environmental considerations

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

33. No decision is required to be made

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

34. No decision is required to be made

Financial Implications

35. At this stage there are no direct financial implications for the council. The activity set out is being undertaken through officer time; and detail on the deployment of UK SPF funds will be provided in further updates to cabinet once government sign-off is received.

Legal Implications

36. There are no legal implications.

Workforce Implications

37. Ongoing support for the community conversations is being provided through the council's transformation team working in partnership with the relevant Strategic Engagement and Partnership Managers.

Conclusions

38. Wiltshire Council is committed to improving social mobility and tackling inequalities. Through piloting ongoing community conversations and supporting the related movements and activity in Studley Green and Bemerton Heath we are looking forward to positive change in those areas and expect in due course to adapt and roll this out elsewhere in Wiltshire.

Terence Herbert, Chief Executive

Report Author: David Bowater, Executive Office, david.bowater@wiltshire.gov.uk
with Adele Owens and Andrew Morrison, Transformation Team

10 October 2022

Wiltshire Council

Report of the Independent Remuneration Panel of Wiltshire Council

18 October 2022

**Independent Remuneration Panel Recommendation - Audit & Governance
Committee**

Executive Summary

This report sets out the recommendation of the Independent Remuneration Panel (IRP) in relation to the remuneration of any co-opted member of the Audit & Governance Committee appointed by the Council.

Full Council delegated appointment of up to 2 co-opted members to the Audit & Governance committee at its meeting on 17 May 2022.

Recommendation of the IRP

That the remuneration for the independent co-opted member of the Audit & Governance Committee should be £2,000 per annum.

Wiltshire Council

Report of the Independent Remuneration Panel of Wiltshire Council

18 October 2022

Independent Remuneration Panel Recommendation - Audit & Governance Committee

Introduction

1. Wiltshire Council's Independent Remuneration Panel is convened under The Local Authorities (Members' Allowances) (England) Regulations 2003. The Regulations require all local authorities to set up and maintain an advisory Independent [Members'] Remuneration Panel to review and provide advice on Members' allowances. All councils are required to convene their Remuneration Panel and seek its recommendation before making any changes or amendments to their allowances scheme. The council must '*pay regard*' to the Panel's recommendations before setting a new or amended Members' Allowances Scheme.

Background

2. Wiltshire Council's Independent Remuneration Panel was appointed by the Council following a selection process involving representatives from all political groups and overseen by the Monitoring Officers. The Panel consists of the following members:

John Quinton (Chairman)

John is now retired following a career in local government, including working as the Head of Democratic Services for Wiltshire Council 2003-2013. Prior to working for Wiltshire Council, John performed a similar role at Surrey County Council. Since retirement, he has served on, and chaired, Independent Remuneration Panels for former district councils within Dorset and Bournemouth, both successor and unitary councils, and for the Dorset and Wiltshire Combined Fire Authority.

Keith Broughton

Keith Broughton spent most of his working life in human resources, specialising in remuneration and benefits. He worked for a number of major international companies and consultancies. Now retired, he lives in North Dorset and has served on Independent Remuneration Panels for Dorset and Bournemouth, Christchurch, and Poole councils.

Bernadette Fitzmaurice

Recently retired from a career in contract management, compliance, and commissioning, including a period with Wiltshire Council and Aster Group. Bernadette's previous experience also includes time as an Area Manager within the voluntary sector, for Wiltshire, Hampshire and Dorset's Supported Employment Service delivering European Social Fund Projects and Services.

3. The Independent Remuneration Panel ('the Panel') undertook a thorough review of the Members' Allowances Scheme in 2021 which was debated by the full Council 20 July 2021.
4. It is best practice that a Panel be appointed for 4 years, and after a thorough review of the Members' Allowance Scheme at the start of each term (see above), produce annual reports considering any in-year changes required. Changes may be prompted by amendments to roles, responsibilities, governance arrangements or government guidance that would warrant a review of a specific area of the scheme.
5. As part of its remit to produce an annual review, the Panel contacted the Group Leaders to ask whether there were any remunerations issues that they would wish the Panel to consider at this point. No issues were brought to the Panel's attention. As a consequence issues that were identified as being outstanding by the Panel in its report of July 2021, will therefore need to be considered during the next in-depth review (2025).
6. On 1 March 2022, following a resolution at the Audit & Governance Committee, the Panel was asked to consider the remuneration of a proposed Independent Co-opted Member of that committee. This report sets out the Panel's conclusions and recommendations.
7. The Panel received officer support from Kieran Elliott, Democracy Manager (Democratic Service), Simon Bennett, Senior Scrutiny Officer
8. All the recommendations of the Panel were agreed unanimously.

Principles

9. The Panel conducted the review in accordance with the principles of its 2021 review. As they were considering remuneration for an independent co-opted member of a committee they focused upon providing reasonable recompense for the time commitment and duties involved, after allowing for an element of public service.
10. The Panel is not able to consider the financial implications of their recommendations upon the local authority. The financial implications of this report are a matter for Full Council and are provided in the covering report.

Process and Methodology

11. In undertaking the review, the Panel met on four occasions between 8 April and 6 May 2022. As with the report of July 2021 the Panel based its deliberations on an assessment of the responsibility, accountability, time, and effort required for the role of independent co-opted member.
12. The Panel considered a range of evidence, including:

Benchmarking and supporting information

13. The Panel referred to written background information when considering formulating its recommendations. In particular the current Members' Allowances scheme set out

in the council's constitution (Part 13). Also referred to was the report to the Audit & Governance Committee (1 March 2022) and its appendices. Also discussed was benchmarking information setting out whether comparable local authorities had an independent member on their Audit (& Governance) Committee, whether they received any remuneration and at what level. See the attached appendices.

14. The Panel were also aware of changes proposed by the Department for Levelling Up, Housing & Communities responding to a technical consultation on the [local audit framework](#). The government has set out the principle that local authorities must have an audit committee, and that the committee should have at least one independent member.

Verbal evidence from councillors and officers

15. The Panel held three individual online meetings with the Chairman of the Audit & Governance Committee, the Corporate Director, Resources & Deputy Chief Executive (Section 151 Officer) and the Director, Legal & Governance.
16. The evidence they provided is referenced, where appropriate, throughout this report.
17. Discussions with the interviewees covered the background to the creation of the role of independent member and the role and remit of the Audit & Governance Committee. The knowledge and skills identified as requirements for the independent member were also discussed as well as the challenges of recruiting a suitable candidate.
18. The Panel considered the nature of the role. Evidence received in the interviews indicated that it would provide an independent perspective, act as a 'critical friend' and be able to hold the council to account when necessary.

Conclusions

19. In its 2021 report the Panel recognised the significant extra responsibilities in terms of the council's financial management and regulatory framework undertaken by the Committee and its Chairman. This was re-iterated during the interviews conducted by the Panel.
20. The Panel were convinced that this is a significant role and that as the council has not previously had a similar position, the appointee will have a considerable impact upon the shaping, influence, and direction of the Committee.
21. Given the recent suggested changes to local government audit from the Department for Levelling Up, Housing & Communities this role will assume greater significance in the future, as it will across all local authorities.
22. The Panel however did also consider that as a non-voting member of the Committee may not be considered as accountable as other members.

23. The Panel concluded that the independent person should receive remuneration. Ideally the independent member should be someone with considerable relevant experience, and as such it was considered that remuneration be at the higher end of the scale given to other independent members of committees.

Recommendation

24. The Independent Remuneration Panel recommends that:
25. The remuneration for any independent co-opted member of the Audit & Governance Committee should be £2,000 per annum.

John Quinton, Keith Broughton, Bernadette Fitzmaurice

Report Author: Simon Bennett, Senior Scrutiny Officer,
simon.bennett@wiltshire.gov.uk

10 October 2022

Appendices

Appendix 1 – Audit & Governance Committee, Appointment of Independent Co-opted Members to the Audit and Governance Committee (1 March 2022)

1a – Report to consider the inclusion of independent co-opted members (2019)

1b – Independent members of Audit Committees at other local authorities

1c – Terms of reference of Audit & Governance Committee

1d – Draft job description and role profile

Appendix 2 - Independent members of Audit Committees at other local authorities (updated 2022)

Appendix 3 – Members' Allowance Scheme (Wiltshire Council Constitution Part 13)

Background Papers

None

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**Appointment of Independent Co-opted Members
to the Audit and Governance Committee**

Purpose of Report

1. To ask the Audit and Governance Committee to review the role, number and arrangements for the appointment of independent co-opted members to the Committee and make such recommendations as it considers appropriate to Council at its meeting on 17 May 2022.

Background

2. In 2018 The Chartered Institute of Public Finance and Accountancy (CIPFA) published a position statement which recommended that Audit Committees include an independent member.
3. At the Audit and Governance Committee meeting on 26 June 2019 the issue of independent members on the Committee was raised by the then Chairman of the Committee. The Committee resolved to form a task and finish group to look at the issue.
4. At the Audit and Governance Committee meeting on 7 November 2019 the findings of the task and finish group were presented to the Committee (attached at Appendix A). The group had looked at what other local authorities were doing and at the time found that the CIPFA recommendations were not being widely adopted. Therefore, it was resolved that no further action should be taken but that the Committee should look at this issue again after the local elections in 2021.
5. In September 2020, Sir Tony Redmond published an independent review into the effectiveness of external audit and transparency of financial reporting in local authorities. One of the recommendations arising from this review was that consideration be given to the appointment of at least one independent member, suitably qualified, to Audit Committees.
6. At the Audit and Governance Committee meeting on 24 November 2021, the Committee reconsidered the recruitment of independent lay members and were supportive of the idea. The Committee resolved that they should recruit independent members and requested that officers start the process to achieve this.
7. Further research has been undertaken to assess what arrangements are in place at other local authorities which have independent members, and the findings are attached at Appendix B. These may help the Committee when considering the points raised in this report.

Main Considerations

8. Independent co-opted members could provide valuable advice to the Committee, enhancing the experience and knowledge of the Committee. The recruitment of independent co-opted members is supported by the s151 officer. The addition of independent co-opted members is also recommended by both CIPFA guidance and the Redmond Review.
9. The Committee would need to consider how many independent co-opted members they would wish to recruit. It is recommended the independent co-opted members are non-voting, which is in line with other Local Authorities.
10. The constitution does not currently permit for independent members on the Committee, so would need to be updated, allowing for their inclusion. The changes to the constitution would need to be considered by the Constitution Focus Group and then by Full Council. The current terms of reference for the Committee can be seen in Appendix C along with proposed amendments.
11. Remuneration and expenses for the independent co-opted members would also need to be addressed. Wiltshire Council's Independent Remuneration Panel could be requested to consider this.
12. The Committee should also decide on the skills and experience required for the position and are asked to approve the draft proposed role profile (Appendix D) and delegate authority for the final wording of this to the Monitoring Officer to allow amendments to be made if required.
13. A recruitment process for the independent members would need to be developed. This would likely include the approval of a role profile, the creation of a job description and application form; the advertisement of the position(s); and an interview process. The suggested format of the interview process is that a panel would undertake the interviews, made up of a lead Audit & Governance Officer and 3 Members of the Committee (2 Conservatives and 1 Liberal Democrat, 1 of which would be the Chairman of the Committee).
14. The appointed independent member(s) would be expected to attend the meetings of the Audit and Governance Committee to provide an independent perspective and give advice to the Committee. The appointed member(s) would also be expected to attend any training sessions for the Committee.
15. In order to avoid delay in the appointment of independent co-opted members it is recommended that the Committee requests Council at its meeting on 17 May 2022 to approve the proposed changes to the constitution and to delegate arrangements for the appointment of independent co-opted members to the Audit and Governance Committee, with the selection process delegated to the Monitoring Officer, in consultation with the Chairman of the Audit and Governance Committee. This would include convening a selection panel to interview applicants as described above.
16. Interviews and appointment could then take place around July 2022.

Safeguarding Implications

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

Equalities Implications

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

Risk Assessment

19. There are no significant risks arising from this report

Public Health Implications

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

Environmental Implications

21. There are no environmental impacts arising from this report.

Workforce Implications

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

Financial Implications

23. The allowance for independent co-opted members would need to be set.

24. This allowance is subject to review by the Council after considering any recommendations of the Independent Remuneration Panel.

Legal Implications

25. The Accounts and Audit (England) Regulations 2015 provide that a local authority is responsible “for a sound system of internal control which facilitates the effective exercise of its functions and the achievement of its aims and objectives; ensures that the financial and operational management of the authority is effective and includes effective arrangements for the management of risk”. In addition, Section 151 of the Local Government Act 1972 requires every local authority to “make arrangements for the proper administration of its financial affairs”.

26. Although there is no legislative requirement for the Council to have an Audit Committee, such committee can be established under the Local Government Acts 1972 and 2000 (as amended by the Localism Act 2011).

27. Section 102(3) of the Local Government Act 1972 stipulates that a committee which discharges a function of the Council can include co-opted members, except where it is a committee set up to regulate and control the finance of the local authority.

28. Section 13(1) of the Local Government and Housing Act 1989 provides that a co-opted member of a committee established under section 102 of the Local Government Act 1972 as a committee discharging the functions of the Council must be a non-voting member.
29. However, it is possible in certain circumstances to appoint a co-opted member with voting rights to committees, including an advisory committee appointed under section 102(4) of the Local Government Act 1972.
30. The role and function of the Audit and Governance Committee, as set out within its Terms of Reference fulfils both an advisory role and also discharges some functions of the Council (approving terms of reference and strategy for internal audit, review and approval of annual statements of accounts and approval of a draft Annual Governance statement). Therefore, whilst co-opted members can be appointed to the Committee, they could not be given voting rights. Therefore, their involvement on the Committee would be in a consultative manner, with their views being taken into account by voting members of the Committee.
31. The purpose of the Committee is to give assurance to elected members and to the public as to the governance and sound financial management of the Council. This will likely be strengthened by including members who are independent from the executive and scrutiny functions and who are suitably qualified with experience in the area of audit/governance to provide specialist knowledge and insight.
32. The Local Authorities (Members' Allowances) (England) Regulations 2003 permit the Council to pay an allowance to a co-opted member of a Committee. The Council's Independent Remuneration Panel should be consulted in respect of any such allowance.

Recommendation

33. The Audit and Governance Committee is therefore asked:
- a. To approve the creation of a role of independent co-opted members on the Audit and Governance Committee; and
 - i. To determine how many independent co-opted members should be appointed.
 - b. To approve the draft proposed role profile (appendix D) and delegate authority for the final wording of this to the Monitoring Officer, in order to allow amendments to be made if required.

To recommend to Full Council:

- c. That the constitution should be updated as proposed at appendix C to include independent co-opted members as part of the Audit and Governance Committee.

- d. To delegate the appointment of any independent co-opted members to the Audit and Governance Committee and the arrangements for selection of such members to the Monitoring Officer in consultation with the Chairman of the Audit and Governance Committee. This would include convening a selection panel involving a lead Audit and Governance Officer and 3 Members of the Committee (2 Conservatives and 1 Liberal Democrat, 1 of which would be the Chairman of the Committee) to interview applicants.
- e. That the remuneration of the independent co-opted members be delegated to the Audit and Governance Committee in consultation with Wiltshire Council's Independent Remuneration Panel.

Perry Holmes

Director, Legal and Governance (and Monitoring Officer)

Report Author: Tara Shannon, Senior Democratic Services Officer, 01225 718352, tara.shannon@wiltshire.gov.uk

Appendices

Appendix A – Task and Finish Group Report November 2019

Appendix B – Further research into independent members at other Local Authorities

Appendix C – The current and proposed Terms of Reference of Audit and Governance Committee

Appendix D – Draft proposed role profile

Background Papers

[CIPFA's Position Statement: Audit Committees in Local Authorities and Police 2018.](#)

[The Redmond Review.](#)

Minute 37 of the [Audit and Governance Committee meeting on 26 June 2019](#)

Minute 74 of the [Audit and Governance Committee meeting on 7 November 2019.](#)

Minute 23 of the [Audit and Governance Committee meeting on 24 November 2021.](#)

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AUDIT COMMITTEE TASK AND FINISH GROUP

TO CONSIDER THE INCLUSION OF INDEPENDENT CO-OPTED MEMBERS

INTRODUCTION

At its meeting on 26th June 2019, the chairman's proposal that a Task and Finish group be established to consider whether the membership of the Audit Committee should be enlarged to include co-opted lay (ie non-councillor) members, was agreed.

CIPFA recommend the inclusion of co-opted lay members - something which is was supported by Wiltshire Council's s151 officer.

The group consisted of Cllrs Britton, Dobson and Grant.

TERMS OF REFERENCE

The terms of reference (Appendix 1) were agreed by the members of the Task and Finish Group and formed the basis of the research undertaken.

FINDINGS

Appendix 2 lists the size of the Audit Committees in the comparison authorities, together with the title of those committees and whether or not they include co-opted lay members.

- The average size of the Audit Committees in the comparison group is 9.3 (cf 11 at WC)
- 5 out of the 15 comparison authorities included co-opted lay members
- 4 of the 15 included "Governance" in the title of the committee and one other has the words "Risk" and "Assurance" in its title

Only two replies were received from the six approaches made by the chairman. These are shown in full in Appendix 3.

In view of (a) the small number of authorities with co-opted lay members; and (b) the disappointing response to our emailed research questions, it was decided not to proceed with further work.

CONCLUSIONS

- a The present size of Wiltshire Council's Audit Committee is a little larger than in other unitary authorities.
- b There is no evidence that the CIPFA recommendation is being widely adopted.

- c The titles of a third of the comparison audit committees suggests they have a wider role than simply 'audit'. It seems likely that in such cases any co-opted lay members would be recruited for a slightly different set of skills than if the committee simply had 'audit' as its role.

RECOMMENDATIONS

- 1 That no further action is taken for the time being on the recruitment of co-opted lay members.
- 2 That this be reconsidered after the next local elections in 2021.

Appendix 1

Audit Committee

To consider whether Wiltshire Council's Audit Committee should seek to recruit independent co-opted members

TASK and FINISH GROUP

Terms of Reference v1

Preamble

For some time now The Chartered Institute of Public Finance and Accountancy (CIPFA) have been advising that local authority Audit Committees should include independent co-opted members. Although there are no statutory requirements for local authorities in England that determine the composition of the audit committee, CIPFA's latest Guidance Note reinforces that recommendation which is now regarded as best practice and good governance:

CIPFA endorses the approach of mandating the inclusion of a lay or independent member and recommends that those authorities, for whom it is not a requirement, actively explore the appointment of an independent member to the committee.

The purpose of the Task and Finish Group

To investigate the case for the Audit Committee to include independent co-opted members both in respect to recognising that co-option of independent members is beneficial to the audit committee and that the injection of an external view can often bring a new approach to committee discussions as well as considering some potential pitfalls that CIPFA has identified.

To explore as to whether the Audit Committee should change the committee title.

Composition and Process

1 Membership

The Group will be made up of:

- 3 representatives from Audit Committee – Cllrs Britton, Dobson, Grant.

2 Matters to be considered

- 1 Should Wiltshire Council's Audit Committee include appropriately-skilled independent co-opted members to provide specialist training and experience input to the committee's work.
- 2 To explore the specialist skills and experience that would be required.
- 3 To determine how many independent co-optees would sit on the committee.
- 4 To determine whether the co-optees would be in addition to the existing membership or whether to replace one or more councillor members (bearing in mind the need for the Cllr membership cohort to be politically balanced).
- 5 To establish whether the co-optees would/could be voting members of the committee.

3 Process

The process that will be followed will be:

- | | |
|-----------------------|--|
| 1 st stage | To confirm the Terms of Reference and agree the research agenda. |
| 2 nd stage | Democratic Services to undertake research to identify most appropriate comparator local authorities and to explore: <ul style="list-style-type: none">○ Title of their committees○ The number of independent co-opted members○ Voting rights |
| 3 rd stage | To hold a meeting to consider the findings and determine the next steps. |

Resources

The Task and Finish Group will be supported by:

- Directors of Finance, Legal and Corporate Office
- Internal Audit
- Democratic Services

Timescales

- Stage 1 – To agree the ToR via email
- Stage 2 – Mid August 2019
- Stage 3 - End August 2019

DOCUMENTS USED IN THE PREPARATION OF THIS REPORT:

CIPFA Publication – Audit Committees Practical Guidance for Local Authorities and Police 2018 Edition

APPENDIX 2

AUDIT TASK AND FINISH GROUP

TO CONSIDER THE APPOINTMENT OF LAY CO-OPTED MEMBERS

Comparison authorities

AUTHORITY	Name of committee	Number of members	+ Co-opted lay members
Herefordshire	Audit & Governance	7	0
Powys	Audit	14	1
Dorset	Audit & Governance	10	0
Somerset	Audit	9	0
Cornwall	Audit	10	2
Devon	Audit	7	0
Gloucestershire	Audit & Governance	9	0
Hampshire	Audit	11	0
Surrey	Audit & Governance	6	0
Co. Durham	Audit	9	2
Shropshire	Audit	5	0
Northumberland	Audit	8	0
Isle of Wight	Audit	7	1
Central Beds	Audit	9	0
West Midlands	Audit Risk & Assurance	10	2

APPENDIX 3

AUDIT TASK AND FINISH GROUP

TO CONSIDER THE APPOINTMENT OF LAY CO-OPTED MEMBERS

1 WC Audit Chair's example email to selected authorities requesting feedback

Dear Cllr

Please excuse me approaching you 'out of the blue' like this but I understand from your council's website that you are the current chairman of the Audit Committee at the Isle of Wight and I am writing to you in my capacity as chairman of the Audit Committee at Wiltshire Council.

Your website indicates that you have an independent co-opted member on your committee in line with the CIPFA guidance. We are considering this guidance and would be very grateful if you could find a moment to answer a couple of questions about your views and experience on this matter.

- 1 Is your independent co-opted member remunerated?
- 2 Was he/she appointed as a result of a formal advertising and interview process? If not, how was he/she selected?
- 3 What particular skills did your committee wish to find to supplement the collective skills and experience of its councillor membership?
- 4 Has the co-opted member made/do they make a significant and worthwhile contribution to the work of your committee?

I would welcome any other comments you might have on the subject.

In anticipation of your guidance on this subject – thank you very much indeed, I am most grateful.

Yours sincerely,

Richard

Cllr Richard Britton

Chairman, Audit Committee, Wiltshire Council

2 Summary response from Isle of Wight Council

Constitution states there are seven members: Currently 3 x Conservatives, 2 x Independent, and 2 x vacancies.

There are no co-opted Members. If recruited, co-opted members would not be paid, and would be non-voting. Any such appointment would be made on the basis of skill, knowledge, qualification and experience relevant to the role of the committee. Consideration would need to be given to how to manage this external access to council information.

3 Summary response from Durham County Council

The independent co-opted members can have professional skills that can improve the make up of the committee and add an independent critical eye. The independence of the member is supported through a robust interview process.

The Committee is effective and uses a Call-In process to discuss recommendations with members and officers.

Independent members receive travelling expenses only.

The written response was supplemented by a telephone conversation in which the councillor (a) repeated their belief in having co-optees on the audit committee; (b) described the frustrations in engendering enthusiasm for the work of the audit committee; (c) invited Wiltshire Council's chair of audit to attend his next audit committee meeting.

Independent Members on Audit Committees at other Local Authorities

	No. of independent co-opted Members	Voting rights	Remuneration	Independent Person experience	Recruitment process
Bath & North East Somerset	1	No details given	Yes, allowance paid per meeting	CIPFA accountant	No details given
Cornwall	2	Non-voting	Yes, annual allowance, as per the published Members Allowances scheme	No details	Advert and interview process
Gloucestershire	1	Non-voting	Yes, annual allowance	A member of the local community with experience in governance	Advertised online, no further details
West Sussex	1	Non-voting	No, but travel expenses paid	Has relevant professional experience	Role advertised, CV reviewed by Monitoring officer and s151, interviews undertaken by Chairman and Vice-Chairman of Committee.

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Current Terms of Reference of the Audit and Governance Committee

Extract from Part 3 of the [Constitution](#), Responsibility for Functions.

Composition

2.8.1 The size of the Audit and Governance Committee and appointments to it will be determined by Council. Appointments will be made having regard to rules on political proportionality.

2.8.2 The Audit and Governance Committee will exclude Members of the Cabinet. The Leader of the Council or the cabinet Member responsible for finance and governance is a non-voting Member of the Committee.

2.8.3 Substitute Members will be permitted in accordance with Part 4 of this Constitution.

Role and Function

2.8.4 The Audit and Governance Committee will be responsible for:

2.8.5 External Audit Activity:

- To receive and comment on the external audit plan;
- To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance;
- To comment on the scope and depth of external audit work and to ensure it gives value for money;
- To monitor the implementation of management actions arising from external audit work.

2.8.6 Internal Audit Activity:

- To approve the terms of reference and strategy for internal audit, and the annual internal audit plan and subsequent changes thereto;
- To monitor and review the effectiveness of internal audit to ensure compliance with statutory requirements;
- To consider the Head of Internal Audit's annual report and opinion, and a summary on internal audit activity and the level of assurance it provides on the Council's corporate governance arrangements;
- To consider specific internal audit reports as requested, and monitor the implementation of agreed management actions.

2.8.7 Regulatory Framework:

- To monitor and review the effective development and operation of corporate governance, risk and performance management and internal control, and to receive progress reports as required;
- To oversee the process for production of the annual governance statement (AGS), to review the supporting evidence including the arrangements for governance of partnership working, and to approve the draft AGS;

- To monitor the development and implementation of the Council's anti-fraud and corruption policy and strategy.

2.8.8 Financial Management and Accounts:

- To ensure the Council's arrangements for financial management are adequate and effective, and, together with its accounting policies, are regularly reviewed;
- To review and approve the annual statement of accounts;
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Proposed Terms of Reference of the Audit and Governance Committee

Composition

2.8.1 The size of the Audit and Governance Committee and appointments to it will be determined by Council. Appointments will be made having regard to rules on political proportionality.

2.8.2 The Audit and Governance Committee will exclude Members of the Cabinet. The Leader of the Council or the cabinet Member responsible for finance and governance is a non-voting Member of the Committee.

2.8.3 Substitute Members will be permitted in accordance with Part 4 of this Constitution.

2.8.4 In addition to the Councillors on the Committee, the Committee can appoint up to 2 independent co-opted members, who will be non-voting members of the Committee. The non-voting co-opted independent member(s) should have experience of audit and financial management, preferably with knowledge of local authorities.

2.8.5 Independent co-opted members will be appointed by a recruitment and selection process involving members of the Committee.

2.8.6 The term of office for independent co-opted members will normally be 4 years.

2.8.7 Independent co-opted members will be eligible for re-appointment for a second term.

2.8.8 Independent co-opted members do not count towards the Quorum of the committee.

Role and Function

2.8.9 The Audit and Governance Committee will be responsible for:

2.8.10 External Audit Activity:

- To receive and comment on the external audit plan;
- To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance;

- To comment on the scope and depth of external audit work and to ensure it gives value for money;
- To monitor the implementation of management actions arising from external audit work.

2.8.11 Internal Audit Activity:

- To approve the terms of reference and strategy for internal audit, and the annual internal audit plan and subsequent changes thereto;
- To monitor and review the effectiveness of internal audit to ensure compliance with statutory requirements;
- To consider the Head of Internal Audit's annual report and opinion, and a summary on internal audit activity and the level of assurance it provides on the Council's corporate governance arrangements;
- To consider specific internal audit reports as requested, and monitor the implementation of agreed management actions.

2.8.12 Regulatory Framework:

- To monitor and review the effective development and operation of corporate governance, risk and performance management and internal control, and to receive progress reports as required;
- To oversee the process for production of the annual governance statement (AGS), to review the supporting evidence including the arrangements for governance of partnership working, and to approve the draft AGS;
- To monitor the development and implementation of the Council's anti-fraud and corruption policy and strategy.

2.8.13 Financial Management and Accounts:

- To ensure the Council's arrangements for financial management are adequate and effective, and, together with its accounting policies, are regularly reviewed;
- To review and approve the annual statement of accounts;
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

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Draft Job Description and Role Profile for Co-opted Independent Members of Wiltshire Council's Audit and Governance Committee

Applicants for the position should have experience of audit or finance work and preferably experience of local authorities.

The purpose of the Audit and Governance Committee is to provide to those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of the financial reporting and governance processes. By overseeing both internal and external audit it makes an important contribution to ensuring that effective assurance arrangements are in place.

Role Profile

1. Participate in meetings of the Committee, normally four to six meetings per year.
2. Support the Committee by offering constructive challenge on reports being considered by the Committee, and support others to do the same.
3. Provide expertise related to finance, accounts or audit and corporate governance.
4. Keep informed of issues facing the Council and local authorities generally.
5. Help the Committee to review and monitor its own effectiveness.
6. Participate in training events related to the work of the committee.

Person Specification

1. Experience either
 - a) as an accountant or auditor or working with statutory accounts, preferably at a senior level or
 - b) significant experience as an Audit Committee Member or non-executive director in a large or complex organisation.
2. Understanding of finance or accounts, preferably in a public sector environment.
3. Ability to be objective and impartial, and to exercise good judgement.
4. Ability to digest and understand complex financial information.
5. Ability to analyse evidence and ask the right questions to hold the organisation to account
6. Ability to influence others to provide appropriate challenge.
7. Effective interpersonal skills with strong influencing and communication skills.

Applicants must not be an employee of Wiltshire Council.

Applicants must not be members of a political party.

Applicants should submit a CV/complete an application form and supporting statement setting out why they are applying for the position.

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Independent members of Audit Committees at other local authorities (updated 2022)

Council Name	Type of Council (County, Unitary or District/Borough)	Number of independent co-opted members	Voting rights	Remuneration	Amount(£)	Independent experience	Recruitment process
Bath & North East Somerset (2021/2022)	Unitary	1	Voting	Reference to a 'fee' - but can find no figure	£0	CIPFA Accountant	No details
Bournemouth, Christchurch & Poole Council (2021/2022)	Unitary	0	N/A	N/A	£0	N/A	N/A
Bristol City Council (2021/2022)	Unitary	0	N/A	N/A	£0	N/A	N/A
Cornwall Council (2021/2022)	Unitary	2	Non-voting	Annual allowance	£1,390	Professional experience - strategic/financial management	Advert / interview (4yr tenure)
Devon County Council (2021/2022)	County	0	N/A	N/A	£0	N/A	N/A
Dorset Council (2021/2022)	Unitary	0	N/A	N/A	£0	N/A	N/A

Gloucestershire County Council (2021/2022)	County	1	Non-voting	Annual allowance	£500	Relevant professional or practical experience	Advert/interview (4yr tenure)
Swindon Borough Council (2021/2022)	Unitary	0	N/A	N/A	£0	N/A	N/A
Wiltshire Council (2021/2022)	Unitary	0	N/A	N/A	£0	N/A	N/A
Cheshire East (2021/2022)	Unitary	0	N/A	N/A	£0	N/A	N/A
Durham (2021/2022)	Unitary	2	Non-voting	Travel/subsistance	£0	N/A	Recruitment but no formal process (3yr tenure)
East Riding (2021/2022)	Unitary	0	N/A	N/A	£0	N/A	N/A
Leicester (2021/2022)	Unitary	0	N/A	N/A	£0	N/A	N/A
Northumberland (2021/2022)	Unitary	2	Non-voting	Annual allowance plus travel/subsistance	£1,000	Relevant professional or practical experience	Competitive recruitment
Shropshire (2021/2022)	Unitary	0	N/A	N/A	£0	N/A	N/A
Hampshire Council (2021/2022)	County	0	N/A	N/A	£0	N/A	N/A

Somerset County Council (2021/2022)	County	0	N/A	N/A	£0	N/A	N/A
Herefordshire County Council (2021/2022)	County	0	N/A	N/A	£0	N/A	N/A

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**Wiltshire Council
Constitution
Part 13
Members' Allowances
Scheme**

Contents

1. The Scheme	3
2. Basic Allowance	3
3. Special Responsibility Allowance	3
4. Co-optees' Allowance	3
5. Renunciation	4
6. Part-year Entitlements	4
7. Dependants' Carers' Allowance	4
8. Statutory Sick and Maternity Pay	4
9. Senior Citizen's Railcard	4
10. Travel and Subsistence Allowances	4
11. Claims and Payments	5
12. Updating of Allowances	5
13. Queries	5
Appendix 1 – Table of Basic Allowance and Special Responsibility Allowances	6
Appendix 2 – Table of Co-opted Members' Allowance and Other Allowances	6
Appendix 3 – Rates of Travel and Subsistence Allowances	9
Appendix 4 – Dependants' Carers' Allowances	10
Appendix 5 – Approved Duties	11

PART 13

WILTSHIRE COUNCIL MEMBERS’ ALLOWANCES SCHEME

1. The Scheme

1.1 This scheme may be cited as the Wiltshire Council Members’ Allowances Scheme. The scheme is made in accordance with the provisions of the Local Authorities (Members’ Allowances) (England) Regulations 2003. It was last approved by Wiltshire Council on 20 July 2021 and shall have effect from that date. Indexed pay increments come into effect from 1 April 2021. The scheme shall continue to have effect until revoked or amended by resolution of the council.

1.2 In this scheme:

- 1.2.1 ‘Member’ means an elected member of Wiltshire Council.
- 1.2.2 ‘co-optee’ means a co-opted member of Wiltshire Council.
- 1.2.3 ‘year’ means the period from 1 April to the following 31 March.

2. Basic Allowance

2.1 Subject to paragraphs 6.1-6.4, a basic allowance shall be paid to each Member as detailed in appendix 1. This allowance is intended to recognise the time commitment of all Members, including such inevitable calls on their time as meeting with officers and constituents and attendance at political group meetings. It is also intended to cover incidental costs such as the use of their homes.

3. Special Responsibility Allowances

3.1 For each year Special Responsibility Allowances (SRAs) shall be paid to those Members who hold special responsibilities in relation to the council that are specified in Appendix 1 of this scheme. SRAs recognise the significant additional time commitment and responsibility required in undertaking these roles.

3.2 Subject to paragraphs 6.1-6.4, the amount of each such allowance shall be the amount specified against that special responsibility in Appendix 1.

3.3 Any Member may hold up to two roles of special responsibility and will receive both payments in full. No third SRA will be payable.

4. Co-optees’ Allowance

4.1 For each year a co-optees’ allowance shall be paid to those co-opted members who hold the posts listed in Appendix 2 of this scheme. Subject to paragraphs 6.1-6.4, the amount of each such allowance shall be the amount specified in Appendix 2.

5. Renunciation

5.1 A Member or co-optee may, by notice in writing given to the Proper Officer, to elect to forgo any part of his or her entitlement to an allowance under this scheme.

6. Part-year Entitlements

6.1 The provisions of this paragraph shall have effect to regulate the entitlements of a Member to basic and special responsibility allowances, and co-optees to co-optees' allowances, where, in the course of a year, this scheme is amended or that Member or co-optee becomes, or ceases to be, a Member or co-optee, or accepts or relinquishes a special responsibility in respect of which an SRA is payable.

6.2 If the amount of basic, special responsibility or co-optees' allowance is changed, a Member or co-optee is entitled to an amount based on the old and new rates. The old rate runs from 1 April to the day before the day the change takes effect. The new rate runs from the day the change takes effect to the day before the next change or 31 March, whichever occurs first.

6.3 If a Member or co-optee is elected or appointed to the council or ceases to be a Member or co-optee part way through the financial year, he or she is entitled to receive an allowance only for such period as he or she holds office.

6.4 The SRA will be paid only for such period as he or she holds the post to which the SRA applies. In an election year, all SRAs will continue to be paid (providing the member is re-elected to the Council), until the new SRA holders are appointed by the relevant body eg. Full Council or Committee.

7. Dependants' Carers' Allowance

7.1 An allowance may be claimed when a carer has been engaged to enable a Member or co-optee to carry out an approved duty (as set out in Appendix 5), subject to the conditions set out in Appendix 4.

8. Statutory Sick and Maternity Pay

8.1 These payments may be available for certain periods when a Member is unable to undertake approved duties. Details are available from the Proper Officer.

9. Senior Citizen's Railcard

9.1 Males and females aged 65 and over, who regularly travel by train on council business, may apply for a Senior Citizen's Railcard. Use of the card offers a reduction of one third on the ticket price on most rail journeys. The cost of the railcard will be reimbursed through the payroll on production of a receipt. The payroll section will monitor the cards to ensure that savings made using the card exceed the cost of the card.

10. Travel and Subsistence Allowances

10.1 Travel and subsistence allowances can be claimed for approved duties as set out in Appendix 5. The rates for these allowances are set out in Appendix 3. Subsistence is not payable where a meal is provided free of charge.

11. Claims and Payments

- 11.1 A claim for travelling, subsistence and dependants' carers' allowances under this scheme shall be made at the end of each month. The Proper Officer shall have delegated authority to consider late claims and the reason for lateness and to pay those they consider reasonable.
- 11.2 Payments of basic, special responsibility and co-optees' allowances shall, subject to paragraph 11.3 below, be made automatically in instalments of one-twelfth of the amount specified in this scheme.
- 11.3 Where a payment of one-twelfth of the amount specified in this Scheme in respect of a basic, special responsibility or co-optees' allowance would result in the Member or co-optee receiving more than the amount to which, by virtue of paragraphs 6.1-6.4, he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

12. Updating of Allowances

- 12.1 Full Council has agreed the annual pay award to council staff as the index by which annual adjustments are made to the basic allowance and the special responsibility allowances payable to individual Members for the period from April 2021-March 2025.

13. Queries

- 13.1 If you have any queries in relation to any part of this scheme please contact committee@wiltshire.gov.uk

Appendix 1

The Council adopts the annual pay award to council staff as the index by which annual adjustments are made to the basic allowance payable to individual Members for the period up to 31 March 2025.

Basic and Special Responsibility Allowances (SRAs)

Basic Allowance 2021/22	£14,075	
Special Responsibility Allowance (SRA)	2021/22	% of Leader SRA
Leader of the Council	£35,188	(Band 1) 100%
Deputy Leader of the Council	£28,150	(Band 2) 80%
Cabinet Member	£21,112	(Band 3) 60%
Chairman of the Council Chairman of Overview and Scrutiny Management Committee	£14,075	(Band 4) 40%
Chairman of the Health and Wellbeing Board	£10,556	(Band 5) 30%
Portfolio Holder Chairman of Police and Crime Panel Chairman of Scrutiny Select Committee Chairman of Area Board Vice-Chairman of Overview and Scrutiny Management Committee	£7,918	(Band 6) 22.5%
Vice-Chairman of the Council Chairman of Strategic Planning Committee Chairman of Area Planning Committee	£7,037	(Band 7) 20%
Chairman of Audit Committee Chairman of Licensing Committee Chairman of Staffing Policy Committee Chairman of Wiltshire Pension Fund Committee Chairman of Standards Committee Chairman of Operational Flood Working Group	£3,519	(Band 8) 10%

Group Leaders' Allowance (Exempt from SRA limit as detailed in paragraph 3.3)

Number of Seats Held by Political Group as % of Council	2021/22
30+%	£8702
20+%	£6526
10+%	£2175
Under 10%	A proportion of £2175 (eg 7% = £1523)

<p>Overview and Scrutiny Fund To remunerate Members to recognize significant additional responsibilities undertaken as part of overview and scrutiny activities.</p> <p>A scheme on how to allocate the fund will be prepared and approved annually by the Overview and Scrutiny Management Committee.</p>	<p>£15,000 per annum</p>
--	---------------------------------

Appendix 2

Co-opted Members' Allowance	2021/22
Non-voting co-opted member of the Standards Committee (Maximum of 8)	£1284
Independent co-opted member of the Police and Crime Panel	£2207
Co-opted voting member of the Children's Select Committee	£1027

Other Allowances	2021/22
Independent Person of the Standards Committee (3)	£2566

Appendix 3

Rates of travel and subsistence allowances for Members and co-optees

1. Travelling Allowance

1.1 Second class rail fare, or ordinary fare for other public transport, or the appropriate cheap rate where applicable

NB second class rail travel must always be used. If the train's second class accommodation is full, Members and co-optees may travel first class.

1.2 The millage rate is 45p rate for the first 10,000 miles, and 25p for each subsequent mile. The rates for travel by a member in a private car are linked to the inland revenue rate (currently 45p per mile) and any movement in that rate to trigger an automatic rise in the Members' rate.

1.3 A cycle allowance of 40p per mile.

1.4 An allowance of 5p per mile when giving passengers a lift.

1.5 Hire of taxi cabs in cases of urgency or unavailability of public transport.

1.6 Expenditure on tolls, ferries, parking fees etc, and overnight parking.

1.7 If travelling by air the cost must not exceed the rate applicable to travel by appropriate alternative means of transport together with an allowance equivalent to the amount of any saving in subsistence allowance consequent on travel by air.

The council has generally decided that the Proper Officer are authorised to approve members travelling by air when they consider that the saving in time is so substantial as to justify payment of the fare for travel by air, and in such cases there may be paid an amount not exceeding:

- (i) the ordinary fare or any available cheap fare for travel by regular air service, or;
- (ii) where no such service is available or in case of urgency, the fare actually paid by the Member or co-optee.

2. Subsistence Allowances

2.1 Subsistence and overnight allowances be linked to those paid for officers with the exception of lunch allowance which is payable for Members.

2.2 In the case of an absence not involving an overnight absence from a members' usual place of residence:

Breakfast - departure from normal place of residence before 7am for an absence of at least 3 hours - £6.50

Lunch - departure from normal place of residence before 12 noon and return after 2pm - £8.50

Tea - return to normal place of residence after 6.30pm, following an absence of at least 3 hours - £3.35

Dinner - return to normal place of residence after 8.30pm, following an absence of at least 3 hours - £12.50

2.3 The rate of overnight subsistence for an overnight absence from the usual place of residence is £91.10.

2.4 The overnight subsistence allowance is the maximum payable for a complete 24 hour period of absence from normal place of residence and includes allowances for all meals listed above. It cannot be claimed if overnight accommodation has been paid for direct by the council. For an overnight absence in London the rate may be increased to £126.05.

2.5 For the purpose of this paragraph, London means the City of London and the London boroughs of Camden, Greenwich, Hackney, Hammersmith and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth and Westminster.

3. Meals on Trains

3.1 When main meals (that is, a full breakfast, lunch or dinner) are taken on trains during a period for which there is an entitlement to day subsistence, the reasonable cost of the meals (including VAT), may be reimbursed in full. Where the cost of meals taken on trains is reimbursed, absence from the normal place of residence must be consistent with absences listed in (2) above.

Appendix 4

Dependants' Carers' Allowances for Members and co-optees

A Member or co-optee may claim an allowance where they have incurred expenditure on engaging a carer for a dependant in order to carry out an approved duty as detailed in Appendix 5, subject to the following conditions:

1. A carer will be any responsible mature person who does not normally live with the Member or co-optee as part of their family.
2. An allowance will be payable if the dependant being cared for:
 - (i) is a child under 14 years of age
 - (ii) is an elderly person
 - (iii) has a physical or mental disability, or
 - (iv) has a learning disabilityand normally lives with the Member or co-optee as part of their family and is unable to be left unsupervised.
3. The Dependants' Carers' Allowance shall be paid at actual cost (up to a maximum rate of £30 per hour) or set at the National Minimum Wage hourly rate when informal care is provided by a friend or family member.

The period of duty is calculated on a 'door-to-door' basis, i.e. from the time a Member or co-optee leaves their place of residence to carry out the council duty to the time they return.
4. More than one allowance may be claimed in any 24-hour period beginning at 3am.
5. Tax and National Insurance will be deducted by the council in appropriate cases.
6. No claim may be made and no allowance is payable where a Dependants' Carers' Allowance or the reimbursement of carers' expenses is paid by another body.

Appendix 5

Approved duties

Travel and subsistence allowances are payable when expenditure on travelling and subsistence is necessarily incurred for a duty approved for this purpose.

An approved duty is:

1. any duty undertaken by the Chairman or Vice-Chairman of the Council in that role.
2. any duty undertaken by the Leader and Cabinet Members within their agreed remit and responsibility.
3. any duty undertaken in connection with the discharge of the functions of the council by virtue of holding the office of Member, with the following exceptions:
 - (i) any duty or activity undertaken primarily for party political purposes as opposed to the discharge of the council's functions
 - (iii) any duty or activity undertaken by virtue of being a school governor
 - (iii) meetings with individual or groups of electors to discuss constituency issues which are covered by the Basic Allowance
 - (iv) site visits, unless authorised in advance by a committee or chief officer
 - (v) attendance at meetings of outside bodies where the bodies themselves pay expenses.
4. attendance at conferences and courses:
 - (i) to meet a Member's identified learning and development needs, and/or
 - (ii) approved by the Member Development Group.

Wiltshire Council

Full Council

18 October 2022

Appointment of an Independent Person (s.28 Localism Act 2011)

Executive Summary

The Council is required under the Localism Act 2011 to appoint at least one Independent Person (IP) whose views must be sought and taken into account before the Council makes a decision on an allegation it has decided to investigate

The Council appointed three IPs in May 2021. Following a change in circumstances a vacancy rose at the end of June 2022.

The Standards Committee has undertaken a recruitment process and recommended the appointment of an addition IP.

Proposal

That Full Council appoint Mr John McAllister as an Independent Person

Reason for Proposal

In accordance with S27 of the Localism Act 2011.

Perry Holmes

Director – Law & Governance (and Monitoring Officer)

Appointment of an Independent Person (s.27 Localism Act 2011)

Purpose of Report

1. This report asks that Full Council ratify the appointment of an Independent Person.

Background

2. The Council is required under the Localism Act 2011 to appoint at least one Independent Person (IP) whose views must be sought and taken into account before the Council makes a decision on an allegation it has decided to investigate. The views of the IP may also be sought on other allegations, and by a member who is the subject of an allegation.
3. The Council has chosen to appoint three Independent Persons. These were appointed for four year terms at the meeting on 18 May 2021, following a recruitment process overseen by the Standards Committee.
4. As a result of changed circumstances, one of the Independent Persons has resigned their position. Full Council is asked to appoint a further IP to the end of the council term in May 2025.

Main Considerations

5. The Standards Committee was updated of the vacancy for an Independent Person at its meeting on 15 June 2022. In accordance with previous appointments the Monitoring Officer, in consultation with the Chairman, oversaw a process for recruitment of a replacement.
6. Following advertisement in the Summer, nine candidates were received for interview.
7. The Chairman, along with two other Members and supported by the Democracy and Complaints Manager, conducted interviews on 5 and 6 September 2022.
8. Following those interviews the Chairman presented an update to the Standards Committee at its meeting on 5 October 2022.
9. The Committee resolved to recommend council appoint Mr John McAllister as the new Independent Person.

Safeguarding Implications

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

Equalities Impact of the Proposal

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

Procurement Implications

12. There are no procurement issues arising from this report.

Risk assessment

13. A lack of IPs could cause assessment of complaints against elected members to be delayed.

Financial Implications

14. The IPs each currently receive remuneration of £2,566 a year for carrying out their duties. This sum is adjusted in accordance with the annual pay award to council staff, as with Member allowances, which was confirmed by Council in July 2021.

Equalities Implications

15. Equalities issues were considered as part of the recruitment process.

Legal Implications

16. The recommendations in this report are consistent with the Council's obligations under the relevant legislation.

Workforce Implications

17. There are no workforce issues arising from this report.

Public Health Impact of the Proposals

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

Environmental and Climate Change Impact of the Proposals

19. There are no environmental impacts arising from this report.

Recommendation

20. **That Council ratify the appointment of Mr John McAllister as an Independent Person following recommendation by the Standards Committee.**

Perry Holmes, Director, Legal and Governance

Report Author: Kieran Elliott, Democracy Manager (Democratic Services)
kieran.elliott@wiltshire.gov.uk , 01225 718504

6 October 2022

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Wiltshire Council

Full Council

18 October 2022

Community Governance Review 2021/22

Summary

To consider Final Recommendations of the Electoral Review Committee in respect of the Community Governance Review which commenced on 21 September 2021.

Proposals

That Council:

- 1) **Approve the changes to community governance arrangements as set out below as recommended and detailed by the Electoral Review Committee in the Final Recommendations:**
 - i. **Recommendation 1 – Charlton St Peter**
 - ii. **Recommendation 2 – Calne Town**
 - iii. **Recommendation 3 – Bremhill**
 - iv. **Recommendation 4 – Hilmarton and Compton Bassett**
 - v. **Recommendation 5 – Cherhill**
 - vi. **Recommendation 6 – Heddington**
 - vii. **Recommendation 7 – Derry Hill & Studley (Calne Without)**
 - viii. **Recommendation 8 – Malmesbury, St Paul Malmesbury Without, and Brokenborough**

- 2) **To authorise the Solicitor of the Council to take all necessary measures to make and approve the Community Governance Order(s) to bring into effect for 1 April 2025 all of the changes detailed under resolution 1, subject to any required consents by the Local Government Boundary Commission for England;**

- 3) **To authorise the Electoral Registration Officer to make any necessary changes to polling districts to bring them into line with the agreed governance changes at the appropriate time, to be reported to the Electoral Review Committee.**

Reason for Proposals

To ensure effective and convenient local governance and reflect community interest and identity

Perry Holmes – Director, Legal and Governance

Community Governance Review 2021/22

Purpose

1. To consider Final Recommendations of the Electoral Review Committee.

Background

2. A Community Governance Review is a process wherein a principal authority can adjust the governance arrangements of parishes within its council area. This can include amending the number of councillors or wards, the external boundaries, or even the creation/merger/abolition/grouping of entire parishes.
3. Any changes made as a result of the review would take effect for the next elections in 2025.
4. The Electoral Review Committee (“The Committee”) has delegated authority from Full Council to oversee any review process in accordance with paragraphs 2.10.7-2.10.9 of Part 3B of the Wiltshire Council Constitution. This includes setting the scope for any review, its methodology, timescales, and preparing recommendations for consideration by Full Council.
5. On 21 September 2021 the Electoral Review Committee published terms of reference for a Community Governance Review to begin on 22 September 2022 (“The Review”). This included consideration of requests for review received prior to the 2021 local elections.
6. The timetable for the Review within the terms of reference was updated on several occasions by the Director, Legal and Governance under delegated authority granted by the Committee, during the course of the review.
7. The parishes included within the Review were: Malmesbury and St Paul Malmesbury Without; Beechingstoke and surrounding parishes (Woodborough, North Newnton, Wilsford, Marden, Patney, Stanton St Bernard); Calne Without and surrounding parishes (Calne Without, Calne, Hilmarton, Cherhill, Compton Bassett, Heddington, Bremhill).
8. Also included in the terms were any parishes surrounding those listed, for example Brokenborough or Langley Burrell Without. This was in case any requests emerged from the listed parishes which would have an effect on a neighbouring parish, which could not be foreseen at the outset of the review. If this were not the case, a reasonable request and decision might have needed to be deferred, as occurred with the review of 2019/20.

9. In preparing any recommendations and making any decision respectively, the Committee and Full Council must take account of the statutory criteria for reviews and the need to ensure that community governance within the areas under review:
- Reflects the identities and interests of the community in that area, and
 - Is effective and convenient.
10. Council tax precept levels would not be a valid criterion to approve or disapprove of a proposal.
11. Beechingstoke had been included in the start of the review as it had had no parish council for at least 2 election cycles. In considering all the information gathered in Stage One, including a very high response rate representing around 1/3 of the parish electorate, it was agreed to make no recommendations in respect of Beechingstoke. Alternative arrangements were made to re-establish the parish council for that area. As such there would be no decision proposed for Full Council to consider, and no draft recommendation consulted upon which could be implemented.

Main Considerations

Pre-consultation

12. During Stage One of the Review additional proposals for the areas set out in Paragraph 5 were sought. During Stage Two the Committee undertook pre-consultation information gathering. The information gathered included notes of sessions with unitary members and parish councils, projected electorate data, notes from public meetings, emailed representations and over 300 responses to an online survey.
13. The Committee considered all the relevant information and agreed Draft Recommendations to be consulted upon at its meeting on 8 February 2022.

Consultations

14. An initial consultation was therefore held from 18 March 2022 – 5 May 2022. Public meetings were held on 5 April and 21 April in Calne and Malmesbury respectively. Although not a requirement of the legislation or guidance, the Committee wrote directly to households in Calne Without and St Paul Malmesbury Without, and some others where it was suggested they might be transferred from one parish to another.
15. At its meeting on 31 May 2022 the Committee considered all the relevant information responding to the Draft Recommendations. This included parish council session notes, public meeting notes, and details of parish and public representations, including over 229 online survey responses across all areas.
16. At the meeting the Committee resolved to approve some of its recommendations, defer others, and make amendments to others. As it is a requirement that any option resolved by Full Council must be consulted upon, the Committee agreed to undertake a consultation on Additional Draft Recommendations relating to several recommendations in the Calne Community Area, where the original proposals had been slightly amended.

17. A further online consultation was therefore held from 7 June 2022 – 28 June 2022 on the amended proposals, the First Additional Draft Recommendations, which received 24 responses.
18. The responses were considered by the Committee along with all other relevant information at a meeting on 5 July 2022. Again, the Committee approved some recommendations and amended others. It also extended time to seek additional information from some parish councils before confirming a recommendation relating to Malmesbury and St Paul Malmesbury Without
19. In considering those responses at a meeting on 8 August 2022, the Committee resolved further minor changes, as well as significantly amended proposals for the Malmesbury area, following further discussion with the directly affected parish councils. These would also therefore need to be subject to formal consultation.
20. An online consultation was subsequently held from 15 August 2022 – 16 September 2022, which received a further 2 responses.
21. The consultation as with the others included a briefing note, press releases, and communication to affected parish councils. This was the same methodology which had led to higher responses during pre-consultation surveying and other stages. However, due to the limited nature of the recommendations, far fewer residents would be affected.
22. The Committee considered the responses and any other relevant information at a further meeting on 28 September 2022. At the meeting it confirmed the final aspects of its recommendations for consideration by Full Council.
23. It was acknowledged that the level of responses to the later consultations decreased over time. It was noted, however, that the pre-consultation was carried out via the same online method as the additional consultations and received 85 responses relating to Calne Without and surrounding areas alone. The Committee had then written to all residents of Calne Without for the Draft Recommendations consultation and received 47 responses from that area, demonstrating it was not a methodology issue. The Malmesbury proposals also changed from a significant amendment of parish boundaries, to a limited proposal for internal warding of Malmesbury town.
24. The final consultation was therefore third engagement exercise conducted for Calne Without within 6 months, and the fifth within the last 2 years, and the third such consultation within 6 months for the Malmesbury area. It was therefore the case that significant and extended consultation on different options have been considered at various stages.

Electorate Forecasting

25. The guidance on Community Governance Reviews has been included as a background paper. That guidance makes clear that the principal council '*must also consider any change in the number or distribution of electors which is likely to occur in the period of five years beginning with the day when the review starts*'.

26. The guidance further states that '*planning assumptions and likely growth within the area, based on planning permissions granted, local plans or, where they are in place, local development frameworks, should be used to project an accurate five-year electorate forecast. This ensures that the review does not simply reflect a single moment, but takes account of expected population movements in the short to medium term*'.

27. Considering the entire guidance document as a whole and in context, the Council is satisfied, as in previous reviews, that consideration of future projections is a relevant factor.

Final Recommendations

28. The Committee also took account of the statutory guidance provided by the Secretary of State and the Local Government Boundary Commission for England ("LGBCE") in making its recommendations. Consent of the LGBCE would be required for several of the recommendations.

29. As a result of all the meetings and consultations, the Final Recommendations were therefore prepared, and are attached at **Appendix 1**.

Safeguarding Implications

30. There are no safeguarding implications.

Public Health Implications

31. There are no public health implications.

Procurement Implications

32. There are no procurement implications.

Equalities Implications

33. There are no equalities implications.

Environmental and Climate Change Implications

34. There are no environmental implications.

Workforce Implications

35. There are no workforce implications.

Financial Implications

36. Additional consultation, if requested by Council to consider further options, could incur additional resources, in particular in relation to the cost of physically mailing those affected in certain areas if appropriate.

Legal Implications

37. The Local Government and Public Involvement in Health Act 2007 gives the Council the power to undertake CGRs and sets out the criteria for such reviews. There is also

statutory guidance on the conduct of such reviews that the Council would have to comply with.

38. As several recommendations impact areas recently adjusted by the LGBCE as consequential changes following their Electoral Review of Wiltshire Council, they would need to consent to any draft Community Governance Order involving those areas.
39. Additionally, some changes to parish boundaries proposed were such that the parishes involved would cross current unitary Division boundaries, but were not large enough to form their own distinct wards, which is required when crossing Divisions. The LGBCE could be requested to amend the Divisions to align to the parish boundaries. The Council would send a draft order for their consent.
40. Should they consent to such an order, the Council would at that point be able to formally request Electoral Division changes, where this was appropriate following a community governance change.
41. The LGBCE accepted such a request from the Council following its decision in the 2019/20 Community Governance Review at its meeting on 9 September 2020. The Divisions were subsequently amended ahead of the May 2021 local elections.

Risks

42. A failure to consult appropriately or provide appropriate reasoning for any decision to change governance arrangements would be potentially vulnerable to challenge.

Options

43. Council may approve or not approve any of the Final Recommendations. The Council may only approve proposals which have been consulted upon. If minded to approve an alternative proposal which has not been subject to consultation, Council would need to instruct the Committee to undertake additional consultation before it could be approved.

Conclusion

44. The Committee has conducted a very thorough and extensive review of parish governance arrangements in the areas set out in the report.
45. It has undertaken consultation and engagement beyond what is required by legislation or guidance.
46. It has prepared recommendations it considers align to the statutory criteria to better reflect the identity and interests of local communities and provide more effective and convenience local governance.

Proposal

That Council,

- 1) **Approve the changes to community governance arrangements as set out below as recommended and detailed by the Electoral Review Committee in the Final Recommendations:**

- i. Recommendation 1 – Charlton St Peter
- ii. Recommendation 2 – Calne Town
- iii. Recommendation 3 – Bremhill
- iv. Recommendation 4 – Hilmarton and Compton Bassett
- v. Recommendation 5 – Cherhill
- vi. Recommendation 6 – Heddington
- vii. Recommendation 7 – Derry Hill & Studley (Calne Without)
- viii. Recommendation 8 – Malmesbury, St Paul Malmesbury Without, and Brokenborough

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- 3) To authorise the Electoral Registration Officer to make any necessary changes to polling districts to bring them into line with the agreed governance changes at the appropriate time, to be reported to the Electoral Review Committee.

Perry Holmes – Director, Legal and Governance

Report Author: Kieran Elliott, Democracy Manager (Democratic Services), 01225 718504, kieran.elliott@wiltshire.gov.uk

Appendices

Appendix A – Final Recommendations

Background Papers

[Terms of Reference of the Electoral Review Committee](#)

[Terms of Reference of the Community Governance Review](#)

[Guidance on Community Governance Reviews](#)

[Committee Meeting 8 February 2022](#)

[Committee Meeting 31 May 2022](#)

[Committee Meeting 5 July 2022](#)

[Committee Meeting 8 August 2022](#)

[Committee Meeting 28 September 2022](#)

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**Community Governance
Review 2021/22**

**Final Recommendations of
the Electoral Review
Committee**

October 2022

Contents

1) <u>What is a Community Governance Review?</u>	3
2) <u>What can a Community Governance Review change?</u>	3
3) <u>The Electoral Review Committee</u>	3
4) <u>On what grounds will a Community Governance Review be decided?</u>	4
5) <u>Background to the 2021/22 Review</u>	4
6) <u>Pre-consultation</u>	5
7) <u>Draft Recommendations and Consultations</u>	5
8) <u>Final Recommendations</u>	6
i. <u>Recommendation 1 - Charlton St Peter and Wilsford</u>	7
ii. <u>Background to Recommendations 2-7 (Calne Without)</u>	9
iii. <u>Recommendation 2 – Calne Town</u>	12
iv. <u>Recommendation 3 – Bremhill</u>	18
v. <u>Recommendation 4 – Hilmarton and Compton Bassett</u>	23
vi. <u>Recommendation 5 – Cherhill</u>	28
vii. <u>Recommendation 6 – Heddington</u>	34
viii. <u>Recommendation 7 – Calne Without (Derry Hill & Studley)</u>	39
ix. <u>Calne Community Area Maps for Recommendations 2-7</u>	50
x. <u>Recommendation 8 – Malmesbury, St Paul Malmesbury, and Brokenborough</u>	52

Links

[Terms of Reference of the Electoral Review Committee](#)

[Terms of Reference for the Community Governance Review 2021/22](#)

[Guidance on Community Governance Reviews](#)

[Pre-Consultation Information Pack – Committee Meeting 8 February 2022](#)

[Draft Recommendations](#)

[Initial Draft Recommendations Consultation Information – Committee Meeting 31 May 2022](#)

[First Additional Draft Recommendations Consultation Information – Committee Meeting 5 July 2022](#)

[Second Additional Draft Recommendations Consultation Information – Committee Meeting 28 September 2022](#)

[Final Recommendations of the 2019/2020 Community Governance Review](#)

All documents can also be accessed from links available at <http://www.wiltshire.gov.uk/council-democracy-cgr>

Contact CGR@wiltshire.gov.uk or CGR, Democratic Services, County Hall, Trowbridge, BA14 8JN for questions or other details.

What is a Community Governance Review?

1. A Community Governance Review is a process under the Local Government and Public Involvement in Health Act 2007 which allows for the review of Town, City, and Parish Council governance arrangements, and for any appropriate changes to be made. This ensures that they continue to be reflective of the identity and interests of local communities, and that they are as efficient and effective in their governance as possible.

What can a Community Governance Review change?

2. A Community Governance Review can make changes to parish governance when there is clear evidence to do so, including changing:
 - Parish areas: such as changes to boundaries between parishes, mergers of two or more parishes, or creating a new parish out of part of one or more existing parishes;
 - Electoral arrangements within parish areas: such as changes to the number of Parish Councillors, or introducing/changing parish warding arrangements;
 - The name of a parish;
 - The grouping together of parishes under a common Parish Council;
 - Other governance arrangements.
3. A Community Governance Review cannot change the Electoral Divisions of Wiltshire Council. However, it can request those Divisions be amended by the Local Government Boundary Commission for England (“The LGBCE”), who are responsible for such decisions, to align to any changed parish boundaries.

The Electoral Review Committee

4. Wiltshire Council has established the Electoral Review Committee (“The Committee”) to oversee any Community Governance Review process.
5. This is a politically proportionate committee of ten elected Wiltshire Councillors to oversee the process and prepare recommendations relating to any review to a meeting of Full Council, who make the decision.
6. The members of the Committee at the time of the latest Committee meeting setting these Final Recommendations were as follows:

Cllr Ian Blair-Pilling (Chairman)

Cllr Allison Bucknell

Cllr Jacqui Lay

Cllr Ashley O’Neill

Cllr Ian Thorn

Cllr Gavin Grant (Vice-Chairman)

Cllr Ernie Clark

Cllr Ian McLennan

Cllr Paul Oatway QPM

Cllr Stuart Wheeler

7. For the avoidance of doubt Cllr Thorn did not vote on any proposals affecting Calne Town, where he is a Town Councillor, and Cllr Grant did not vote on any proposals affecting Malmesbury, where he is a Town Councillor. At various meetings both made statements or answered factual questions in their capacity as members of the relevant councils, though not necessarily on that council’s behalf, but did not vote on any committee decision affecting them.

On what grounds will a Community Governance Review be decided?

8. Any decision relating to parish arrangements must be in accordance with the statutory criteria and ensure that those arrangements:
 - Reflect the identity and interests of local communities;
 - Ensure effective and convenient local governance.
9. In conducting a review and making recommendations, the Committee also follows guidance issued by the relevant Secretary of State and the LGBCE.
10. Factors that are not relevant to the statutory criteria and guidance, such as council tax precept levels, should not be considered.

Background to the 2021/22 Review

11. From 2017-2019 the LGBCE undertook an Electoral Review of Wiltshire Council. While this retained the number of divisions at 98, the changes as approved by Parliament made consequential changes to many town and parish governance arrangements.
12. Combined with development growth across existing town and parish boundaries, or creation of new communities with their own identity within an existing parish, Wiltshire Council determined that reviews were necessary in some areas to ensure the community governance arrangements were still reflective of local identity and interests, and were effective and convenient.
13. All parishes in Wiltshire were contacted in the summer of 2019 to see if there were any changes to governance arrangements they wished the Council to consider, and a number of requests were received. Due to resourcing, these would be considered when the council, through the Committee, determined it was practicable to do so. Parishes were recontacted in subsequent years to confirm if they still wished to request a review of their area.
14. On 22 September 2021, Wiltshire Council published terms of reference for a Community Governance Review for the following parish areas:
 - Beechingstoke;
 - Woodborough;
 - North Newnton;
 - Wilsford;
 - Marden;
 - Patney;
 - Stanton St Bernard;
 - Malmesbury;
 - Calne;
 - Calne Without;
 - Bremhill;
 - Hilmarton;
 - Compton Bassett;
 - Cherhill;
 - Heddington;
 - St Paul Malmesbury Without.
15. The terms of reference also explicitly specified that parishes 'surrounding those listed' were also included. This was to enable complete consideration of any options which might emerge during the information gathering stage or at a later stage. Were this not the case, appropriate changes which emerged might need to be deferred to a future review, as occurred for Calne Without during the 2019/20 review, if proposals emerged which were not within the scope of the review
16. The terms of reference were updated in in December 2021, February 2022, May 2022 and

August 2022 to adjust the timescales for the review, such as to account for additional consultations to take place.

17. The Committee is able to recommend, and the Council to approve, governance changes which were not suggested by parishes or individuals, if it considers it appropriate to do so. Any such proposal would be subject to consultation before it could be approved.

Pre-consultation

18. During the first stage of the review the Committee received additional proposals relating to the review areas. During the second stage the Committee undertook pre-consultation information gathering, including:

- Sessions between representatives of the Committee and unitary councillors and Parish Councils affected by any initial proposals submitted;
- Online public events for: Beechingstoke (and surrounding areas), Calne Without (and surrounding areas), and Malmesbury/St Paul Malmesbury Without;
- Online surveys for those areas potentially impacted by a change of parish in proposals as submitted to the Council.

Draft Recommendations and Consultations

19. At its meeting on 8 February 2022 the Committee considered the above information and formed Draft Recommendations. These were then consulted upon between 18 March and 5 May 2022.

20. The consultation included:

- Further sessions between representatives of the Committee and affected unitary councillors and Parish Councils, on request or where this had not previously taken place;
- Public events held in Calne and Malmesbury;
- Online surveys on the Draft Recommendations;
- Letters to households in Calne Without and St Paul Malmesbury Without, and others where it was proposed they be transferred from one parish to another.

21. At its meeting on 31 May 2022 the Committee considered the above information, confirmed some Draft Recommendations and made amendments to others. Due to the extensive consultation which had already taken place, and the minor nature of the proposed amendments, in keeping with the practice as demonstrated by the LGBCE, these were then consulted upon for a shorter period from 7 June - 28 June 2022. Details are provided in the main body of this report.

22. The consultation, referred to as the First Additional Draft Recommendations Consultation, included:

- Online surveys on the first additional Draft Recommendations

- A briefing note and press release

23. At its meeting on 5 July 2022 the Committee considered the above information, and agreed to amend further its proposals in relation to minor parts of one recommendation. The Committee deferred consideration on one recommendation to a future meeting to allow for more information to be received, including representations from relevant Parish Councils.

24. At its meeting on 8 August 2022 the Committee considered that further information and agreed to amend a significant part of one recommendation and consult up on an additional proposal. Details are provided in the main body of this report.

25. It was noted at that time that extensive information gathering had already taken place. There had also been a higher response from some areas during the online only pre-consultation survey than the Draft Recommendations consultation itself, which had involved physical letters. As the Second Additional Draft Recommendations made minor changes to the previous options consulted upon, or were more limited in nature, it was agreed that the consultation on the additional Draft Recommendations would be online only.

26. The consultation on Second Additional Draft Recommendations ran from 15 August to 16 September 2022.

27. The consultation included:

- Online surveys on the second additional Draft Recommendations
- A briefing note and press release

Preparation of Final Recommendations

28. Across its meetings on 31 May, 5 July, 8 August and 28 September 2022, the Committee considered all relevant information as detailed above and delegated preparation of Final Recommendations for all areas to the Director, Legal and Governance, after consultation with the Chairman of the Committee.

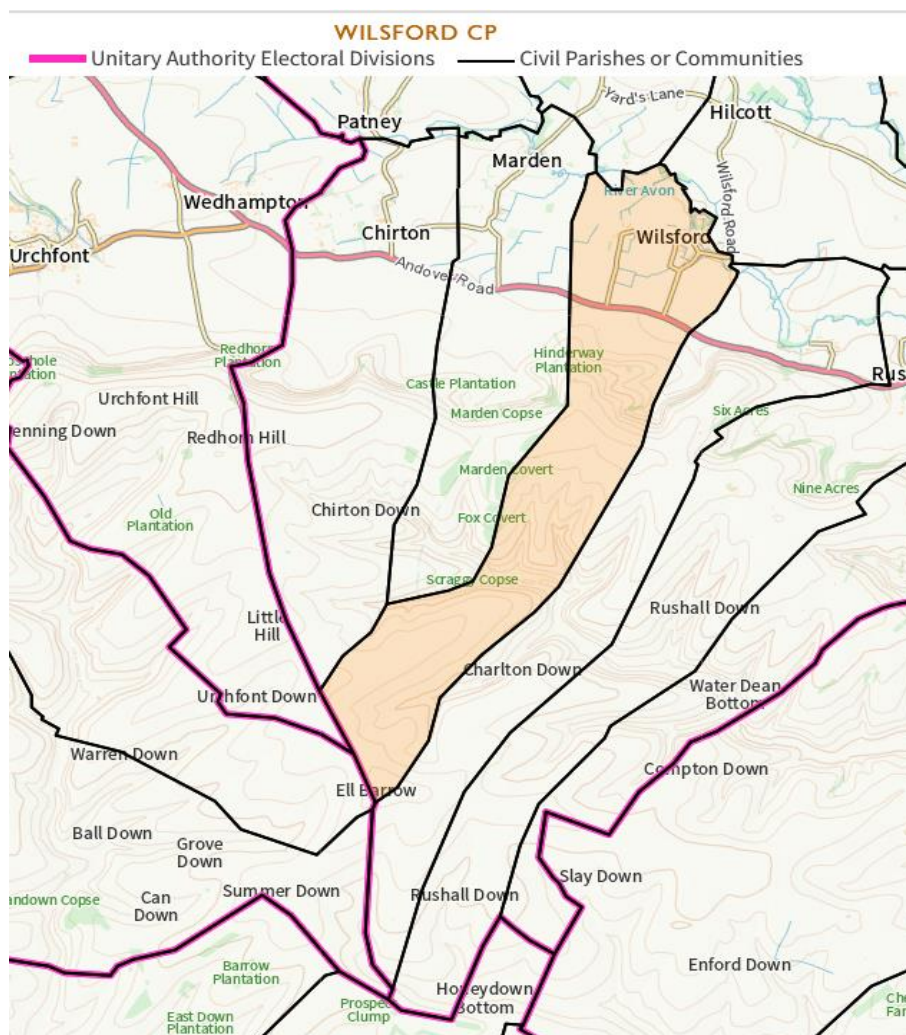
29. This document sets out the full reasoning behind those Final Recommendations, which will be presented for consideration to a meeting of Full Council on 18 October 2022.

FINAL RECOMMENDATIONS

Charlton St Peter and Wilsford

Background

1. The Parish of Wilsford was included within a review focused on the parish of Beechingstoke, which had been without a Parish Council for several election cycles, as it borders Beechingstoke.
2. Following consideration of all relevant information and responses from a high proportion of the electors of the parish of Beechingstoke, a Parish Council was able to be reformed and the Committee agreed to make no recommendations relating to its governance arrangements, and concluded the review of that parish. There were also no recommendations for other surrounding parishes, with the exception of Wilsford.
3. As of August 2021, Wilsford had an electorate of only 66. The parish, highlighted below, is served by a Parish Council also covering the parish of Charlton, which is adjacent to the east and contains approximately 136 electors.



Map from <https://www.ordnancesurvey.co.uk/election-maps/gb/>

Pre-consultation information gathering and preparation of Draft Recommendations

4. During the first phase of the review of Beechingstoke and its surrounding parishes, the Committee established the existence of an anomaly in the electoral arrangements for Charlton (now renamed Charlton St Peter, see paragraph 7) and Wilsford. As legally separate parishes,

the two would need to be formally grouped together under a joint Parish Council in order to be represented together. This was what the Parish Council believed to be the case and how it is referred to by other bodies.

5. However, where two or more parishes are grouped together, they should elect councillors separately for each parish to sit on a joint Parish Council. Instead, for an extended period, Charlton and Wilsford have been treated electorally as if they were a single parish and therefore had elected councillors to a single parish.
6. The Parish Council requested the anomaly be corrected to confirm the arrangement that had been thought to be in place. Additionally, Charlton was more commonly referred to in the community and the Parish Council as Charlton St Peter. It was requested this also be formally confirmed.
7. As changing the name of a parish can be undertaken under s.75 of the Local Government Act 1972, Full Council formally amended the name as requested by the Parish Council at a meeting on 17 May 2022. This would also avoid any potential confusion with another parish in Wiltshire named Charlton, near Malmesbury.
8. 8 responses were received to the online survey at the pre-consultation stage, all supportive of correcting the anomaly.
9. The Committee at its meeting on 8 February 2022 accepted that for reasons of effective and convenient governance the two parishes should be formally confirmed under a joint Parish Council. The current situation was a legal anomaly and the two communities as currently represented were content to remain distinct parishes under a single council.
10. As the current Parish Council has seven members, it was agreed following the meeting to recommend that Wilsford contain two councillors and Charlton St Peter five councillors.

Consultation on the Draft Recommendations and Preparation of Final Recommendations

11. Only 2 further responses were received to the Draft Recommendations Consultation, 1 in agreement and 1 in disagreement. No comments were provided along with the responses.
12. However, given the support of the Parish Council, the anomalous arrangement that was being corrected and previous arguments in support of confirming the grouping arrangement the Committee, having considered the responses and all relevant factors and guidance, agreed to uphold its recommendation.
13. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore agreed the following:

Recommendation 1

- 1.1 That the parishes of Charlton St Peter and Wilsford be grouped under a Joint Parish Council named Charlton St Peter and Wilsford Joint Parish Council.**
- 1.2 The Parish of Wilsford to contain two Parish Councillors.**
- 1.3 The Parish of Charlton St Peter to contain five Parish Councillors.**

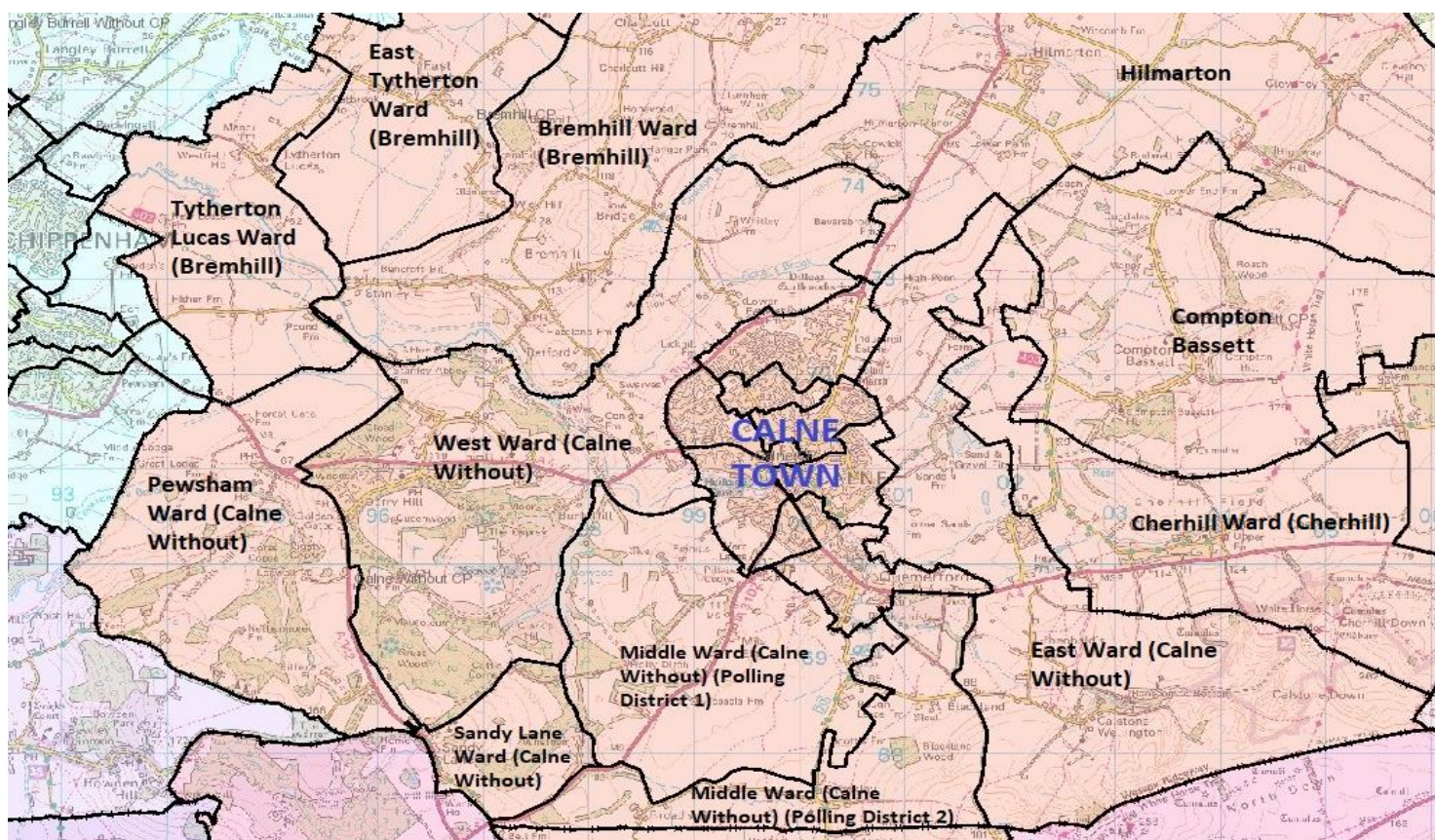
Reasons: Paragraphs 73 and 85 of the Guidance on Community Governance Reviews

Background to Recommendations 2-7 (Calne Without)

14. The Parish of Calne Without is a large parish that surrounds most of the town of Calne. It includes a number of different settlements, including Derry Hill, Lower Compton, Stockley, and other smaller communities.

15. As of August 2021, the total electorate was approximately 2674. The Parish Council comprises five wards totalling 15 councillors:

- East Ward – 640 electors – 3 councillors;
- Middle Ward – 526 electors – 4 councillors;
- Pewsham Ward – 159 electors – 1 councillor;
- Sandy Lane Ward – 75 electors – 1 councillor;
- West Ward – 1274 electors – 6 councillors.



2019 Review

16. On 24 September 2019 the Electoral Review Committee (“The Committee”) received a petition from electors of the parish of Calne Without requesting that a new parish be formed around the area of Derry Hill & Studley. The petition contained 673 signatures, with further signatures later submitted, from the proposed area of the new parish.

17. It was proposed that the new parish would contain nine councillors, without wards, and comprise the area at the time sitting within the area of the West and Pewsham wards of Calne Without. Following the Electoral Review of Wiltshire Council, the area of the West Ward was amended by the Local Government Boundary Commission for England (“The LGBCE”) to cover a slightly different area, with the current ward as shown on the map above.

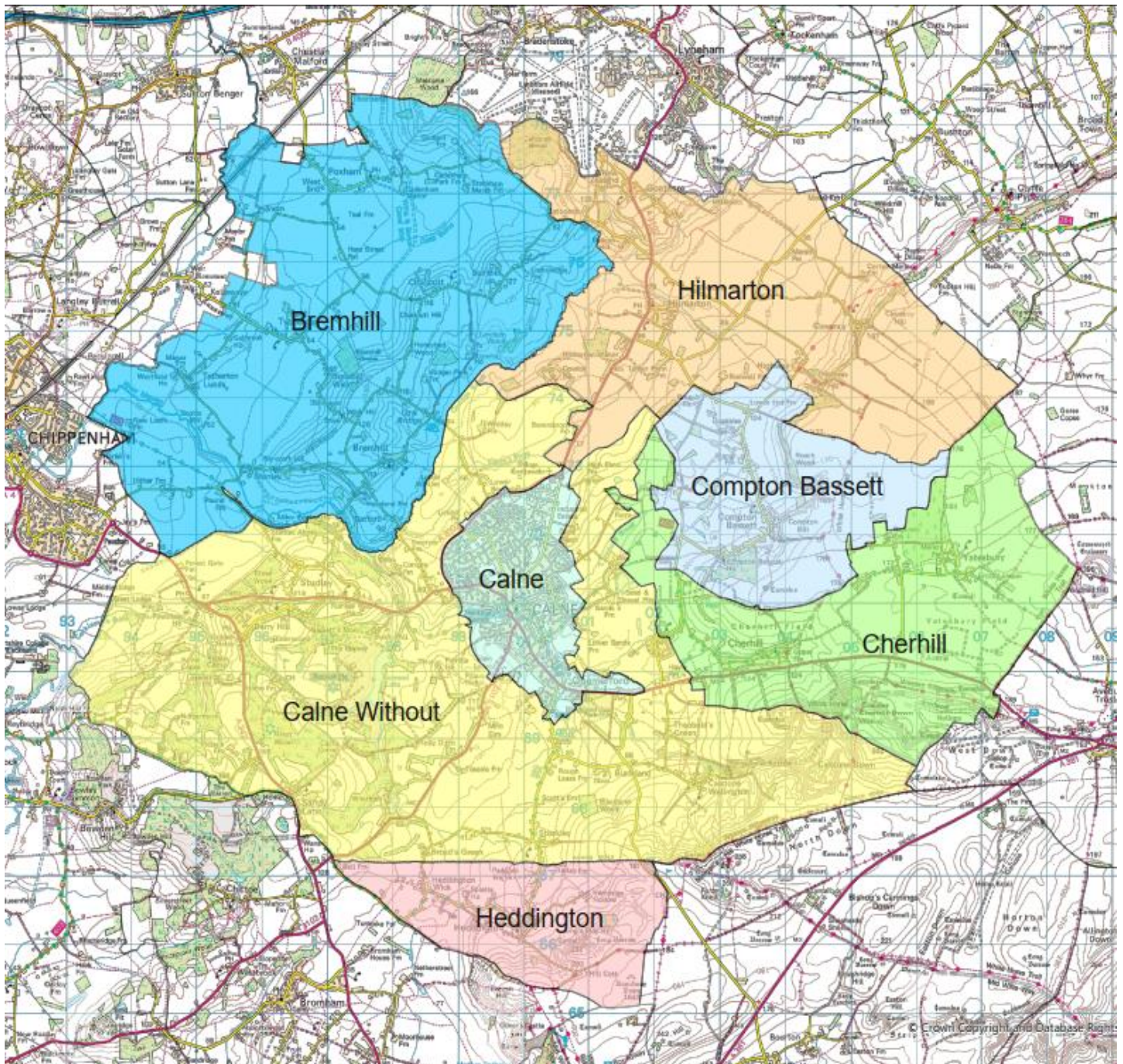
18. The request along with further information submitted by the petitioners argued that Derry Hill & Studley made up a viable, identifiable community and that the large, disparate parish of Calne Without did not reflect its community interests or identity. It was stated that over time significant development growth around Derry Hill had changed the character of the area from that of the rest of the parish, and that effective governance would be improved for the area if it had its own Parish Council. The request was opposed by Calne Without Parish Council at the time who considered that the area would not be better served by a separate council, and that there would be a detriment to the remainder of Calne Without should Derry Hill & Studley form their own parish.
19. In response to the petition, a review of Calne Without was held in 2019/20, including meetings with the Parish Council, lead petitioners and the public. In its final recommendations at that time the Committee considered that a strong case had been made by the petitioners but recommended that, other than resolving some minor warding issues, a further review take place to determine a fuller recommendation.
20. The new review would encompass all surrounding parishes in order to be able to consider the entire area, and all potential options for effective and convenient governance that might be appropriate for the communities in the area.
21. Accordingly, for the 2021/22 review, the parishes of Calne Town, Bremhill, Hilmarton, Compton Bassett, Cherhill, and Heddington were included along with Calne Without. The review would also be able to encompass any parishes surrounding those listed such as Langley Burrell Without, Christian Malford and Bromham, should any requests be received, or options recommended, which impacted them. These parishes were contacted at the point proposals were agreed which affected them.
22. During the first stages of the 2021/22 review when meeting with parishes and gathering information from surveys, the Committee included those requests which had been received for the beginning of the review. These were:
 - The proposal for a new parish at Derry Hill & Studley, and either the remainder of Calne Without remaining a parish in its own right, or some or all elements of it being transferred to other parishes;
 - Proposals from Calne Town Council to transfer areas of Calne Without to the town;
 - A proposal from Compton Bassett Parish Council to transfer areas from Calne Without and Cherhill to Compton Bassett;
23. The 2019 review and thus this subsequent review were prompted by the submission of the petition for a new parish. This remained a significant piece of evidence of community identity via a major consultative exercise, although it was now a few years old, and as such remained a major factor to consider.
24. However, the Committee was mindful throughout of the purpose of a review to examine all aspects of electoral and governance arrangements in the areas listed, and the need to consider every area in respect of the statutory criteria. This would mean that, irrespective of

any view on the initial new parish proposal and other submitted proposals, for which further information was sought through an online survey at the pre-consultation stage, every area would be considered in turn with an open mind.

25. The recommendations that follow were therefore made as appropriate taking account of the statutory criteria, guidance, evidence gathered, and arguments received. As each area was considered in turn, within the overall context of the wider area, the recommendations that follow address each area individually.

26. A map of the existing parish boundaries in the Calne community area is included below

Calne Community Area Parish Map (2021)



Calne Town

Background

27. Calne Town comprises 19 councillors across four wards. As of August 2021, it had an electorate of 14,175. Three of its wards are coterminous with a unitary Electoral Division of the same name. The final ward, Calne South, is included within the Calne South unitary division, which also includes the Middle Ward and Sandy Lane Ward of Calne Without, and also the parish of Heddington.



28. Prior to the 2021/22 review Calne Town had requested the transfer of a number of areas from

the parish of Calne Without into the town. The requests included incorporating, as described by the Town Council: i) the Beversbrook Sport Facility and Allotments, which were on a long term lease to the Town Council; ii) the new development off Low Lane to the east of the town; iii) Cherhill View allotments, Cherhill View housing estate, and Rookery Farm, which included recent urban development which it was felt were part of a community with the town and several areas of land; and iv) land at Penhill Farm to Abberd Lane, land to the west of Kingsbury Green Academy, and land to the north of Quemerford. The detailed reasons for the requests were included within the information packs considered by Committee.

29. Following the beginning of the review Calne Town clarified its requests to include further sections of land to the east of the town, which were also considered by the Committee.

Pre-consultation information gathering and preparation of Draft Recommendations

30. Paragraph 170 of the statutory guidance on community governance reviews requires that the Committee consider both the current position and that within a period of five years from the start of the review. This includes consideration of incoming housing development which would have an impact on the character and interests of the area. It also states: *'This ensures that the review does not simply reflect a single moment but takes account of expected population movements in the short- to medium-term'*.
31. Accordingly, even if it were the case that further urban-focused housing was expected by some parties in a number of the areas requested, the Committee could only take account of existing housing, or that predicted to occur within the next five years. The Committee consulted the Spatial Information team at Wiltshire Council for information on allocated housing areas and granted or submitted planning permission for housing of more than 10 dwellings in the Calne area. Furthermore, the character, identity and interests of that new housing area was relevant.
32. Meeting with representatives of the Town and Parish Councils, discussion with Calne Without included views that where urban development extended over the current town boundary this could reasonably be included within the town, and as such they supported elements of the Town Council proposal where there was definitive development taking place or which had already taken place. The Town Council reiterated its reasons for requesting the areas listed, including areas looked after by the Town Council such as the recreation centre, the incorporation of developed areas, and the additional areas to the east. It was confirmed several of the areas included no housing or imminent projected development.
33. Each of the four initial proposals from the Town Council had been included in an online survey. 40 responses commented on each proposal in turn, with between 21-29 in agreement, and between 5-9 in disagreement, with others expressing no opinion. Responses made referred to land being under the control of the Town Council and therefore suggested that it should belong within the town.
34. The Committee considered all of the information gathered and views submitted. It noted that the area referred to variously as Rookery Farm/Marden Farm/Cherhill View estate to the south of Calne was already developed and was accessed from within Calne Town. The density and

extent of the development, and its character, was overwhelmingly urban in nature. The character, identity and interests of the area was strongly felt to align with the town.

35. The lower portion of land proposed by the Town Council off Low Lane was currently being developed. It too was of a significant scale and urban in character and interests and had no community connection or governance reason to align with the more rural parish of Calne Without.
36. Notably, the Committee considered that both areas could have been identified during the Electoral Review as areas to be included within urban based Electoral Divisions, in keeping with its own recommendations, accepted by the LGBCE, for other major settlements such as Trowbridge, Melksham, Chippenham and Salisbury.
37. However, the other areas requested by the Town Council did not contain new areas of housing, nor were they projected to include such areas within the next five years. Whilst the Committee could recommend the transfer of areas without significant electorates, it did not consider the evidence supported that this would lead to improved governance, or that it was reflective of the communities involved or their identity or interests. Calne Town was a large, dense and highly urban parish without any rural hinterland. Whilst many responses saw the areas as the natural focus for future development that might take place, this was speculative and could not be taken into account at this stage as it would not be appropriate under the criteria to transfer those areas.
38. Of the areas the Committee did consider should be transferred, whilst the Low Lane area was of a scale that it could conceivably be a ward of the Town Council and remain within the Calne Rural Electoral Division, this was not considered to be an effective or convenient arrangement. An additional ward with possibly a single councillor outside a town-based Division would not improve governance effectiveness. Accordingly, the Committee recommended that the LGBCE be requested to amend the Calne Central Division to be coterminous with the Calne Central Ward, and both to include the Low Lane area.
39. The Rookery Farm/Marden Farm/Cherhill View area was within the Calne South Division which also included Heddington. Calne South therefore already existed as a division which was part urban and part rural and could remain so with an increased Calne South town ward incorporating the area of development. The Committee noted the revised town ward electorate would still be smaller than the other town wards, and as such should remain at four councillors rather than the five councillors of the other town wards.
40. A final area was identified to the west of the town by the Committee. This was an area which had been granted planning permission for a sizable new development following a planning appeal. As this area would also be of urban character and identity, the Committee likewise recommended it be included as part of the Calne Central Ward, and within an amended Calne Central Division which would also require LGBCE consent.

Consultation on the Draft Recommendations

41. 13 responses were received to the online survey in agreement with the recommendation to

move the three areas – Rookery Farm/Marden Farm/Cherhill View, Low Lane, and land to the west of Calne – into the town and request amendment to the Electoral Divisions accordingly. 11 responses were in disagreement and 3 suggested amendments to the proposal.

42. Comments in support of the recommendation included being close in proximity to the town already and thus being more conveniently represented, the urban nature of the areas proposed to be transferred was not in character with the rural parish of which they were currently a part.
43. Comments opposed to the recommendation included financial implications, that the existing arrangements for Calne Without were appropriate, the area was more rural in character and that connections to the town were limited.
44. Comments were also received at the public meeting and in comments on other consultations, detailed further under Recommendation 6, objecting to the movement of the entire estate to the south into Calne Town, stating they did not see any benefits to the proposal, identified more with the rural surroundings of Calne Without or the proposed expanded Heddington, raising points including around the payment of estate management fees.
45. Suggested amendments involved including the actual Rookery Farm site, accessed from the same road to the town but not within the proposal moving the Rookery Farm estate into the town, within the area to be transferred into the town. The draft proposal would see it moved into an expanded Heddington parish. The Town Council also reiterated its support for transferring the area of the Beversbrook Sports and Community facility and allotments into the Calne Town boundary.

Final Recommendation

46. The Committee did not agree with comments that the estate to the south of the town shared characteristics, identity or interests with Heddington or the remainder of Calne Without. They continued to consider that the area was a clear urban extension of the town and most appropriately under the criteria included within it, notwithstanding the points raised about local estate maintenance, which would be a matter for the Town Council to consider how and if to approach.
47. In relation to the Rookery Farm site itself, the Committee considered that the area, even if accessed through the town, remained of a distinct character compared to the more built up urban area of the nearby estate. Under the criteria it was therefore appropriate to remain with the parish even though it was stated it was not a working farm site.
48. In respect of the sports facility, the area contained no electors, and the Committee was not persuaded there were any compelling reasons of effective governance or community identity to justify transferring the area to within the town. The land was also north of the main road which served as the boundary with the parish, which the Committee was recommending be extended along the rest of the northern town boundary, and so to transfer the area would make the dividing line between the parishes less clear.

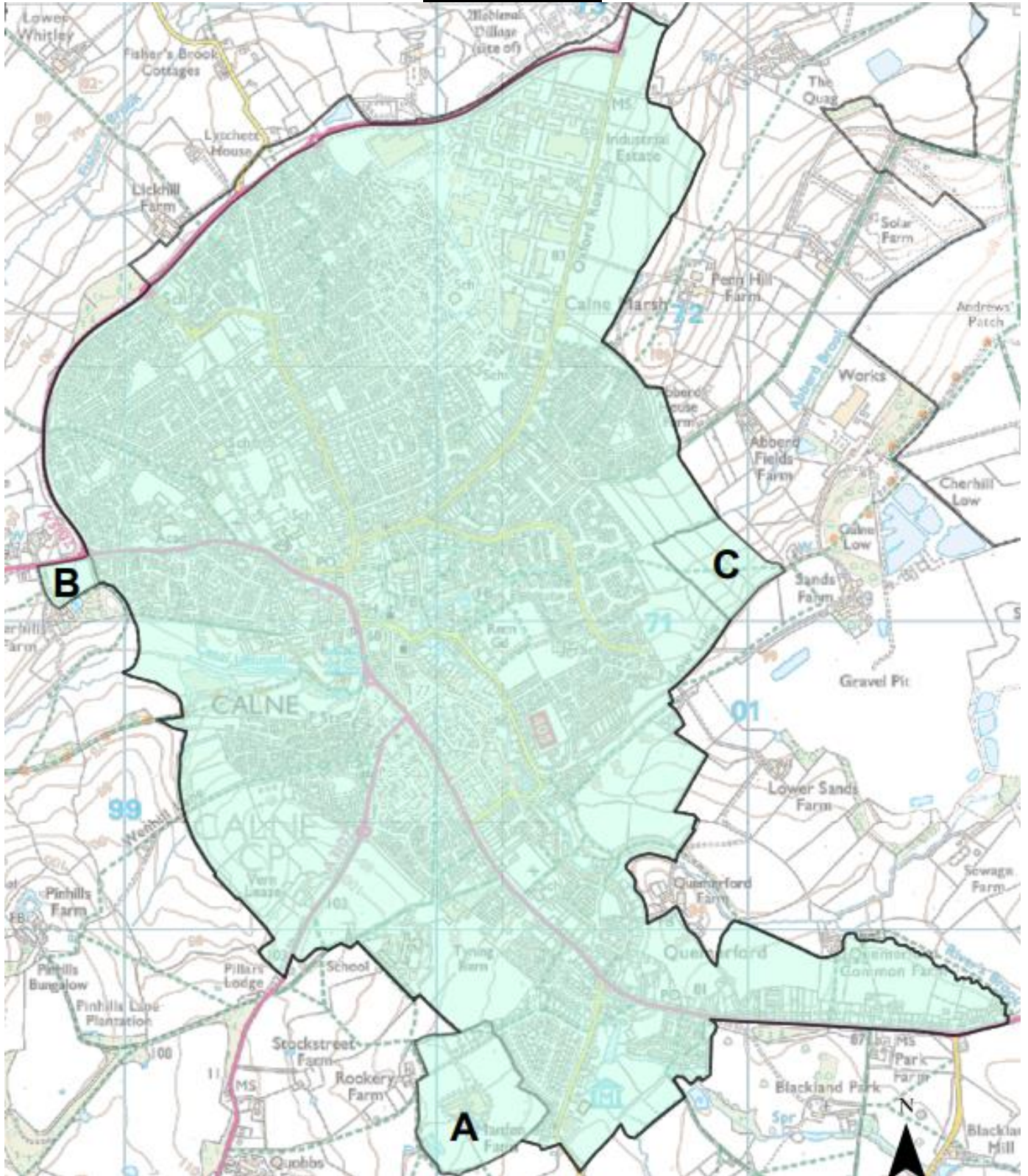
49. Accordingly, the Committee upheld its initial recommendation. The areas to be transferred were urban in nature and character and would be more appropriately and effectively represented and governed as part of the Town Council, a position supported by the existing Calne Without Parish Council which included those areas.
50. As the wards of Calne Without and Calne Town were amended in the 2017-19 Electoral Review of Wiltshire Council, the LGBCE would need to provide consent to any parish governance changes proposed.
51. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore agreed the following:

Recommendation 2

- 2.1 That the area marked as A be transferred from Calne Without to Calne Town as part of the Calne South Town Ward. Calne South Ward to continue to have four councillors.**
- 2.2 That the areas marked as B and C be transferred from Calne Without to Calne Town as part of the Calne Central Town Ward. Calne Central Ward to continue to have five councillors.**
- 2.3 To request that the LGBCE amend the Calne Central and Calne Rural Electoral Divisions to be coterminous with the proposed revised parish boundaries of Calne Town and Calne Without.**

Reasons: Paragraphs 54, 73, 80, 84, 85 and 170 of the Guidance on Community Governance Reviews

Calne Town Map



*Shaded area is proposed new parish boundary, Dark grey line existing parish line.
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Bremhill

Background

52. The parish of Bremhill is a large parish to the north of Derry Hill & Studley in Calne Without, and north-west of Calne Town. As of August 2021, it has an electorate of approximately 801. The Parish Council comprises four wards and 15 councillors.
53. The Committee met representatives of Bremhill Parish Council during the early stages of the review to discuss proposals that had been submitted in relation to a new parish at Derry Hill & Studley, and associated impacts on other parishes. Opportunity was also provided for the Parish Council to submit any new proposals.

Pre-consultation information gathering and preparation of Draft Recommendations

54. Bremhill Parish Council submitted a detailed proposal for the transfer of a number of areas of Calne Without, including some elements within the initial Derry Hill & Studley new parish proposal. It argued the area of Rose Cottage, Stanley Abbey Farm and remains of Stanley Abbey were linked with Bremhill, with community, heritage and historical cohesion improved if they were transferred. It also included areas to the north of Calne Town, to better align to main roads as a more natural and identifiable boundary. It stated the areas requested amounted to approximately 28 properties.
55. A number of other suggestions sought to align boundaries with identifiable elements on the ground, or to correct perceived anomalies such as a few properties in Christian Malford and Langley Burrell Without. It was argued that these had addresses referencing Bremhill and looked to Bremhill for amenities and services, or that all other properties along the same road were within Bremhill and there was no community or governance reason for them to be separated from their neighbours as at present. Bremhill Parish Council also suggested a small field boundary be amended and moved into Langley Burrell Without, to be a more appropriate boundary taking account of local farming operations.
56. The Committee had considered that Bremhill had submitted a coherent and persuasive argument that the areas of Calne Without, Christian Malford and Langley Burrell Without would appropriately sit within Bremhill parish. The areas were similar in nature, limited in scale and looked to and aligned with Bremhill and so would form an appropriate transfer under the statutory criteria. The areas would if transferred become part of the appropriate wards of Bremhill. Langley Burrell Without would remain unwarded.
57. The precise line and number of properties impacted would need to be considered carefully, to ensure no more urban properties around Derry Hill or Calne itself were moved into the rural focused parish of Bremhill. The Committee also discussed slightly amending the boundary with Hilmarton and Calne Without along the A3102 to avoid splitting a number of structures between three parishes. Other such very minor amendments to correct anomalies for example to align to river boundaries could also form part of any changes. The area of D2 was proposed to be transferred from the Town Council, in order that the boundary of the parishes run more naturally along the main road, as it did for other parts of its length.

58. Given the limited scale of the proposals, no changes to other governance arrangements for Bremhill were considered necessary or appropriate under the statutory criteria. As there were consequential changes made to Calne Without, Calne Town and Langley Burrell Without during the 2017-19 Electoral Review, any changes to those parishes would require the consent of the LGBCE.
59. The changes relating to Christian Malford and Langley Burrell Without involved the Electoral Division of Kington. As the areas proposed to be transferred could not be warded separately, it was noted that if the changes were approved this would require the LGBCE to agree to amend the Electoral Division boundaries of Kington and Calne Rural to match the proposed parish boundaries. Similarly, a small section of the area to be transferred from Calne Town, which included no electors, would require the amendment of the Calne North Electoral Division.

Consultation on the Draft Recommendations

60. 19 responses were received to the online survey. Physical letters had been sent to the residents of Calne Without, 12 responses were in agreement, 2 in disagreement, and 5 suggested amendment.
61. Comments in agreement included comment that the areas proposed had similar density and characteristics with Bremhill parish and had better connections to the settlements there than with Derry Hill. Also that the proposal better reflected the identity of the areas proposed and was part of the overall reorganisation of the area, which was supported.
62. Comments in disagreement included that some of those proposed to be moved had greater affinity with Calne Without and Studley, and that the existing parish was well run and effective.
63. Suggested amendments included that some of the properties along the A4 would not align well to the parish of Bremhill, that the area of Black Dog Halt and associated properties should be retained in Derry Hill or Calne Town. Other comments were made that it also would be more appropriate for properties around Stanley Abbey Farm to be in Derry Hill, although the areas at Ratford and Fishers Brook were supported to move into Bremhill.
64. Langley Burrell Parish Council objected to the proposals. In addition to criticising the process followed, the Parish Council considered there was no wish to adjust the community area boundaries and that the statutory criteria supported retaining the current arrangements.

Additional consultations and preparation of Final Recommendations

65. The Committee was not persuaded by the arguments presented by Langley Burrell Without Parish Council regarding the small transfers to Bremhill. The administrative impacts arising from the proposal were minor but sensible adjustments reflective of the roads, field boundaries and local community in the area. The current area was far removed from the settlements of Langley Burrell, with other houses on the same road within Bremhill parish. Although only a few properties were impacted a comment had still been received from within the area itself stating they aligned to Bremhill, including that they already received contact from Bremhill Parish Council, and all neighbours were part of Bremhill parish. The Committee considered the arguments presented by Bremhill Parish Council to be reasonable and logical, supported by

the consultation, and in alignment with the statutory criteria.

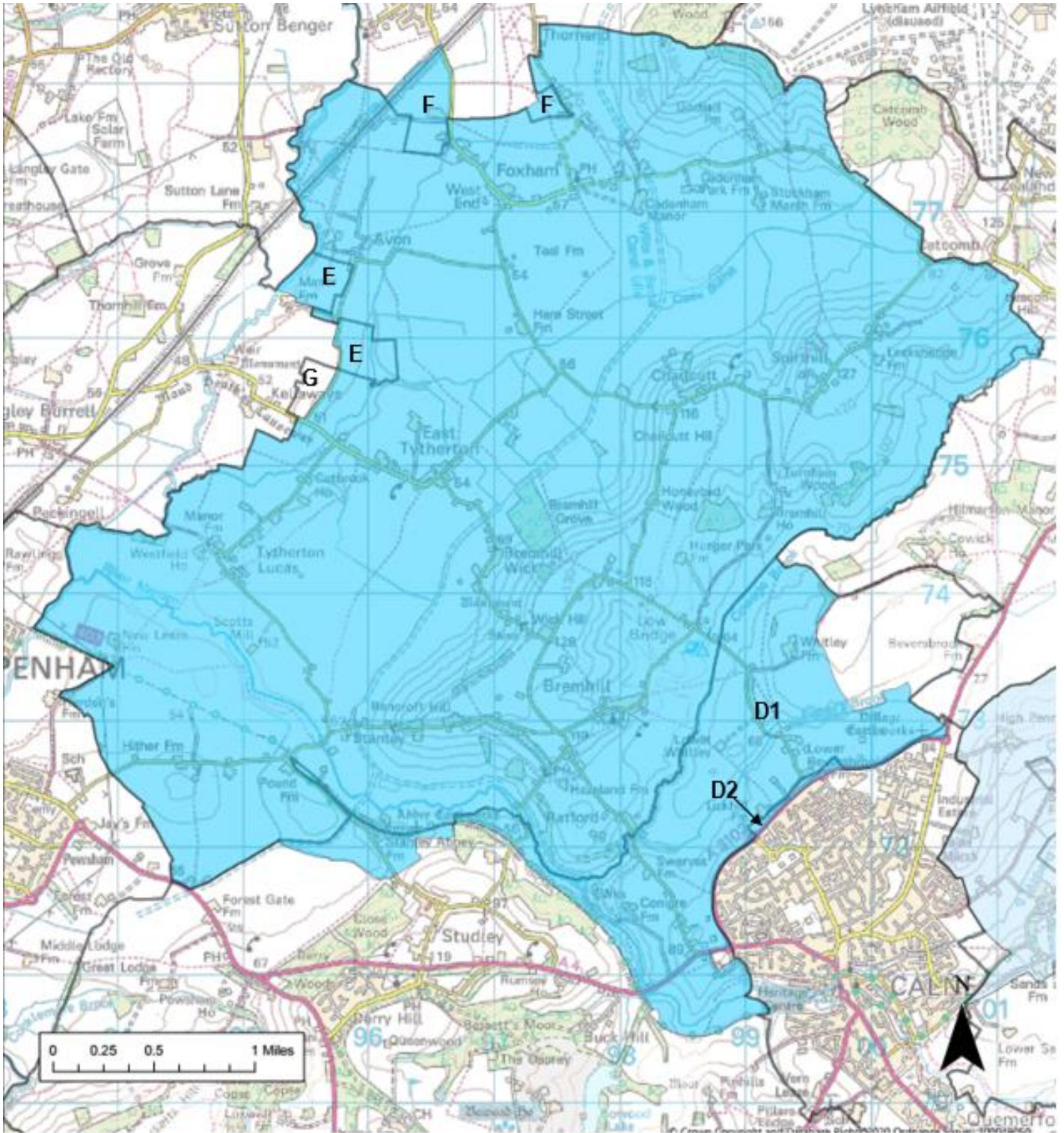
66. No response was received from Christian Malford Parish Council, but several responses had been received from the small number of properties proposed to be transferred from that area, which were supportive of the proposal.
67. Calne Town Council had requested the Committee review its decision to not propose to transfer an area of the Beversbrook sports and community facility into the town from what was proposed to be moved into Bremhill from Calne Without, as noted under Recommendation 2. The Committee re-considered the arguments made supported transferring the area, which had no residents, to within the boundary of the town, but did not consider it was necessary or appropriate under the criteria to propose a transfer as it did not consider sufficient arguments of identity or governance supported such a proposal.
68. In relation to the southern boundary of Bremhill as proposed, there was a mixture of comments from responders and at the public meeting, including in relation to Stanley Abbey Farm and properties along the A4 nearer Calne Town. On balance, the Committee was satisfied that its initial proposals in the area were in line with the criteria and remained the most appropriate boundary between the proposed new communities. Following further submissions from Calne Without Parish Council requesting the area remain within the parish, the Committee continued to feel that a stronger case had been put that the area would align more with Bremhill.
69. The exception to the lack of area adjustment was at the small area of Black Dog Halt, where it was considered that the line should be very slightly amended to include a number of properties which were considerably distant from any settlement of Bremhill, or any road or route to Bremhill, and aligned more with Derry Hill. The Committee therefore slightly amended the proposed area D1 to exclude that area, and this was supported in a following consultation.
70. 11 further responses were received to the online survey for the amended proposals. 8 were in agreement 2 in disagreement and 1 suggested amendment.
71. Comments in support included that the boundary proposed was logical, including the change to the area at Black Dog Halt, would be more appropriate geographically and provide better representation.
72. Comments in opposition including from Calne Without Parish Council continued to feel the area at Stanley Abbey Farm was more appropriately located within the revised Calne Without parish, with the amendment proposed making the same suggestion.
73. Whilst the Committee acknowledged the view of the parish council, it did not consider further arguments or evidence had been submitted to alter its initial view that on balance a stronger case had been made for the representation of the area by Bremhill.
74. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore agreed the following:

Recommendation 3

- 3.1 That the areas marked as D1 and D2 be transferred from Calne Without and Calne Town respectively to Bremhill as part of the Bremhill Ward of Bremhill Parish Council. Bremhill Ward to continue to have five councillors.**
- 3.2 That the area marked as E be transferred from Langley Burrell Without to Bremhill as part of the East Tytherton Ward of Bremhill Parish Council. East Tytherton Ward to continue to have three councillors.**
- 3.3 That the area marked as F be transferred from Christian Malford to Bremhill as part of the Foxham Ward of Bremhill Parish Council. Foxham Ward to continue to have three councillors.**
- 3.4 That the area marked as G be transferred from Bremhill to Langley Burrell Without. Langley Burrell Without to continue to have five councillors.**
- 3.5 To request that the LGBCE amend the Kington, Calne North and Calne Rural Electoral Divisions to be coterminous with the proposed revised parish boundaries of Calne Without, Christian Malford, Bremhill, Langley Burrell Without and Calne Town.**

Reasons: Paragraphs 73, 74, 84 and 85 of the Guidance on Community Governance Reviews

Bremhill Parish Map



Shaded area is proposed new parish boundary, Dark blue-grey line existing parish line.

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Hilmarton and Compton Bassett

Background

75. Hilmarton is a moderately-sized rural parish to the north of Calne Town. As of August 2021, it had an electorate of 586. The parish is unwarded and the Parish Council has up to eleven councillors.
76. Compton Bassett is a small rural parish to the east of Calne Town and south of Hilmarton. As of August 2021, it had an electorate of 199. The parish is unwarded and has up to seven councillors.
77. The Committee met representatives of both councils to discuss proposals that had been submitted in relation to Calne Without. The Parish Councils were also given the opportunity to submit any new proposals.

Pre-consultation information gathering and preparation of Draft Recommendations

78. Both Parish Councils submitted proposals for the transfer of parts of Calne Without immediately adjacent to the east side of Calne Town. Both proposals included the area of High Penn cottages and Penn Wood nature reserve. As such, if a transfer from Calne Without were to be considered appropriate under the criteria, only one of the parishes could be the recipient, or an amended proposal would be required.
79. Hilmarton also proposed extending their boundary slightly into what was described as Bremhill, but which is currently (subject to recommendation 3.1) part of Calne Without West Ward. This was a small area around Beversbrook Farm where business/agricultural buildings, but no dwellings, were divided by the current parish boundaries.
80. Compton Bassett's proposal included a larger section of Calne Without and also a section of the parish of Cherhill. As well as the High Penn area the proposal extended south to include the areas around Sands Farm and other Hills Group quarry and extraction sites.
81. It was stated that due to the alignment of the parishes and rights of way access, Compton Bassett was more impacted by the Hills activity and was most active in responding to planning applications and other matters affecting the area, which was geographically distant from and without much direct access to any settlements of Calne Without.
82. The area of Cherhill that would need to be transferred to allow the area from Calne Without to be transferred to Compton Bassett contained few or no electors. Cherhill Parish Council supported the proposal from Compton Bassett Parish Council.
83. The proposal from Compton Bassett was received during the first stage of the review and was included as part of the public surveying. There were 26 responses, 14 in agreement, 8 in disagreement and 4 expressing no opinion.
84. Comments in favour included that the proposal was logical and would be a more effective governance arrangement. Comments in disagreement included that the area was suitably served by the existing council and there was no compelling reason to make a change or that

the area would be more appropriately included within Hilmarton or Calne Town.

85. The Committee considered that the area around High Penn was physically remote from any other communities of Calne Without and, although the Parish Council was an effective entity, the extended eastern part of the parish was not reflective of the communities that existed, and therefore was not an effective governance arrangement.
86. On balance, it considered the closest major community connections for most of the area were with Compton Bassett. It was felt that the rights of way, geography and industrial activity would be more effectively governed as part of an extended Compton Bassett. It was significant that Cherhill had supported the arguments of Compton Bassett as well, strengthening the argument for that proposal.
87. The area of High Penn itself is accessed from within Calne Town, but is still rural in nature. It would not be appropriate to transfer it to the town, which had not in any case requested this. Compton Bassett, given its rural nature and links, would be appropriate for High Penn to be transferred to given the proposed transfer of the wider area. It was noted this would not prevent any other parishes from commenting on relevant planning matters in the area.
88. It was felt the second Hilmarton proposal could make the boundary clearer, and so it was agreed to recommend to transfer a small section of fields from Calne Without to improve governance around the area.

Consultation on the Draft Recommendations

89. 9 responses were received to the online survey. Physical letters had been sent to the residents of Calne Without. 7 responses were in agreement, with 2 in disagreement.
90. Arguments in support of the recommendation were that the proposal was sensible and logical, aligning communities as part of the wider proposals for Calne Without.
91. Arguments against the recommendation were that the existing parish council for Calne Without was efficient and well run, making the proposals unnecessary.

Final Recommendations

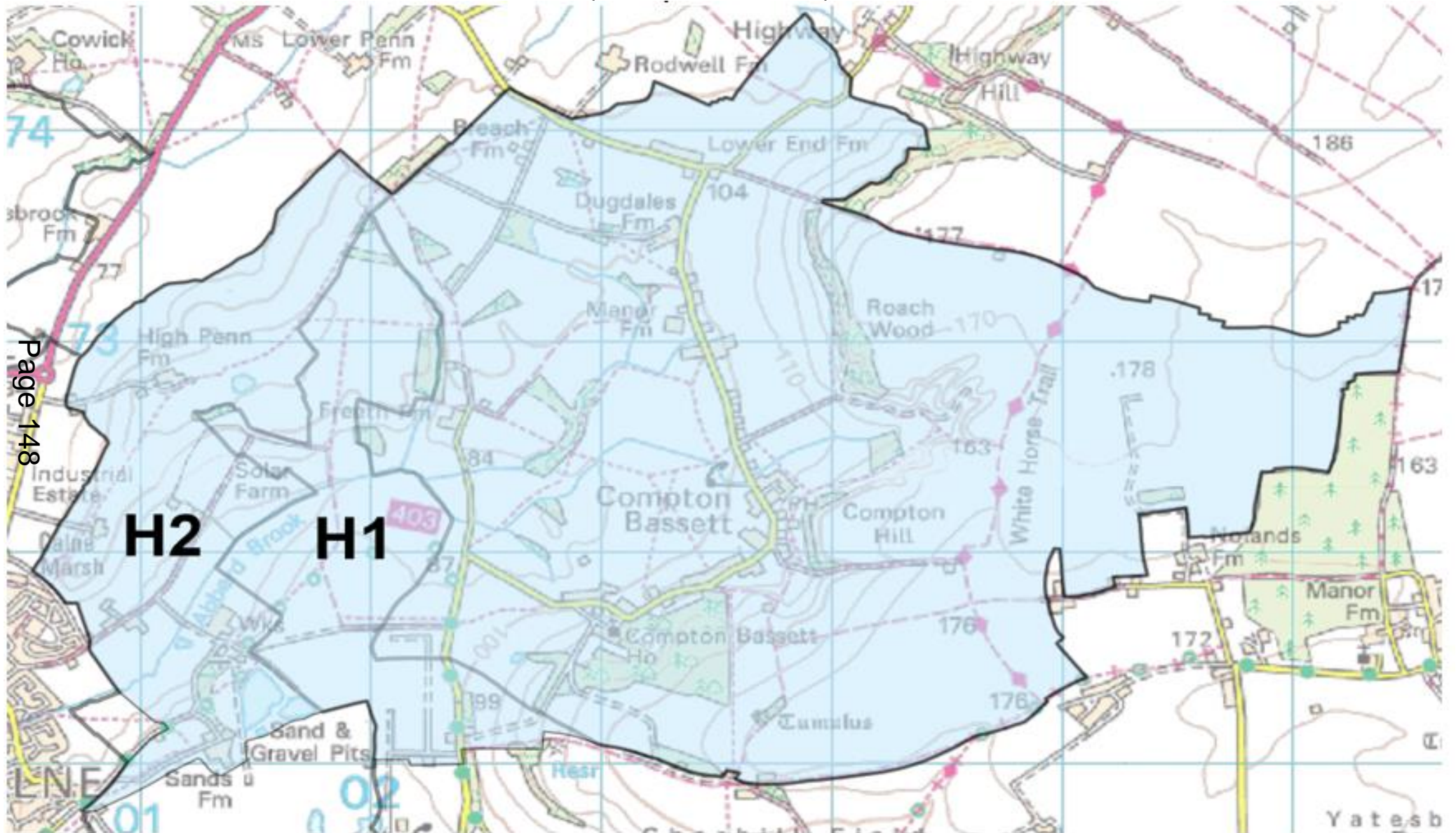
92. The Committee noted the continued support of Cherhill Parish Council, the comments in support. Assessing the nature of the small communities or industries in the areas, it was considered their identity and interests related far more to Compton Bassett than other areas, and the minor transfer to Hilmarton was a sensible adjustment for a more logical boundary.
93. Given the number of electors involved, it was not considered necessary or appropriate to recommend any change to warding arrangements for either Compton Bassett or Hilmarton.
94. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore agreed the following:

Recommendation 4

- 4.1 That the area marked as H1 be transferred from Cherhill to Compton Bassett.**
- 4.2 That the area marked as H2 be transferred from Calne Without to Compton Bassett.**
- 4.3 That the area marked as I be transferred from Calne Without to Hilmarton**
- 4.4 That Compton Bassett continue to have seven councillors.**
- 4.5 That Hilmarton continue to have eleven councillors.**

Reasons: Paragraphs 73, 74, 83, 84 and 85 of the Guidance on Community Governance Reviews.

Compton Bassett Parish Map

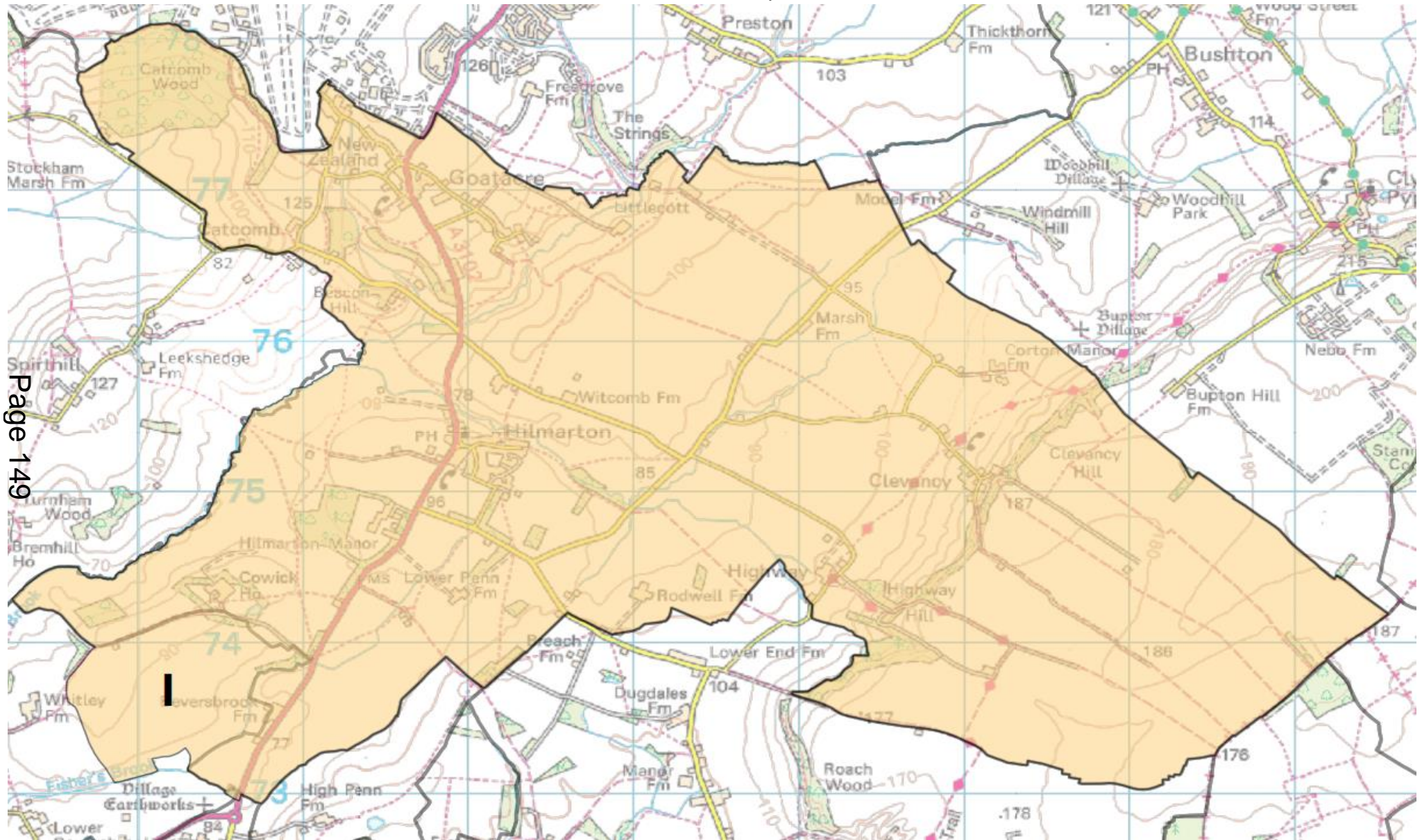


Page 148

H2 H1

Shaded area is proposed new parish boundary, Dark grey line existing parish line.

Hilmarton Parish Map



Shaded area is proposed new parish boundary.

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Cherhill

Background

95. Cherhill is a moderately sized rural parish to east of Calne Town and Calne Without. As of August 2021, it had an electorate of approximately 610. The parish has two wards: Cherhill, with five councillors, and Yatesbury, with two councillors.
96. The Committee met representatives of the Parish Council in the early stages of the review to discuss proposals that had been submitted in relation to Calne Without. The Parish Council was also given the opportunity to submit any new proposals.
97. The Parish Council supported a proposal from Compton Bassett Parish Council to transfer part of Cherhill to Compton Bassett, as set out in Recommendation 4.

Pre-consultation information gathering and preparation of Draft Recommendations

98. During preliminary discussions, Cherhill Parish Council had also confirmed its support for a potential transfer of the settlement of Lower Compton to Cherhill.
99. Lower Compton is currently a settlement within the East Ward of Calne Without north of the A4 lying approximately halfway between Cherhill village and Calne Town. Cherhill Parish Council argued that many of the residents looked to Cherhill for community and services, including access to the local school. As a small but dense settlement within a rural area, its character and identity fitted more closely with Cherhill than with the disparate and more distant communities of Calne Without. Lower Compton was also separated from the principal settlement of Calne Without, Derry Hill, by the town of Calne itself.
100. The Committee had been persuaded by the arguments submitted by Cherhill Parish Council. Lower Compton is physically close to Cherhill village with many community connections, was of a similar scale, and was closer in character than the town or the large semi urban area of Derry Hill. In terms of community and effective governance it was considered that a combination with Cherhill provided a more appropriate community connection and would permit an improved governance arrangement as a result.
101. The Committee had therefore considered other nearby communities within what remained of the East Ward of Calne Without, which had an eastern border running south along the road toward Bishops Cannings. This included the small settlements of Calstone Wellington and Theobald's Green. This is a highly rural area, with direct connection north to the A4 close to Lower Compton and the road to Cherhill. Given existing connections with Lower Compton, it was considered this area should also be transferred to the closer, rural focused parish of Cherhill.
102. The inclusion of Lower Compton, Calstone Wellington and the rest of East Ward from Calne Without would increase the electorate of Cherhill by a sizable amount. Accordingly, it was proposed that the area should be transferred as its own ward, Lower Compton and Calstone Wellington, with four councillors, in recognition of its significance within the expanded parish.

Consultation on the Draft Recommendations

103. 14 responses were received to the online survey. Physical letters had been sent to the residents of Calne Without. 9 responses were in agreement with the recommendation, 2 were against, and 3 responses were received suggesting an amendment to the recommendation.
104. Comments in support included that the change proposed was long overdue, that the area proposed was much closer to and aligned in community terms with Cherhill, which would improve effective and convenient governance, and was part of a series of logical reorganisation across the wider Calne Without and Calne area.
105. One comment in opposition included a comment that the existing parish council of Calne Without was efficient and well-run, and the proposed transfer of the area proposed to Cherhill was unnecessary. The other comment in fact focused on the area of Cherhill View related to the recommendations relating to proposed transfers to Calne Town from Calne Without as set out under Recommendation 2.
106. All three comments proposing amendment to the proposals related to the area and hamlet of Blackland. This area was previously divided by the warding arrangements of Calne Without as it currently exists. That line, which follows the road south, was used for the proposed area to transfer to Cherhill, and as such the area would be divided between parishes under the current recommendation. It was suggested by some that this area should be kept together as one small, rural community, and that this would align more to the expanded parish of Heddington, but others suggested retaining it as proposed as part of Cherhill.
107. An additional suggestion was that the expanded Cherhill Parish Council should comprise 4 wards, not 3. It was argued Lower Compton was distinct from Calstone and Blackland, and separate wards would be appropriate. It was also suggested that the number of councillors for each ward should be adjusted, with 6 across the separated Lower Compton and Calstone and Blackland wards that were proposed.
108. Calne Without Parish Council responded to request an amendment to ensure Blackland was not divided by the proposed changes, suggesting the whole of Blackland should be moved to Cherhill if Calstone was so moved. They supported the proposal that Blackland and Calstone form 1 ward of 2 councillors, and Lower Compton 1 ward with 4 councillors.

Additional Consultations and Preparation of Final Recommendations

109. The Committee was persuaded by the arguments that the small community at Blackland should be included together in a single parish, as more reflective of their community identity. Including the area in a single parish would also provide better governance than the original committee proposal.
110. In determining which parish the area should be part of, and with the Committee agreeing in principle with the reorganisation of Calne Without Parish which under Recommendation 6 was proposing to move the area south of Calne to be transferred to Heddington parish, the Committee considered the proposal to include the area within the expanded Cherhill Parish

Council to be most appropriate under the criteria. Connections with the area were stronger than with Heddington, and the existing parish council for the area, Calne Without, indicated its support for that proposal as the most appropriate.

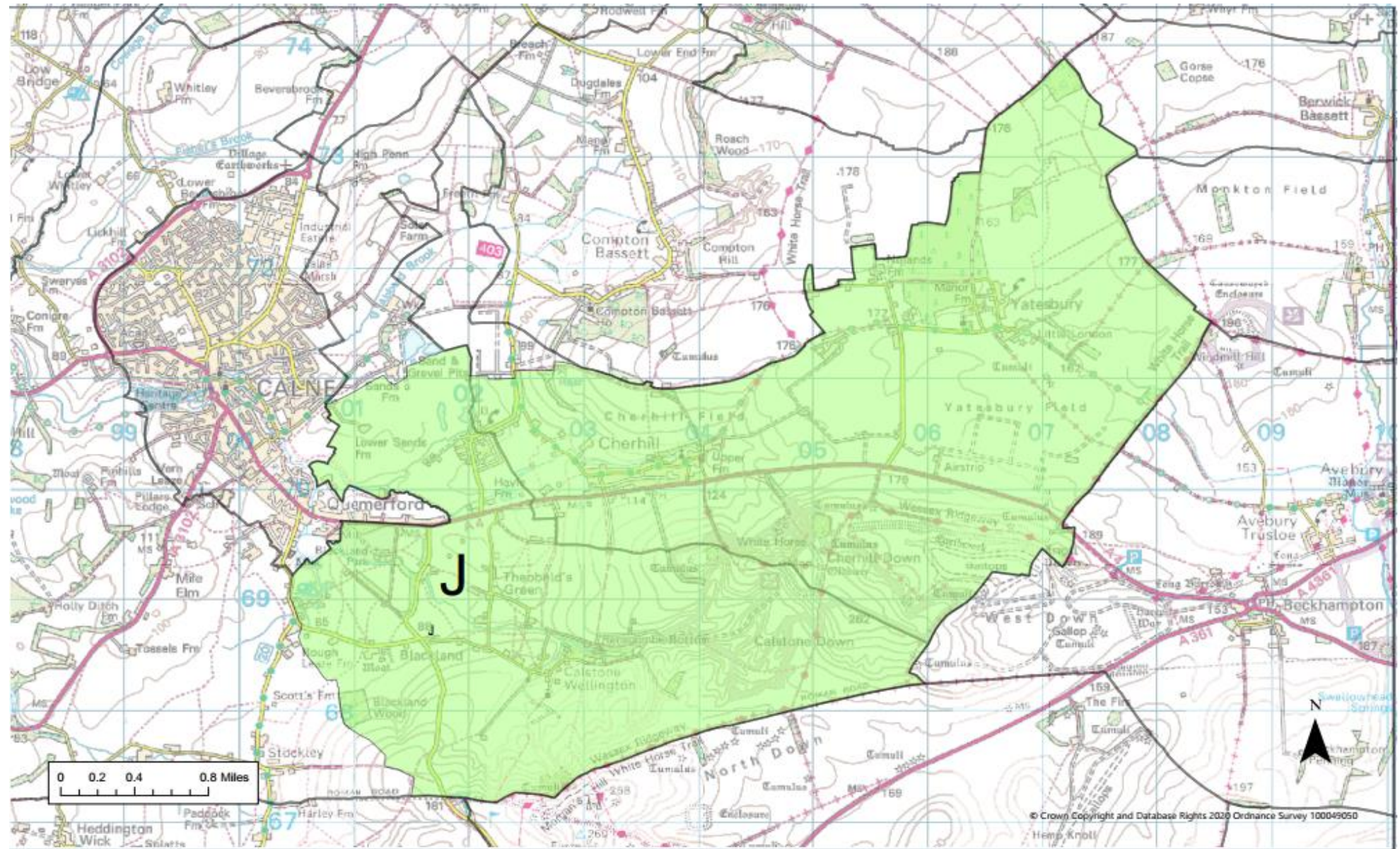
111. The Committee was also persuaded that the very small rural communities could reasonably form a ward separate to that of the estate at Lower Compton, being distinct in their characters. It agreed that Blackland, Calstone and the other small rural communities should form a ward of 2 councillors.
112. In assessing Lower Compton, although it had a significant population the density and limited geographic extent of the estate was such that the Committee considered 4 councillors would be excessive and ineffective in governance terms. It was felt given the nature of the area a ward of 3 councillors would be sufficient and appropriate. This would also mean the core of the expanded parish community at Cherhill and Yatesbury was appropriately reflected as the community centre, and noted that the population of the transferred area remained slightly less than the existing part of Cherhill.
113. This would mean 4 wards for the parish, which was comparable to the nearby parish of Bremhill, and was considered appropriate for a large parish with multiple distinct communities. It was felt that those communities retained close links with one another such that inclusion together aligned to the criteria.
114. Accordingly, the Committee considered it should amend its initial recommendation to adjust the area proposed to be moved into Cherhill to include the entirety of the Blackland area. It agreed that given the populations present and separate communities, the area transferred should form 2 wards: Lower Compton, which would contain three councillors, and Blackland and Calstone, which would contain two councillors, for a total of 12 across the parish council as a whole. The historic core of the parish would therefore retain 7 of the 12 councillors.
115. 10 responses were received to the online survey of the new proposals. 9 were in agreement, including from Calne Without Parish Council, with 1 response proposing an amendment.
116. Arguments in favour were that the proposal was a more appropriate geographic representation and would enable better representation of residents in the area.
117. The suggested amendment was that the Lower Compton ward should have more than 3 councillors, noting the population as comparable to Cherhill ward.
118. The Committee welcomed the support of the parish council currently representing the area, and although it noted the comment about the councillor numbers, considered its reasoning about the level of appropriate representation for a small, dense estate versus an larger, more disparate rural area with a village centre, to still be appropriate.
119. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore agreed the following:

Recommendation 5

- 5.1 That the area marked as J be transferred from Calne Without to Cherhill.**
- 5.2 That the area marked as J form two wards: Lower Compton Ward, and Blackland and Calstone Ward.**
- 5.3 That Cherhill Parish Council comprise twelve councillors across four wards as set out in the map below: 1) Cherhill 2) Yatesbury 3) Lower Compton 4) Blackland and Calstone**
- 5.4 Cherhill Ward would continue to contain five councillors.**
- 5.5 Yatesbury Ward would continue to contain two councillors.**
- 5.6 Lower Compton Ward to contain three councillors.**
- 5.7 Blackland and Calstone Ward to contain two councillors.**

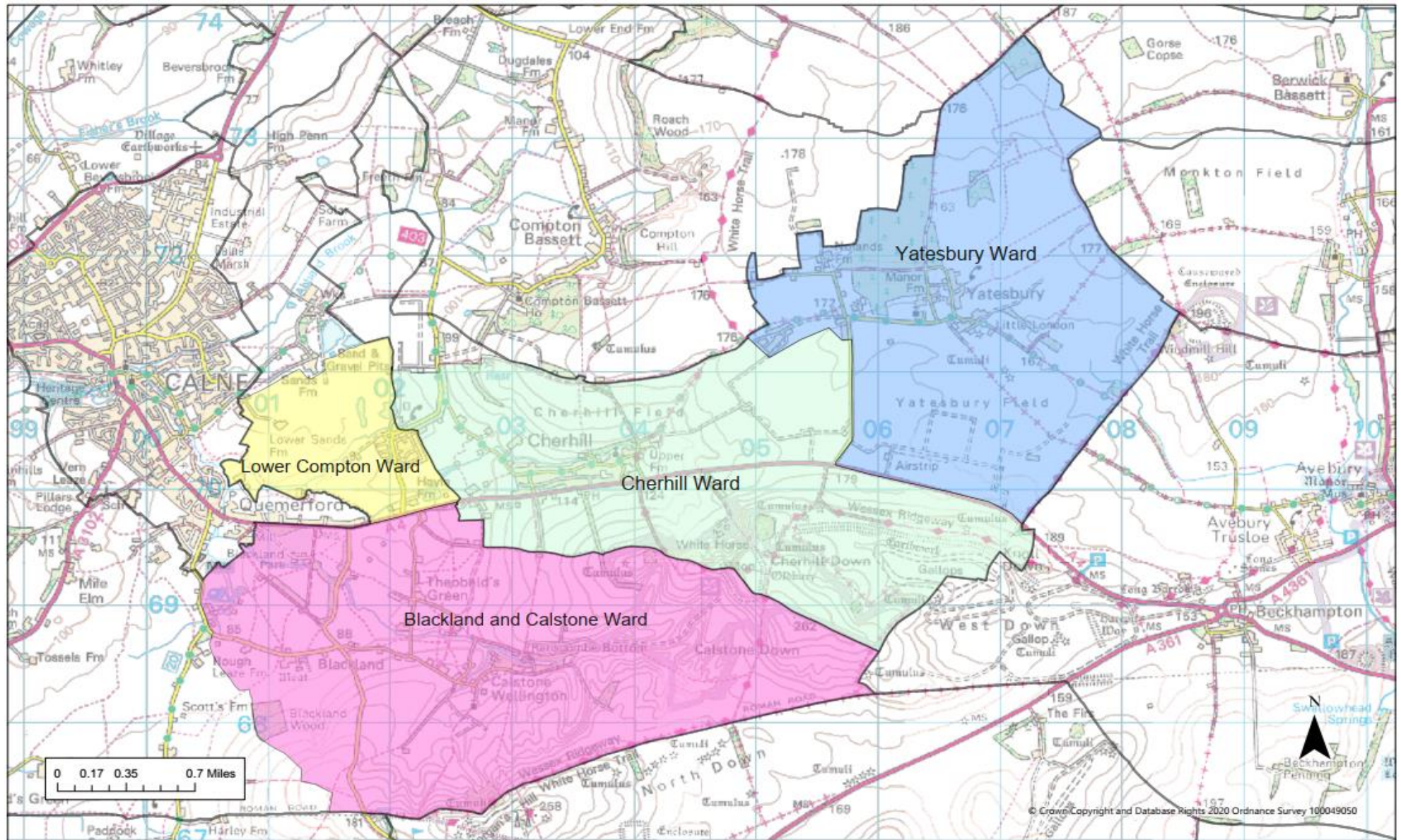
Reasons: Paragraphs 73, 74, 80, 84 and 85 of the Guidance on Community Governance Reviews

Cherhill Parish Map



Shaded area is proposed new parish boundary, Dark grey line existing parish line.

Cherhill Ward Map



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Heddington

Background

120. Heddington is a small rural parish directly south of Calne Town and Calne Without. As of August 2021, it had an electorate of approximately 599. The parish is unwarded and has up to seven Parish Councillors.
121. The Committee met representatives of the Parish Council during the early stages of the review to discuss proposals that had been submitted in relation to Calne Without. The Parish Council was also given the opportunity to submit any new proposals.

Pre-consultation information gathering and preparation of Draft Recommendations

122. During initial discussions it was noted that Stockley, Broads Green and Mile Elm were adjacent to the parish of Heddington and had some community connections. It was strongly considered by the Parish Council that the Sandy Lane area, which was included with Heddington and the Middle Ward of Calne Without in the Calne South Electoral Division, was very rural and did not have any strong connections with the community at Heddington despite that inclusion.
123. The Committee had considered the area, mindful of its previous recommendations relating to Calne Without. At present the Middle Ward had an electorate larger than Heddington, but to a large extent this is due to the urban extension at Rookery/Marden Farm, which was proposed under Recommendation 2 to transfer into the town. Without that estate the remainder of the current Middle Ward is a large area, but sparsely populated and rural, and therefore similar in character and identity to Heddington.
124. The Committee had also noted the close proximity of the community at Stockley to Heddington rather than the primary settlement or other settlements of Calne Without. The road links were direct and the two areas shared many community connections, including the annual Heddington and Stockley Steam Rally and County Fair.
125. Therefore, when considering the community connections, shared identity, and the reduced electorate of the rural area south of Calne Town, the Committee recommended that the remaining area of the Middle Ward of Calne Without be transferred to the parish of Heddington. It considered that this was not a case of the area “ending up” with Heddington, but that this was an arrangement which was a better reflection of the character and connections of the area.
126. Due to the increase in electorate, it was considered that a further two parish councillors should be added to the Parish Council of Heddington, for a total of nine. The Committee did not determine that a name change was required. Following initial informal feedback from Heddington Parish Council, it was suggested the transferred area form its own ward and be called Heddington Without.

Consultation on the Draft Recommendations

127. 17 responses were received to the online survey. 9 were in support, 3 against, and 5 suggested amendments.

128. Comments in support included that the current arrangements for Calne Without were no longer appropriate, the area proposed had very strong connections with Heddington, the changes were overdue, and they was part of a logical realignment of parishes in the Calne area
129. Comments against included that the existing parish of Calne Without was efficient and well-run. Others raised that they were located in Cherhill view estate, which was proposed to move into Calne Town under a separate recommendation, and they did not see any benefits to such a move, or that they identified more with the rural surroundings, which would include the revised and expanded Heddington.
130. One suggested amendment was that Rookery Farm itself not be included as part of Heddington as it would not be connected in any direct way if the Cherhill view area was moved into Calne Town, where it would be accessed from.
131. Another suggested amendment raised issues around fees paid to a management company and raising whether the Town Council would take on responsibility for maintenance if transferred.
132. 2 suggestions supported amending the boundary between the proposed expanded Heddington and the renamed Derry Hill & Studley, to ensure the historic Bowood estate was contained within a single parish. At present the ward boundaries split the estate, but as these were within the same parish this did not cause any governance or community issues, which would occur if the areas were located in different parishes.
133. Heddington Parish Council supported the transfer of the areas proposed under the recommendation, but requested that the wards be named Heddington, and Stockley.
134. Calne Without Parish Council supported proposals to amend the boundary between Heddington and the renamed Derry Hill & Studley, with the Bowood Estate to be located within Derry Hill & Studley, and houses in private ownership at Mile Elm transferring to Heddington.

Additional Consultations and Preparation of Final Recommendations

135. The Committee did not agree with comments that the Cherhill view estate shared characteristics, identity or interests with either Heddington or the remainder of Calne Without. They continued to consider that the area was an urban extension of the town and most appropriately under the criteria included within it, notwithstanding the points raised about local estate maintenance, which would be a matter for the Town Council to consider.
136. In relation to the Rookery Farm site itself, the Committee considered that a farm site, even if accessed through the town, remained of a distinct, rural character compared to the built up urban area, and thus under the criteria was appropriate to remain with the parish. Similar situations, with a farm access being through an urban area, existed in other parts of the county, and so the Committee did not support including it within the area transferred to the town.

137. The Committee was persuaded that for reasons of community and identity the Bowood Estate should be contained within a single parish. As a significant and historic part of the local community identity this should be retained in a single parish now that the Committee was recommending an overall reorganisation, which would also ensure more efficient governance.
138. It was therefore proposed to amend the area to be transferred from Calne Without to Heddington accordingly, subject to the further amendment of the Cherhill proposals at Blackland as set out in Recommendation 5. The precise line would depend upon additional information as to the boundaries of the Bowood Estate. The Committee also supported renaming the parish wards as requested by Heddington Parish Council, as a better reflection of the community identities of the areas.
139. As the changes at Blackland, to be moved into Cherhill from Calne Without, crossed the unitary division boundaries and could not form their own ward, it would be necessary to request the Local Government Boundary Commission for England (“LGBCE”) to amend the Electoral Division boundaries of Calne Rural and Calne South to align to the proposed new parish boundaries.
140. In further consultation upon the amended proposals 13 responses were received to the online survey. 10 were in favour, 2 in disagreement and 1 amendment was proposed.
141. Arguments in support of the recommendation, including from Calne Without Parish Council, included that the proposals better represented the area, the inclusion of the entire Bowood estate in a single parish was sensible, and that the area was naturally a part of Heddington due to proximity of the major communities within it.
142. Arguments in opposition included further reference to the Cherhill View estate considered previously under Recommendation 2. The proposed amendment noted that the Rookery Farm site was not a working farm and felt it would be more appropriately included with the rest of the estate.
143. The Rookery Farm site issue and Cherhill view matter have been considered under Recommendation 2, where it was considered that although not a working farm site, the character of the buildings there and relative ease to reach the remainder of the new Heddington parish, made its inclusion appropriate. The proposed eastern boundary of the revised Heddington Parish is set out further under Recommendation 5.
144. The Committee noted the positive responses to the latest proposal and did not consider further evidence or submissions were sufficient to alter its reasoning for the area.
145. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore agreed the following:

Recommendation 6

6.1 That the area marked as K be transferred from Calne Without to Heddington.

6.2 That the area marked as K comprise the 'Stockley Ward' of Heddington Parish Council.

6.3 The Stockley ward to have two parish councillors.

6.4 The remaining part of the parish would be called 'Heddington Ward'.

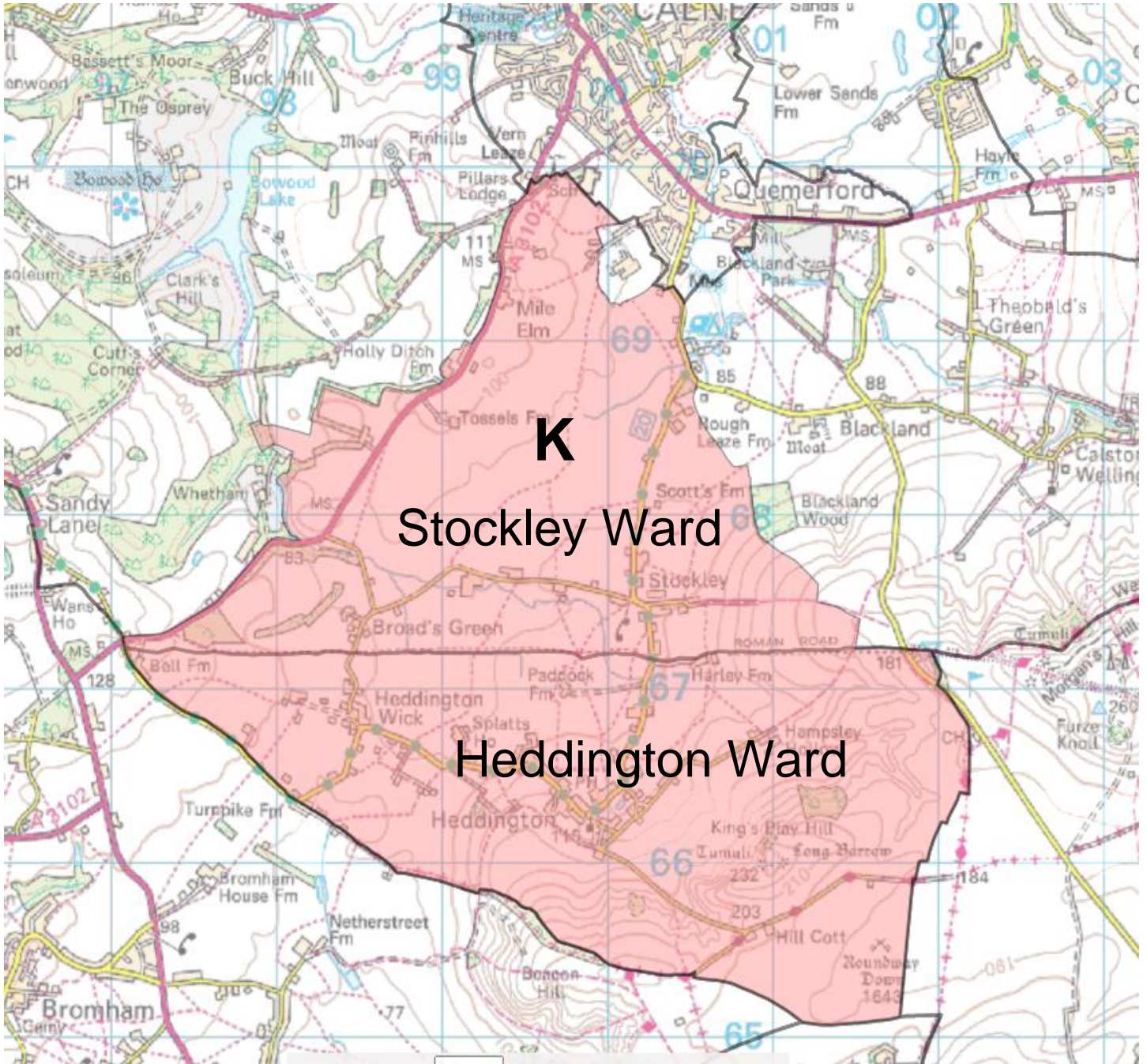
6.5 Heddington Ward would comprise seven parish councillors.

6.6 That the parish of Heddington therefore be increased to a total of nine councillors.

6.7 To request that the LGBCE amend the Calne South and Calne Rural Divisions to be coterminous with the proposed revised boundaries of the Heddington, Cherhill and Derry Hill & Studley Parishes.

Reasons: Paragraphs 73, 74, 80, 83, 84 and 85 of the Guidance on Community Governance Reviews

Heddington Parish Map



Shaded area is proposed new parish boundary, Dark grey line existing parish line. Old parish line forms ward boundary between Stockley and Heddington Wards

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Calne Without (Derry Hill & Studley)

Background and pre-consultation information gathering

146. The details of the parish of Calne Without and the background of the 2019/20 review were set out in full under paragraphs 14-26. In summary, a petition with over 700 signatures had been received in 2019 requesting a new parish be created for Derry Hill & Studley, which remained a significant factor to consider. The Parish Council for Calne Without at the time opposed that proposal. After an initial review, on recommendation of the Electoral Review Committee (“The Committee”), Full Council determined not to proceed with creation of a new parish at that time, but requested that a further review take place encompassing all surrounding parishes in order to full explore all appropriate options.
147. For the 2021/22 review the Committee therefore began by surveying opinion on the option of creating a new parish, and the possibility of retaining the remaining area as the continuing Calne Without Parish Council. It also surveyed on the option of abolishing the parish and transferring all elements to other parishes, both being suggestions that had been received as part of the 2019/20 review in response to the petition.
148. At the initiation of the 2021/22 review Calne Without Parish Council (“the Parish Council”), by majority, continued to oppose the creation of a new parish at Derry Hill & Studley for the reasons that had also been set out during the previous review. These included that the disparate communities of Calne Without worked more efficiently as a group and the communities would not be better served by dividing their governance arrangements. A major part of the Committee’s and Council’s decision to undertake a further review had been concern about the impact on the remainder of Calne Without were a new parish created. Some members suggested that if it were felt that Derry Hill was not sufficiently represented by the current arrangements, the warding arrangements could be rebalanced. However, the majority resolution of the Parish Council did alter during the progression of the review.
149. Those representing the former petition continued to stress the high level of response from that petition in support of a new parish, which the Committee had noted as part of its view in the 2019/20 review that a strong case had been made of the community identity and interests of local residents. The areas of West Ward and Pewsham Ward as initially requested included the major settlement of the parish where the bulk of facilities and services were located. It was argued that other areas might be more effectively represented if not combined with the large semi-urban settlement at Derry Hill.
150. During the pre-consultation online survey, 85 responses were received: 63 in support of a new parish proposal, 19 against, 1 giving no opinion. 2 responses suggested amended proposals, with one suggesting the same boundaries for a new parish but with warding, and the other incorrectly stating the proposal left Pewsham within the remaining part of Calne Without. Of those in support of a new parish proposal, there was division on what should occur to the remainder of Calne Without, with 33 suggesting retention of the current Parish Council and 39 suggesting it should be dissolved.

Preparation of Draft Recommendations

151. It was important to note that for the 2021/22 review the Committee surveyed opinion on the

option of creating a new parish, and the possibility of retaining the remaining area as the continuing Calne Without Parish Council, or of abolishing the parish and transferring elements elsewhere, because these were options that had been received as part of the 2019/20 review in response to the petition. It was considered important to undertake information gathering on the already submitted proposals.

152. However, the Committee was not obligated to consider only those proposals, and in fact was required to consider all potential options if the evidence and information suggested alternatives would better reflect community identity and interests or provide more effective and convenient local governance, the statutory criteria.
153. During discussion with parish representatives and the public, it became apparent that the area around Derry Hill & Studley was considered by many as the centre or heart of the existing parish. It was the core community, comprising over half of the population and where most of the services, assets and amenities were located. As a result of development in recent decades it had a distinctive character from much of the rest of the parish, made up of smaller, more rural based communities physically distant from the semi-urban Derry Hill & Studley. This did not prevent the possibility of effective community and governance between those communities, as the Committee had seen in its previous review of Melksham Without. However, in contrast to that review, other communities in Calne Without did not share a similar level of community development distinct from the dominant population centre, such as village halls or other amenity provisions, indeed that lack was noted by both views in respect of creation of a new parish.
154. Given the strong sense of identity expressed and evidence of community for Derry Hill & Studley through the petition, and to a degree also shown by the balance of responses received during the online survey, which was in favour, the Committee considered first whether other sections of the parish shared a community connection as strong with each other and with Derry Hill, or if those areas in fact aligned more appropriately to other areas.
155. The Committee's examination of surrounding parishes and their alignment to or connection with communities within what is currently Calne Without have been set out in the preceding Recommendations 2-6.
156. In summary, in the case of Bremhill, changes proposed were minor or for largely rural tracks of land where it was felt there was no particular community connection with the core of Calne Without parish, though the precise appropriate boundary was amended during the consultations.
157. For Compton Bassett, the eastern part of Calne Without proposed to be transferred was both remote from and distinct in character from the core of Calne Without parish, or any other part, and it was not considered that it shared any particular connection stronger than that with geographically closer and more rurally focused parishes such as Compton Bassett.
158. For Cherhill, strong arguments had been presented regarding the community at Lower

Compton aligning more closely with Cherhill than with any other part of Calne Without, with the smaller communities such as Calstone Wellington not sharing character, identity or interests with the large semi-urban elements to the west, and the Parish Council indicated its support for amended proposals in that area during the consultations.

159. The proposals at Heddington were not as strong as some other areas, but the close connections with some of the communities such as Stockley, and the sparsely populated rural nature of the remainder argued against any continued inclusion with the core of Calne Without for any reason of community or identity.
160. However, although of a rural character, representations had made clear that the small community at Sandy Lane did align more to Derry Hill & Studley than other areas. Like Pewsham they were of rural character and their closeness to the core settlement, absent for other areas such as Calstone Wellington, Blackland or Mile Elm, ensured effective governance could take place and a sense of shared community remained possible.
161. The community at Sandy Lane also included a small number of properties within the parish of Bromham, which were artificially divided by the parish line, running between a number of properties. It was proposed that this be transferred to the same area as the rest of Calne Without as part of the review.
162. Furthermore, as previously noted, within Calne Without as it currently stood, Derry Hill, Studley and Pewsham comprised over 50% of the parish electorate, with 1433 electors out of a total of 2733 as of August 2021. A sizable amount of the electorate within Middle Ward was contained at Rookery/Marden Farm estate, and a sizable amount of the electorate of East Ward was in the land off Low Lane, both of which were accepted by nearly all parties contacted including the various parish councils as urban extensions of Calne Town which should be transferred into the town.
163. As a result, Derry Hill, Studley and Pewsham would comprise an even larger percentage of the parish even without any other changes. To a large degree, Calne Without was Derry Hill and its closely associated communities, and some other parts of the parish would not be considered for inclusion as part of the same community when considering the area were a parish being formed afresh.
164. However, the Committee noted it was not necessary or appropriate to abolish any parish as part of the review. Abolishment of a parish was a rare occurrence, particularly when a parish and its council were shown and known to be viable and effective. Whilst the Committee did not believe the evidence demonstrated parish boundaries or arrangements of Calne Without were the most appropriate under the statutory criteria, and a more efficient and effective arrangement would be possible, there was no question that the Parish Council was a viable entity.
165. Taking into consideration the principal settlement status of Derry Hill & Studley within the parish even before any other transfers besides Calne Town were considered, it could be argued that the parish could have been appropriately named Derry Hill & Studley even without

any changes. Many parishes in Wiltshire were named for their largest settlement, even as they contained other, often much smaller, settlements. Cherhill was a local example, also including the small community at Yatesbury.

166. Given the Committee's recommendations for transfers from Calne Without to parishes at Calne, Bremhill, Hilmarton, Compton Bassett, Cherhill and Heddington in Recommendations 2-6 on their own merits, the remaining part of Calne Without therefore comprised the bulk of West Ward, Pewsham Ward and Sandy Lane Ward. This would be a parish of over 1400 electors, concentrated on a major settlement which had repeatedly demonstrated a strong sense of individual identity.
167. Accordingly, subject to recommendations 2-6, the Committee supported the renaming of Calne Without to Derry Hill & Studley, and to remove its warding arrangements, leaving a single ward of nine councillors. As Sandy Lane was currently within the Calne South Electoral Division, whilst this could remain as a ward separate from the rest of the renamed parish, the Committee supported requesting the LGBCE amend the boundaries of the Calne South and Calne Rural Electoral Divisions to align to the amended parish boundaries, as a more effective and convenient arrangement. With the intention to move part of the parish of Bromham into the renamed parish as well, this would require requesting a further adjustment to the Electoral Division of Bromham, Rowde and Roundway.

Consultation on the Draft Recommendations

168. 47 responses were received to the online survey. Physical letters had been sent to the residents of Calne Without and a public meeting held in Calne Town on the proposals. 40 responses were in agreement with the proposal, 6 were in disagreement and 1 had suggested amendment.
169. Arguments in support of the proposal included that the scale and nature of Derry Hill & Studley justified a parish reorganisation focused on it as a core community, and that its identity and interests were very different to the other communities to the east as a result of the changes such as significant development that had taken place. It was suggested the proposed changes ensured the parish arrangements were more relevant, would better serve the interests of local residents and reflect the identity of the area more appropriately. Some did not think the current arrangements were very effective and the proposals were more representative for local people.
170. Arguments in opposition to the proposal included that it would undermine links between the local communities, that the existing parish council was effective and well run, and a larger parish would be more effective than smaller entities.
171. Amendments suggested by online survey or other means included that the historic Bowood Estate was divided by the proposal and the boundary should be amended to include it within a single parish. Other comments included support for or opposition to warding for the redrawn parish with some in opposition considering this to be an ineffective and unnecessary arrangement, and which noted the original petition did not call for a warded parish.

172. Calne Without Parish Council provided a representation in support of the proposal to amend and rename the boundaries of Calne Without Parish, to become Derry Hill & Studley, subject to a number of amendments. It considered that the boundary should be redrawn to include the entirety of the Bowood Estate, and so adjust the boundary with the expanded Heddington parish, and that the parish should be divided into three wards. It proposed wards for Pewsham, Sandy Lane, and Derry Hill & Studley. The Parish Council also sought amendments on recommendations relating to Cherhill and Heddington, and requested the Committee take the views of residents into consideration in relation to the Bremhill proposals.

Preparation of First Additional Draft Recommendations

173. The Committee considered it highly significant that the existing Calne Without Parish Council had expressed its support for the proposals of the Committee, subject to a number of amendments. This, together with the bulk of responses being in support, and the support of the other parish councils directly affected by the proposals, was relevant when considering if the criteria of community interests and identity had been achieved. The Committee was satisfied that the evidence and responses received were supportive of the overall principal of the proposed changes, which had received extensive multiple consultations to refine them.

174. As set out in Recommendation 6, the Committee was persuaded by the arguments put forth by the parish council and others that the historic Bowood Estate should not be divided between different parishes. Such a division would not reflect a natural boundary or the communities in the area, nor would it be an effective or convenient arrangement. Therefore, the Committee agreed that the boundary with the expanded parish of Heddington should be amended to ensure the estate was located within a single parish. For the most part this would exclude most residential properties not part of the estate, and so involve a limited population transfer change from the initial recommendation. Subject to confirmation as to the precise boundary of the Bowood Estate, the Committee agreed to amend its proposal to include the estate within the proposed renamed parish of Derry Hill & Studley, as this was the most appropriate placement.

175. In relation to the southern boundary of Bremhill as proposed by the Draft Recommendations, as noted under Recommendation 3 there was a mixture of comments from responders and at the public meeting, including in relation to Stanley Abbey Farm and properties along the A4 nearer Calne Town. On balance, the Committee was satisfied that its initial proposals in the area were in line with the criteria and remained the most appropriate boundary between the proposed new communities.

176. The exception was at the small area of Black Dog Halt, where it was considered that the line should be very slightly amended to include a very small number of properties which were considerably distant from any settlement of Bremhill, or any road or route to Bremhill, and aligned more with Derry Hill. The Committee would therefore slightly amend the proposed area D1 as detailed under Recommendation 3 to exclude that area.

177. In relation to warding, whilst it noted many parishes were unwarded and effective, the Committee accepted the arguments of the Parish Council that in this instance warding would

be an appropriate and effective arrangement. Although a new parish was not being formally created there was a significant change resulting in a much tighter boundary around the core, dominant settlement of Derry Hill & Studley, together with a still extensive area of more rural land and smaller communities in Pewsham and Sandy Lane. In order to ensure these retained their own identities and to reflect their distinction from the semi-urban Derry Hill & Studley, and the expanded rural area to include the full Bowood Estate, separate wards would be proposed.

178. Electoral equality was not a requirement for parish wards, but the Committee noted the populations of the respective areas, with Pewsham at approximately 160 electors, the expanded Sandy Lane at approximately 100, and Derry Hill & Studley at approximately 1200, with the proportions expected to remain similar in future projections.
179. Increasing the overall number of councillors to 11, with single councillors for Pewsham and Sandy Lane, which was presently the case, and the Derry Hill & Studley Ward having 9, would therefore ensure relatively close electoral equality across the proposed wards.
180. The Parish Council did not specify precise ward boundaries in its representation to the Committee. Accordingly, the Committee considered that a Pewsham ward mostly replicating the existing Pewsham ward would remain appropriate, and that the existing Sandy Lane ward could be expanded to include the Bowood Estate, both being more rural areas surrounding the main settlement of Derry Hill & Studley. This would form a new ward to be called Bowood and Sandy Lane.
181. As noted under other Recommendation 6, adjusting the boundary with Heddington would require requesting the LG BCE amend the unitary Divisions of Calne South and Calne Rural.
182. No comments had been received in relation to transferring a part of Bromham in order to unify the Sandy Lane community, and so this would continue to be proposed for the reasons set out previously.

Consultation on the First Additional Draft Recommendations

183. In further consultation on the amended proposals, 19 responses were received. 7 were in agreement with the proposal, 1 was in disagreement and 11 had suggested amendment.
184. One amendment related to the proposed name of the parish, suggesting it should remain Calne Without and not be changed to Derry Hill & Studley, noting the presence of other communities and the historic name of the parish.
185. The Committee was not persuaded by this argument. It was much more common and appropriate for parishes to be named for their primary settlement, as with local examples at Bremhill and Cherhill, and Derry Hill & Studley was overwhelmingly the core of the reduced scale parish. Furthermore, with the other changes made to parishes in the area, the parishes of Bremhill, Hilmarton, Cherhill, Compton Bassett and Heddington would also share a boundary with Calne Town. The legacy Calne Without would therefore be no more 'without' Calne than any other parish, and retaining the name could be both confusing and not reflective of its identity as a distinct community rather than being defined by its proximity to the town.

186. Most of the comments proposing amendments requested that the Committee revert to its initial proposal of an unwarded parish for Derry Hill & Studley. These continued to argue it provided better representation, warding provided no governance benefits, suggested there was a trend toward unwarded parishes, electoral equality would not be a factor in an unwarded parish, and that there was no real risk that Sandy Lane or Pewsham would not be properly represented in an unwarded parish. The initial petition being for an unwarded parish was once more highlighted.
187. The Committee considered the arguments closely. However, it noted that parishes were not one size fits all and remained a mixture of warded and unwarded across the local area, within Wiltshire, and nationally. It was relevant that, unlike the initial petition, the Committee was not creating a new parish, but had proposed transferring elements from the existing parish to others, with Calne Without Parish Council therefore continuing to represent the proposed new area.
188. The views of the Parish Council itself were one of several factors, including the comments received from various parties and the petition, but were of particular relevance and the Committee found its view on its own preferred governance of the revised parish to be convincing. It noted that should the parish wish to amend its arrangements in future to become unwarded, if it felt the benefits of individual representation for the more rural elements was unnecessary, it could request this. The Committee therefore upheld its recommendation that the parish be divided into three wards.
189. The Parish Council supported the a three ward structure and the suggested names of those wards, but requested minor amendments to the boundary of the proposed Bowood and Sandy Lane, and Derry Hill & Studley, wards. It was noted that a number of properties facing onto the same road would be in different wards under the existing proposal.
190. The Committee accepted the arguments of the Parish Council. Whilst the bulk of the land and properties of the Bowood estate would remain in one ward, there would be governance benefits in adjusting the line to ensure those on the same road as identified by the Parish Council would be represented in the same ward. The Committee therefore agreed to amend the boundary and consult further on that proposal.
191. Lastly, the Parish Council again raised the issue of the area around Abbey Farm, continuing to feel the area aligned more closely and would be more appropriately represented within the renamed Derry Hill & Studley parish than Bremhill, as currently recommended.
192. The Committee took account of the view of Calne Without Parish Council, but continued to feel the argument presented by Bremhill Parish Council, on balance, to be the most appropriate. It therefore upheld its previous recommendations for the reasoning set out previously.

Further Consultation and Preparation of Final Recommendations

193. Only 1 further response was received to the additional online consultation on the Second Additional Draft Recommendations. This was from Calne Without Parish Council, and was in

support of the proposals.

194. The Committee was therefore satisfied that over the course of four formal consultations and two additional engagement exercises, with reduced responses as the proposals were refined further and impacted smaller and smaller aspects of the proposals, had identified the most appropriate governance arrangements and extent of Derry Hill & Studley, the wider Calne Without, and other areas. It therefore confirmed the proposals for recommendation.

Conclusion and Final Recommendations

195. The Committee has undertaken an examination of the parish arrangements in and around Calne Without over a number of years, including multiple rounds of online and physical consultation, public meetings, and a series of committee workshops and committee meetings.
196. It had focused on determining whether alternative arrangements would ensure more effective governance and better reflect the identity of the communities in the area, listened carefully to representations received from residents, interested parties and parish councils, in order to develop additional proposals where the evidence and arguments supported this under the statutory criteria.
197. The Committee considered that the consultations on the various Draft Recommendations demonstrated overall support for its proposed reorganisation of the parishes, and noted specifically the support from each of the parish councils involved around Calne Without, and also Calne Without Parish Council itself as the Committee adjusted its proposals.
198. Should the Final Recommendation be confirmed by Full Council, the LGBCE would need to give their consent to the proposal, and the Committee believed the level of consultation – including 3 formal and 1 information consultation in 2022 alone - cooperative work, parish support, and responsive adjustments would demonstrate that the statutory criteria had been met.
199. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore agreed the following

Recommendation 7

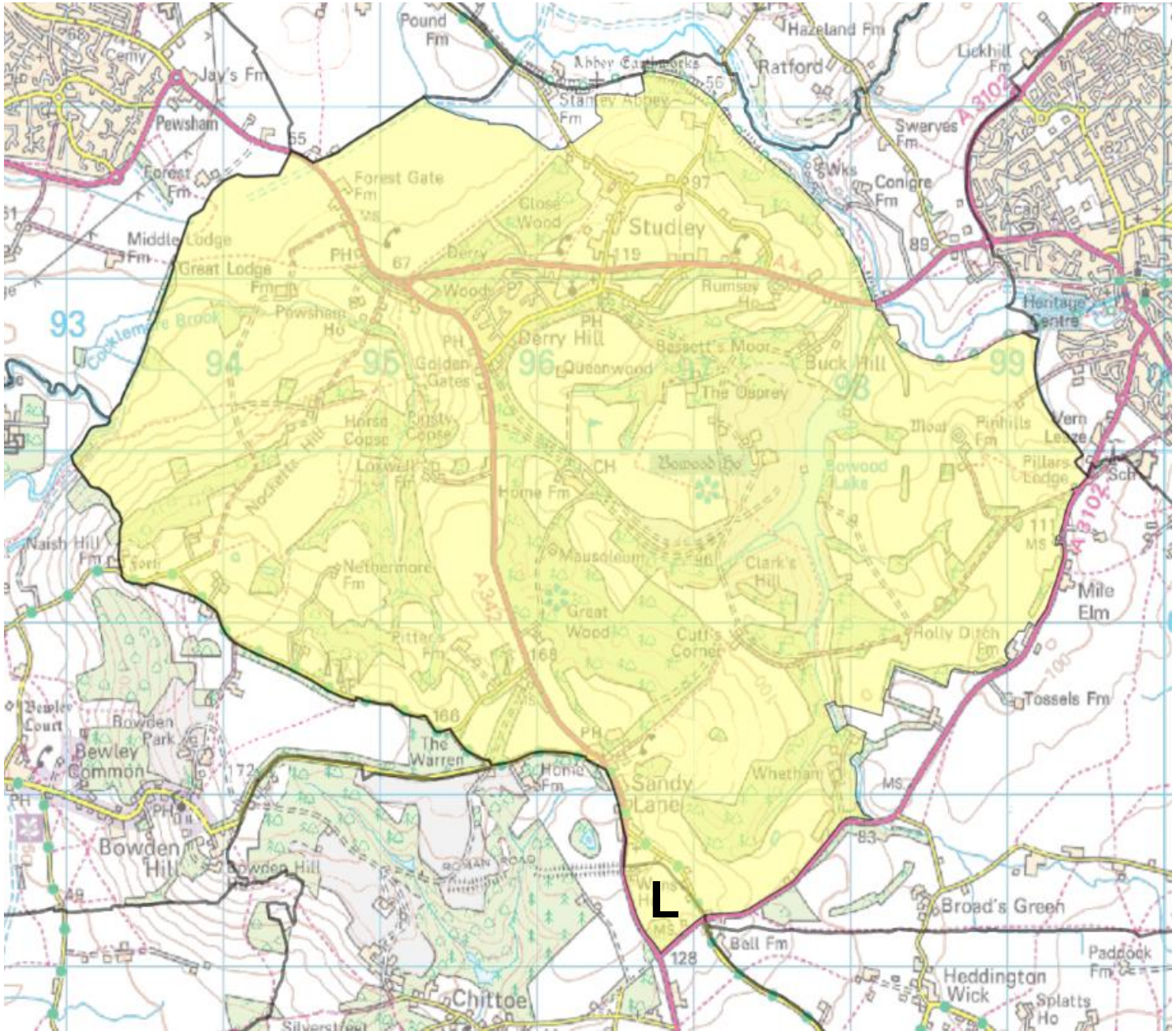
- 7.1 That subject to Recommendations 2-6, that the area shown in the map below, being the remaining part of Calne Without parish, be renamed from Calne Without to Derry Hill & Studley.**
- 7.2 That the area marked as L be transferred from the parish of Bromham to the renamed parish of Derry Hill & Studley.**
- 7.3 That the renamed parish of Derry Hill & Studley contain Eleven councillors across three wards: 1) Pewsham 2) Derry Hill & Studley 3) Bowood and Sandy Lane, as set out in the map below.**
- 7.4 Pewsham Ward would contain one councillor.**
- 7.5 Derry Hill & Studley Ward would contain nine councillors.**

7.6 Bowood and Sandy Lane Ward would contain one councillor.

7.7 To request that the LGBCE amend the Calne South, Bromham, Rowde and Roundway, and Calne Rural Divisions to be coterminous with the proposed revised boundaries of the renamed parish of Derry Hill & Studley.

Reasons: Paragraphs 54, 58, 59, 63, 73, 74, 80, 83, 84, 85 and 170 of the Guidance on Community Governance Reviews.

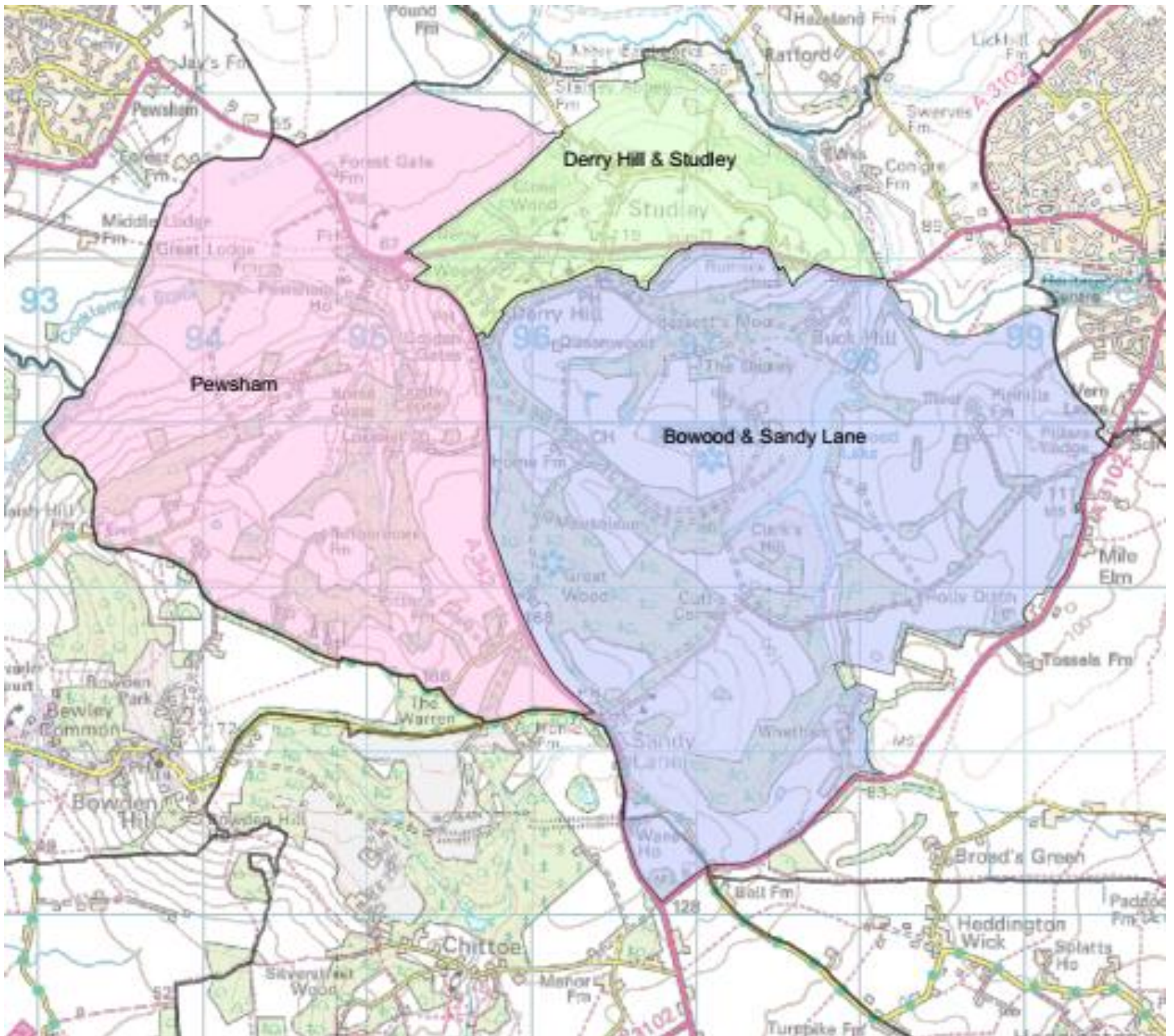
Derry Hill & Studley Parish Map



Shaded area is proposed new parish boundary, Dark grey line existing parish line.

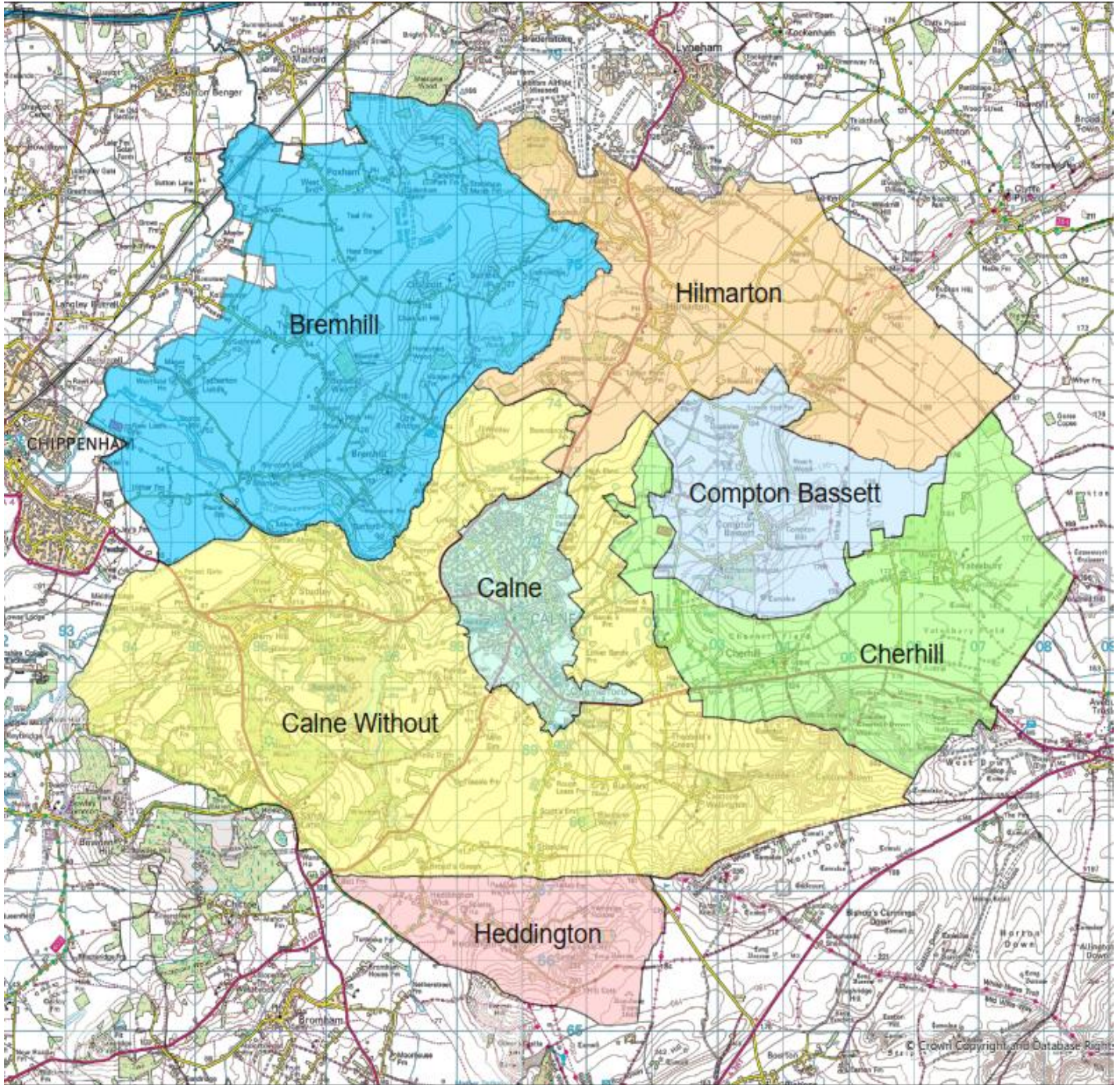
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Derry Hill & Studley Ward Map



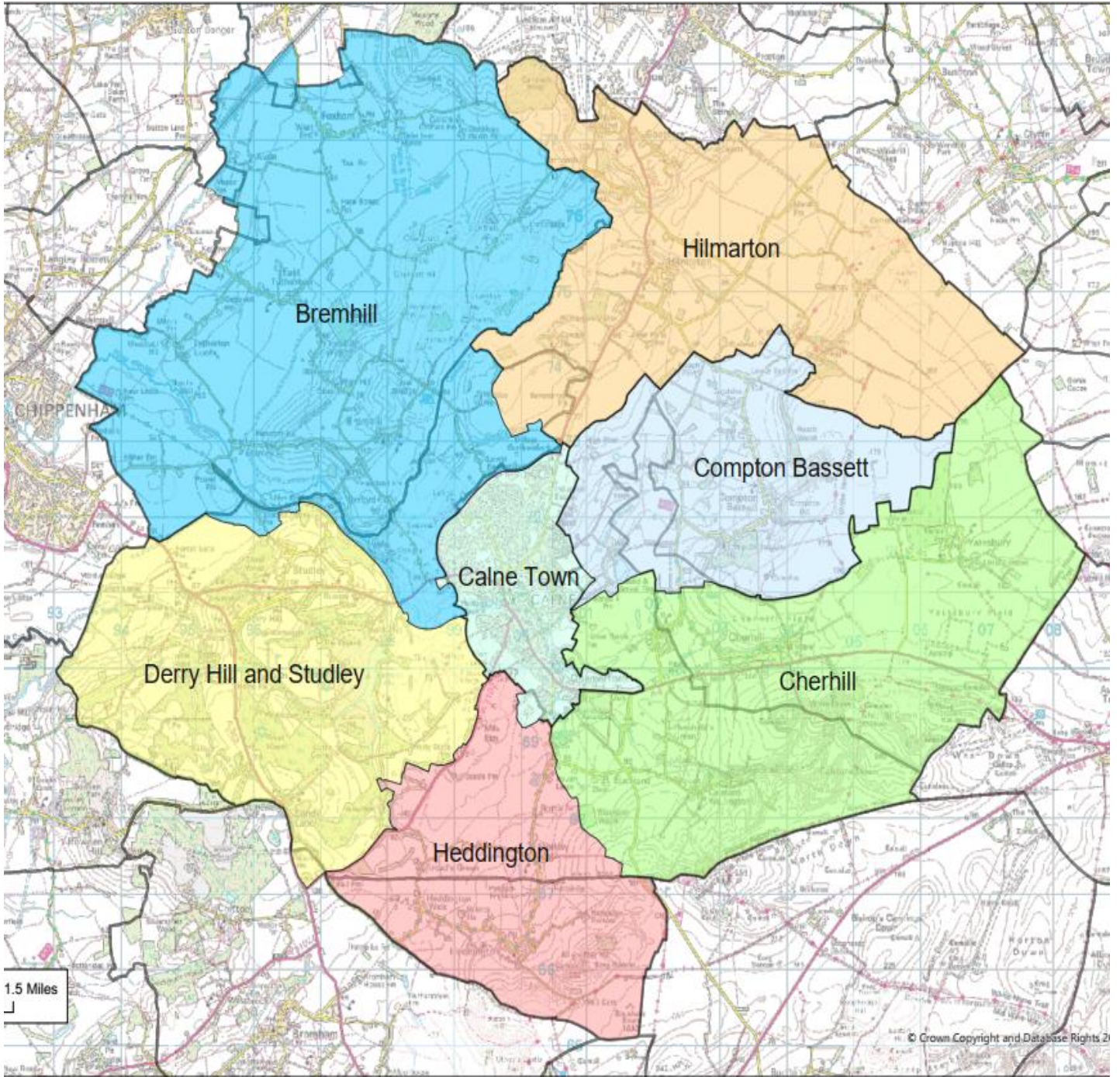
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Current Map of Parishes within the Calne Community Area (2021 boundaries)



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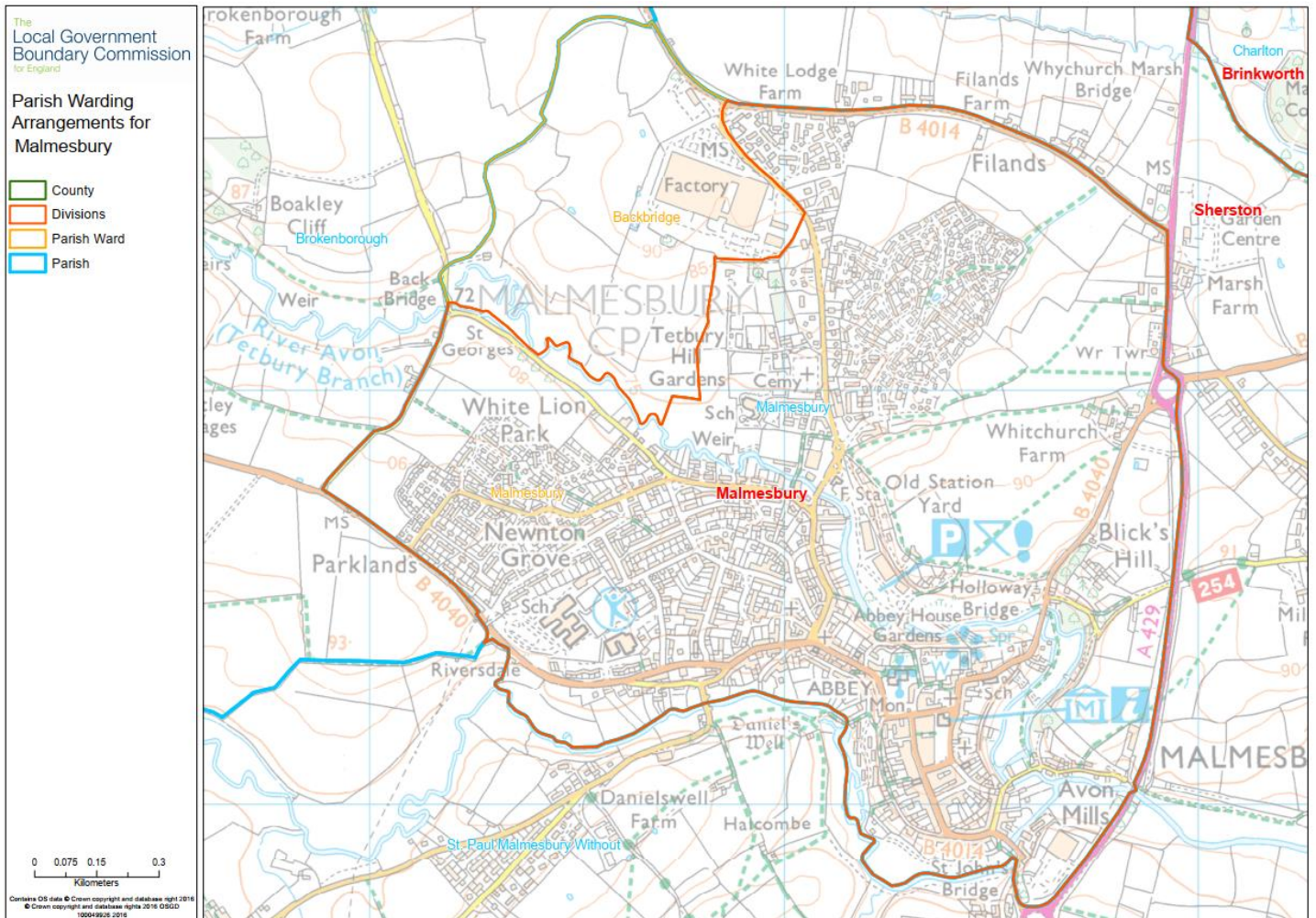
Proposed Map of Parishes within the Calne Community Area (2025 boundaries)



Malmesbury, St Paul Malmesbury Without, and Brokenborough

Background

200. Malmesbury is a historic small town in the north of Wiltshire. As of August 2021, it had an electorate of approximately 4473. The parish has two wards: Backbridge ward with one councillor, and a Malmesbury ward of 15 councillors.
201. Backbridge ward is included as part of the Sherston Unitary Electoral Division, with Malmesbury ward comprising the entirety of the Malmesbury Unitary Election Division. This arrangement was because the town was projected to have too large an electorate within five years to be contained within a single Division.



202. St Paul Malmesbury Without is a large parish located north, east and south of Malmesbury Town. As of August 2021, it had an electorate of approximately 1818. The Parish Council has two wards, with Westport Ward having two councillors, and St Paul ward with ten councillors.
203. In 2019 Malmesbury Town Council had requested the transfer of a number of large areas of St Paul Malmesbury Without to the town. This would include increasing the total number of councillors and breaking up the current Malmesbury Ward into a number of smaller wards. It was said that this took into account recognised historic boundaries and the identity of the area and would improve community governance for the town and the parish.
204. St Paul Malmesbury Without in response to the request from the Town Council had requested

the Backbridge Ward be transferred into the parish, arguing that this was a more effective governance arrangement given its location within the Sherston Division. They had also requested that the two wards of the parish be combined and the parish to become unwarded. The Parish Council opposed the proposed transfers requested by the Town Council.

Pre-consultation information gathering and preparation of Draft Recommendations

205. The Committee met representatives of both parishes separately and held an online public meeting attended by a number of local residents as well as representatives during the information gathering initial stages of the review.
206. There were 171 responses to an initial online survey. Importantly, this surveyed opinion on specific proposals that had been received, and could not preclude the possibility of further alternative proposals being considered appropriate.
207. In response to the Town Council proposal 44 were in agreement, 124 against, 2 with no opinion and 1 proposing an alternative option. Arguments in favour included that the Milbourne, Foxley Road and Burton Hill areas requested were closely related to the town, some as urban extensions of it, and not distinct from it as opposed to other communities in the parish such as Corston. It was argued it was more cohesive of an arrangement and the residents in the areas benefited from the services provided by the town. Arguments in opposition included that the Parish Council was effective and appropriately represented and supported the residents in those areas, and that changing the parish's multiple rural based communities provided no improvement in governance or identity.
208. In response to the Parish Council proposal 72 were in favour, 60 opposed, 34 gave no opinion and 5 responses were blank. Arguments in favour included that it would be a more efficient governance arrangement to remove the Backbridge Ward from Malmesbury given it was within the Sherston Division. Arguments in opposition included that it would make the boundary between the town and parish less distinct and that it was being developed as an urban area. Some of the responses received highlighted a misunderstanding about Backbridge Ward already being part of the parish, which was not the case.
209. Malmesbury Town Council and St Paul Malmesbury Without Parish Council held discussions regarding possible compromise proposals during this stage of the review. It was reported that the Town Council had withdrawn its requests for most of the area to the north of the town apart from a small strip north of Filands and some employment land to the northeast, for the village of Milbourne to the east of the town, and for the Foxley/Common Road area to the south-west. In response it was reported that the Parish Council had withdrawn its request in relation to the Backbridge Ward.
210. The final area of discussion was therefore the built up area at Burton Hill and Cowbridge. It was reported that limited agreement had been reached on a small section appropriately aligning with the town, but there remained disagreement on a wider area being incorporated within the town. The Parish Council considered the majority of the area did not wish to be transferred and did not accept the arguments of the Town Council. The Town Council argued that the entire area was urban in character on a main route into the town near to the high

street, but offered an option of a transfer without Cowbridge to enable the parish to retain a land link with Milbourne should some of Burton Hill be moved into the town.

Preparation of Draft Recommendations

211. The Committee had noted the updated responses from the Town Council and the Parish Council, as well as the public responses. It had noted that there were a number of communities around Malmesbury which had their own characters and identities. Some were larger than others, or closer to the town, and as the updated responses from the councils involved demonstrated, the most appropriate governance solution for one might not be appropriate for the others. If no better option could be found, no change could be recommended, but while public responses were an important consideration, they were not in themselves determinative, but dependent on arguments and evidence in respect of the statutory criteria.
212. In respect of the St Paul Malmesbury Without Parish Council proposal, irrespective of whether it was withdrawn as a request, the Committee did not consider that the supposed efficiency of combining Sherston Division based wards with the Parish Council was sufficient to overcome the substantial community reasons for it to remain within the town. The area was projected to include significant urban development and would not share character or interests with the rest of the parish.
213. St Paul Malmesbury Without included a number of different communities and covered a large geographic area. The large village of Corston lay to the south of the parish, with some more developed areas closer to the town at Foxley/Common Road in the south-west. The area north of the town was mostly fields with few residents, and the moderately sized village at Milbourne lay to the east of the town with a small amount of rural land between. There were no direct road links from Milbourne to the rest of the parish communities, which were accessed through the town of Malmesbury itself.
214. The Committee was in agreement with much of the updated representations from the local councils and did not consider that the areas listed above shared character, identity or interests with Malmesbury Town, a rapidly growing, densely urban area.
215. As the Committee had seen in its review of Melksham Without in particular, it was possible for a large and disparate parish to be effectively and appropriately arranged without direct connections between some of its communities. However, it was still necessary for a parish to be contiguous, that is joined together, under the law.
216. This was of particular relevance as the Committee considered at this point the area at Burton Hill and Cowbridge. The Parish Council, for most of that area, and the residents who had responded to the survey from that area, had mostly opposed the request of the Town Council. Nevertheless, the Committee in reviewing the character of the area had considered at this stage that it was of a built up and urban nature, in close proximity not just with the town but with the high street of the town, and along the major commuting route to and from the town. It felt that those entering into the town would see little to no change in the character of the area

as they moved through Burton Hill and Cowbridge and into the town itself as currently existing. The Committee therefore considered that the identity and interests of the area aligned more closely with the town than any community of the parish, having its own character distinct from the more rural focused areas.

217. As a result the Committee had accordingly felt it necessary to consider what arrangement would provide more effective and convenient local governance. Due to the shape of St Paul Malmesbury Without, the Burton Hill and Cowbridge area effectively formed a block between the Milbourne and more rural areas to the north, and the communities around Corston and to the south-west. If the area were transferred in its entirety into the town of Malmesbury, this would mean Milbourne and the northern parts could not remain part of St Paul Malmesbury Without.
218. The Committee had considered the option presented wherein Cowbridge would remain part of the parish, allowing a small land link to be retained, whilst Burton Hill was transferred into the town. However, it considered this suggestion was arbitrary and illogical and could not be recommended. It did not consider the representations and evidence supported this as a natural division within the communities at Burton Hill and Cowbridge, and believed that such an artificial separation would not align to either of the statutory criteria.
219. Ultimately, the Committee considered that the preponderance of the evidence was that, notwithstanding the resident views expressed which had been taken into account, the character of the area at Burton Hill and Cowbridge was overwhelmingly aligned with the town of Malmesbury. It considered it was urban in extent, nature and proximity, and although this would lead to required changes elsewhere, at the time the Committee felt no other option explored more appropriately reflected the identity and interests of the area. Nor did the Committee believe retaining the current arrangement met the statutory criteria as it did not consider the current arrangement appropriately reflected its identity and interests.
220. Accordingly, it was proposed that the Burton Hill and Cowbridge area, along with the area at Daniel's Well as also reported to the Committee and discussed by the affected councils as a reasonable area to be moved, be transferred into the town of Malmesbury. As the unitary division of Malmesbury was already at the upper extent of variance from the average that was permitted, the area would have to be separately warded and remain within the Sherston Division. Any change to the parish boundaries of Malmesbury would require the consent of the LGBCE.
221. The Committee also recommended putting in place further warding within the town for a more appropriate division of Parish Councillors, including noting the projected increases in electorate for Backbridge.
222. In the northern part of the town and parish the Committee did not consider a case had been made necessitating any changes to bring in properties north of the B4104. Areas projected to be developed or as result of appeals lay to the south, already within the town, and there were no governance reasons to further amend the boundary. The exception, it was agreed at this stage, was some business/industrial areas to the east of the town, which predominantly

impacted residents of the town. As these included no electors the change would require the LGBCE to consent to change the unitary division boundaries, with no effect on the variance of the divisions. It accepted the proposal of a transfer of such land due to already recommending wider reorganisation of the community elsewhere, and thus part of a broader improvement of governance.

223. The remaining issue was therefore the village of Milbourne and further northern part of St Paul Malmesbury Without, which would be separated from the rest of the parish if the recommendations were approved. The Committee considered if the area could form its own parish or be combined in some form with nearby parishes. It was reported that the parish of Charlton to the north might be interested in joining with the community at Milbourne, which lay within or alongside the Charlton Park estate and had decent road connections. The parish would remain unwarded with an increase of two to eleven parish councillors.
224. The Committee determined that it would recommend a transfer of the Milbourne area to Charlton. Although large enough to form its own ward, with the main part of Charlton within the Brinkworth Division, the Committee noted the LGBCE had, through lack of alternative acceptable options, permitted the Sherston Division to 'doughnut' the Division of Malmesbury. If Milbourne were transferred to Charlton, and the Brinkworth Division were to be likewise amended to align to the revised parishes, this would end that arrangement which the LGBCE regarded as unsatisfactory, and so provide a more effective and efficient governance arrangement.
225. A small change in respect of a farm accessed from Brokenborough which would align better with that community was also agreed to be recommended to be transferred from St Paul Malmesbury Without.

Consultation on the Draft Recommendations

226. 153 responses were received to the online survey on the draft recommendations. Physical letters were sent to the residents of St Paul Malmesbury Without. 110 responses were in disagreement, 36 in agreement and 7 suggested amendments to the proposals. A number of emailed or written responses were also received, and a public meeting was held in Malmesbury for local residents of the wider area.
227. Of the 36 comments in agreement 23 were from current residents of the town. 11 comments were from current residents of St Paul Malmesbury Without, with 2 comments from elsewhere.
228. Arguments in favour of the proposals included that it was a sensible rebalancing of the area, could lead to more support for the areas which used town facilities and services, that the parish boundaries did not all reflect the nature of the communities, that the areas were naturally associated with the town, that Charlton and Milbourne were similar in character, and it made sense to include the more urban like areas within the town.
229. Of the comments in disagreement 99 of 110 were from residents of St Paul Malmesbury Without, 2 from current residents of the town, and 8 from current residents of Charlton. St Paul

Malmesbury Without Parish Council strongly objected to the proposals, and the parishes of Charlton, Brokenborough and Lea and Cleverton confirmed that they did not support the principle of transferring the northern parts of St Paul Malmesbury Without, such as Milbourne, to another parish.

230. Arguments in disagreement with the proposals included not perceiving any governance benefits to transferred residents and so no need to make changes, that the current arrangements were effective under the current parish council, that not all the areas proposed were urban in character, that Charlton had no meaningful connections with Milbourne, and that the multiple communities were well integrated by the current arrangements
231. Proposed amendments included supporting the principle of including Milbourne with Charlton, changing the name to reflect the new boundaries, including Milbourne with Lea and Cleverton instead, merging the remaining part of St Paul Malmesbury Without with Hullavington, or including only the properties west of the A429 to the south of the town in any transfer from the parish.
232. Following a deferral at the meetings on 31 May and 5 July 2022 to allow the Town Council and Parish Council to discuss ideas in more detail, a new, reduced proposal was received from the Town Council, as agreement was not able to be reached with the Parish Council. A variant of that proposal was also provided by the Unitary Members for Malmesbury and Sherston, proposing to transfer a smaller area of Burton Hill only into the Town

Preparation of Additional Recommendations

233. In analysing the responses to the consultation, the Committee noted that its initial Draft Recommendation had not received support from a significant number of respondents. It had been necessary to test those proposals as they had been distinct from any options informally surveyed during information gathering. It noted the representations from both the current parish responsible for the area, who were strongly opposed, and the surrounding parishes such as Charlton, Lea and Garsden, and Brokenborough, who had formally confirmed they were not supportive of any proposal to transfer the Milbourne area to another parish.
234. The Committee noted that there did not appear to be support for Milbourne to be transferred to another parish, or to form its own parish. This was a relevant consideration, as the Committee had felt on balance that such a proposal had the potential to be appropriate under the criteria given its concerns about the existing governance arrangements at Burton Hill, but upon being tested with the local electorate a great many additional objections had been raised.
235. The Committee reconsidered the Burton Hill and Cowbridge areas very carefully in light of the evidence received, as it had been its recommendation for that area which had led to proposal of wider and more significant options for change.
236. The Parish Council had at times proposed certain parts of the Burton Hill area might possibly be considered for transfer to the Town Council, but had also made strong representations regarding the effectiveness of the current parish arrangements, the community feeling of those

within much of that area, and that not all parts of that area had an urban or even semi-urban character, amongst other arguments. Its preferred position was for no changes to be made to the boundaries.

237. The Town Council in support of its more reduced proposal referenced the guidance on community governance reviews, stating its new proposal focused on immutable local features such as roads, rivers and footpaths. The reduced further proposal from the Unitary Councillors for Malmesbury and Sherston proposed an area west of the A429 down to Arches Lane should be transferred. They felt that the very close proximity to the High Street of the town, the housing density, direct public transport links, and other reasons supported the transfer as being more reflective of the identity of the area, and the proposal clearly delineated the boundary between the two parishes, whereas the current arrangement was not clear.
238. The Committee was mindful that if an area was to be divided there needed to be strong reasons to justify this, in particular to explain why some properties were moved and not others. This had been reflected in the updated representations, which had noted the complexity of defining under the required guidance a boundary between the town and the parish if some areas to the east of the A429 were included, or to separate, for example, Cowbridge from Burton Hill. The Committee explored the options proposed around the A429 and Arches Lane, to determine if there were sound and sufficient reasons to consider parts as being more appropriate to one community than to the others.
239. The Committee noted the extended period that had been used to see if agreement between the parties could be reached, and that, even had agreement been reached, the Committee would have been required to assess any proposal against the statutory criteria. Given the reasoning provided in the many public objections, lack of agreement between the councils involved, and disagreement on whether any division of the area at Burton Hill would be appropriate in community or governance terms, the Committee was not satisfied that transferring any part of the area to Malmesbury Town would lead to improved governance, and it was not satisfied a drawing of the line around properties in that area was most appropriate in community terms.
240. Accordingly, the Committee withdrew its original draft recommendation in respect of Burton Hill and Cowbridge.
241. In respect of the business/industrial area to the north-east of Malmesbury, the Committee had supported this as being more in character with the built up nature of the town. Given the other changes that were being proposed, although the land itself included no electors it considered it could support transferring that area as part of the wider reorganisation of community governance. The Town Council and local Member highlighted the presence of other industrial areas with the town council area.
242. Although it recognised the arguments in support of the initial proposal to include the industrial area, the Committee was persuaded that given the existence of other small industrial or business areas within the parish council area, and that any proposal to include it deviated a

clear boundary such as the existing main road, that there was not sufficient evidence of improved community identity or effective or convenient governance to justify the change. Additionally, in the absence of any other community reorganisation, stronger justification would have been necessary of how governance would be improved given the lack of residents. It therefore withdrew its initial draft recommendation.

243. In respect of the area proposed to be moved to Brokenborough Parish Council, that parish council had proposed a slight extension of the area to follow field boundaries which were within the same ownerships in the area. They reported this had been raised with St Paul Malmesbury Without Parish Council.
244. Although it was a minor change, the Committee did not support the proposed amendment. Though the property proposed to be included was currently within ownership of those at the farm, this could change, and it was not a significant community or governance issue for a large area of farmland to be divided between several parishes. The Committee therefore confirmed its initial recommended new boundary along the brook and would recommend it to Full Council.
245. Accordingly, the Committee would propose no changes to the boundaries of Malmesbury or St Paul Malmesbury Without, except for the small section of St Paul Malmesbury Without to Brokenborough.
246. The warding of Malmesbury it was proposed would reflect that previously consulted upon, minus any transferred area previously proposed. St Paul Malmesbury would be recommended as unwarded, with twelve councillors, as the parish council had initially requested.

Consultation on Additional Draft Recommendations and Preparation of Final Recommendations

247. A single representation was received to the online consultation, notwithstanding the same methodology has been used as for the pre-consultation surveying. The response was in support of the recommendation.
248. Malmesbury Town Council also verbally updated the Committee that, no external changes having been accepted by the Committee in its latest recommendations, it supported the proposed warding for the town.
249. The Committee, having significantly adjusted its proposals in response to feedback, evidence and arguments previously received, was satisfied that it had arrived at an option which reflected the identity and interests of the area.
250. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore agreed the following:

Recommendation 8

8.1 That Malmesbury Town Council contain a total of 17 councillors in the following wards as shown in the map below:

- i. Backbridge Ward (two councillors)**

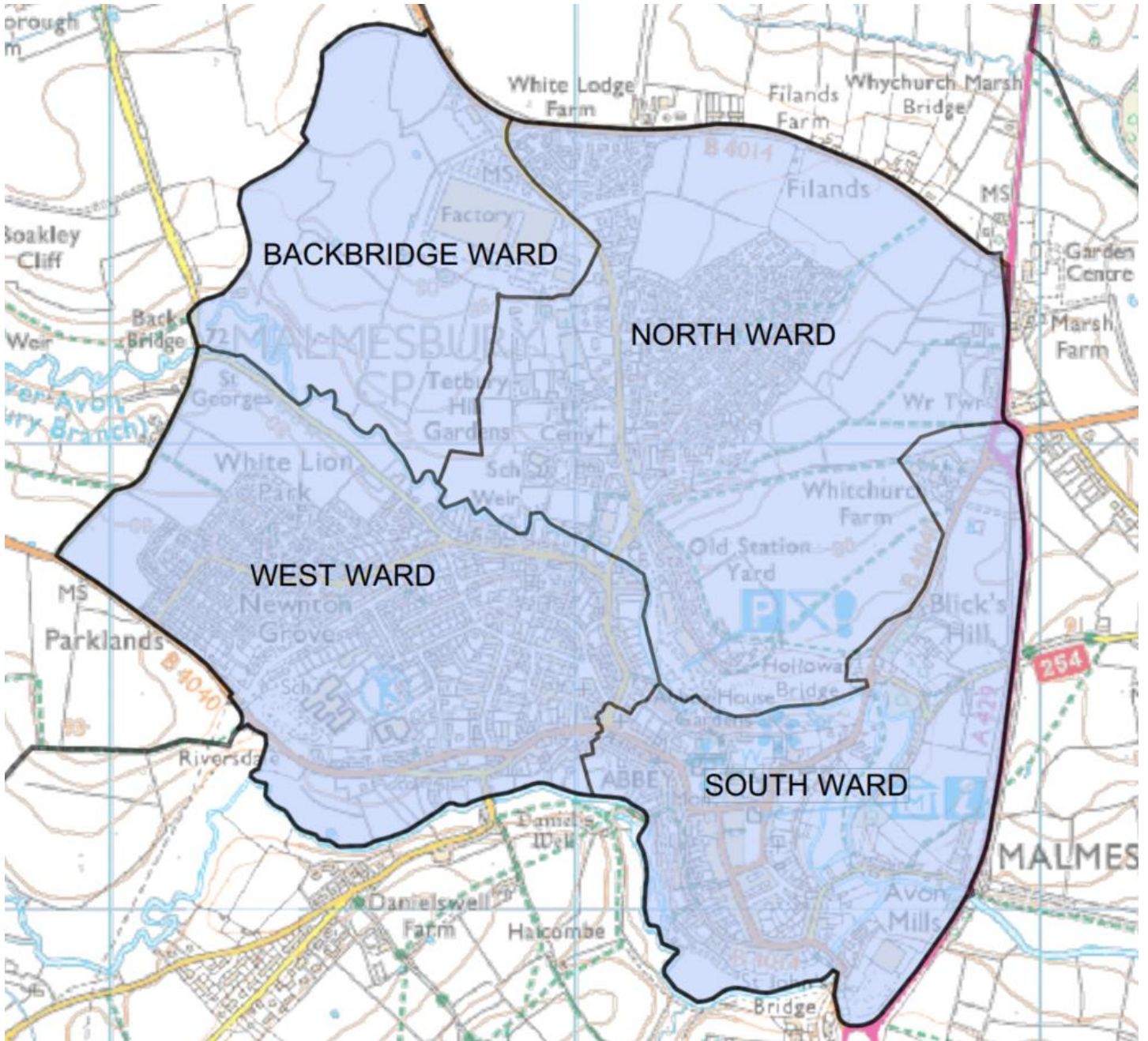
- ii. **Malmesbury North Ward (six councillors)**
- iii. **Malmesbury South (two councillors)**
- iv. **Malmesbury West (seven councillors).**

8.2 That the area marked as M be transferred from St Paul Malmesbury to the parish of Brokenborough.

8.3 The parish of St Paul Malmesbury Without to be unwarded, with Twelve Councillors.

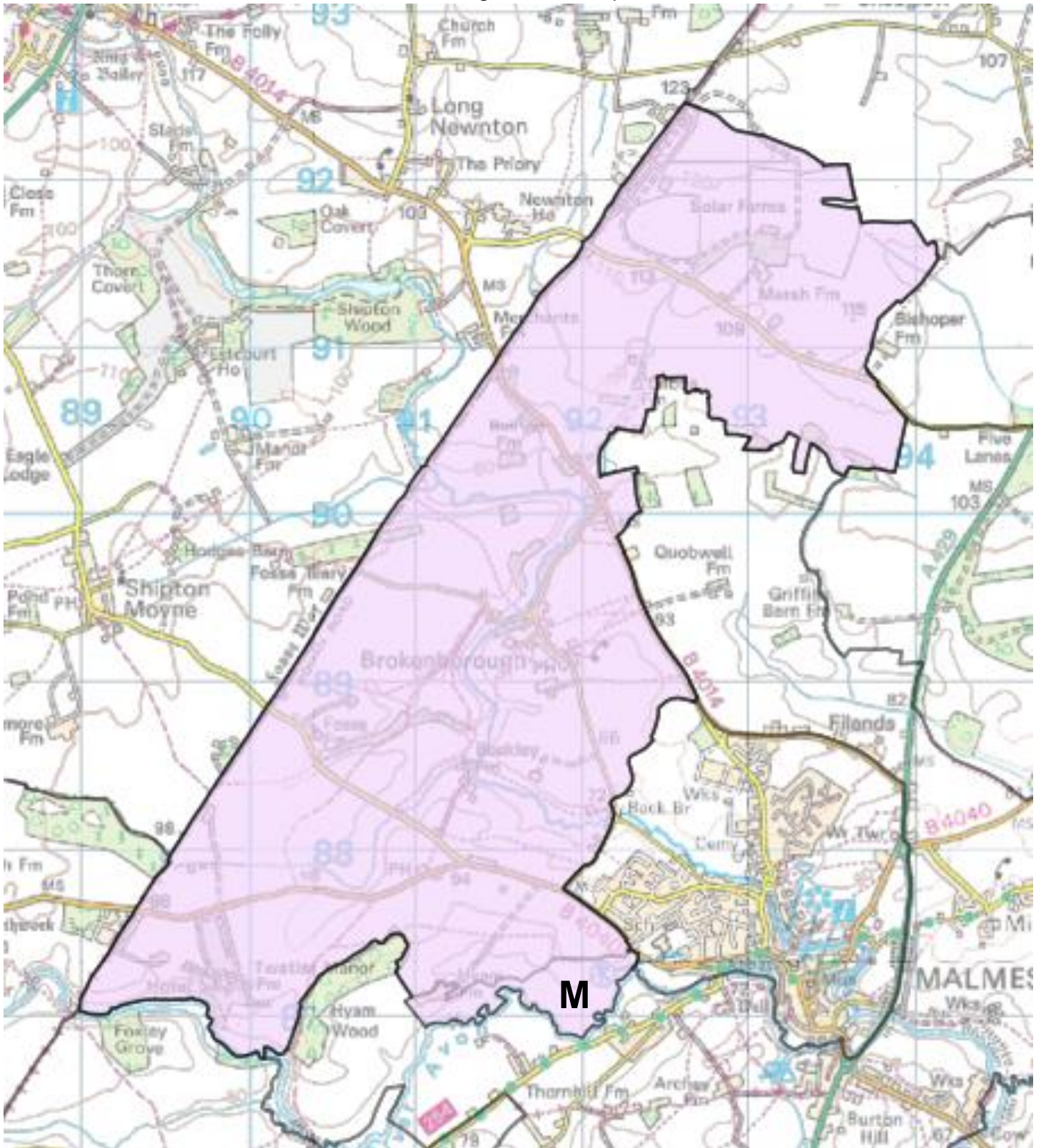
Reasons: Paragraphs 73, 74, 80, 83, of the Guidance on Community Governance Reviews

Malmesbury Ward Map



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Brokenborough Parish Map



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Wiltshire Council

Full Council

18 October 2022

Proposed Changes to Protocol 6 of the Council's Constitution – Complaints Procedure

Summary

This report asks Full Council to consider the recommendation of the Standards Committee to adopt a new Protocol 6 of the council's Constitution – the Complaints Procedure.

Proposals

To adopt the amended Protocol 6 – Complaints Procedure as attached at Appendix 2, within the Constitution

Reason for Proposals

To ensure that the council's arrangements for handling complaints about its actions as a social housing landlord are compliant with the Housing Ombudsman's Complaint Handling Code.

To ensure that the council's Complaints Procedure is clear, comprehensive and user-friendly for all residents.

Perry Holmes – Director, Legal & Governance (and Monitoring Officer)

**Proposed Changes to Protocol 6 of the Council's Constitution –
Complaints Procedure**

Purpose

1. The report asks Full Council to consider the recommendation of the Standards Committee to adopt a new Protocol 6 of the council's Constitution – the Complaints Procedure – in order to:
 - a) ensure compliance with the Housing Ombudsman's new Complaint Handling Code; and
 - b) make the Complaints Procedure clear, comprehensive and user-friendly for all residents.

Relevance to the Council's Business Plan

2. In keeping with the council's commitment to 'ensure decisions are evidence-based', the new Complaints Procedure emphasises a complaints function that enables the council to learn from customer feedback in order to improve.
3. The Complaints Procedure also supports the council's objective to 'treat every individual, family and household fairly and equally'.

Background

4. Most customer complaints to the council fall within the parameters of its Complaints Procedure – Protocol 6 of the council's Constitution (existing version attached at **Appendix 1**). Exceptions to this are complaints that have their own dedicated, statutory complaints procedures, including those that are about:
 - Adult social care
 - Certain aspects of children's services under the Children's Act 1989
 - Elected members
 - The Wiltshire Police and Crime Commissioner.
5. The Complaints Procedure comprises a two-stage process, with complaints moving from Stage 1 to Stage 2 when the customer remains dissatisfied following a Stage 1 response (as well in certain other specific circumstances):

	Lead	Time limit	Extension
Stage 1	Investigation and response from the appropriate service team	20 working days	10 working days
Stage 2	Investigation and response from the Complaints team	30 working days	10 working days
External review	Referral by the customer to the appropriate Ombudsman within 12 months.		

6. When a customer has completed Stage 2 of the Procedure and remains dissatisfied, they can contact the appropriate Ombudsman to request external review of the matter. The Ombudsman may choose to investigate and, if fault is found, direct the council to take remedial action to address the issues identified and avoid future recurrence. They may also recommend an apology and can also recommend an appropriate compensation payment to the customer.
7. The council works mainly within complaints frameworks administered by two Ombudsmen:
 - The Local Government and Social Care Ombudsman (LGSCO) – for most complaints regarding council services; and
 - The Housing Ombudsman – for complaints regarding the council as a social housing landlord.

Housing Ombudsman – new Complaint Handling Code

8. In March 2022, the Housing Ombudsman published a new Complaint Handling Code ([here](#)) following the original Code's introduction in 2020. As a member landlord, the council's complaint handling arrangements for social housing complaints must align with the mandatory elements of the new Code. Failure to comply could lead to the issuing of a 'complaint handling failure order' against the council.
9. Complaints to the council about its actions as a social housing landlord are handled under its Complaints Procedure. The current Procedure is **not compliant** with the Housing Ombudsman's new Code in the following ways:

Code section	Housing Ombudsman requirement	How the council's current procedure is not compliant
1.2	A complaint must be defined as: <i>“an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents.”</i>	Defines a complaint as: <i>“any expression of dissatisfaction by you or your representative.”</i>
5.1	Landlords must respond to the Stage 1 complaint within 10 working days of the complaint being logged. 10 working day extension permitted	Requires Stage 1 responses to be provided within 20 working days of the complaint being logged (The current 10 working day extension complies with the Code)
5.13	Landlords must respond to the Stage 2 complaint within 20 working days of the complaint being escalated. 10 working day extension permitted	Requires Stage 2 responses to be provided within 30 working days of the complaint being escalated. Requires that extensions at Stage 2 do not exceed 20 working days

Main considerations

Housing Ombudsman – new Complaint Handling Code

10. The Housing Ombudsman's new Code applied from 1 April 2022, with member landlords required to be compliant from 1 October 2022. In practice, since July 2022, all complaints about the council's actions as a social housing landlord have been responded to within the shorter timescales set out in the new Code.

11. On 5 October 2022, the Standards Committee considered three options for achieving compliance with the Housing Ombudsman's new Code:

Option 1 – Amend the Complaints Procedure to:

- Implement the new, shorter timescales for social housing complaints **only**; and
- Maintain existing timescales for all other complaints.

Option 2 – Amend the corporate Complaints Procedure to reflect the new, shorter timescales for **all** complaints.

Option 3 – Create an additional new complaints procedure dedicated to Social Housing complaints, reflecting the appropriate timescales.

12. The Standards Committee, as recommended by the Constitution Focus Group, supported **Option 1** and as such recommended that the version of Protocol 6 – Complaints Procedure attached at **Appendix 2** be adopted by the Council.
13. Once approved the document would be formatted to align with the rest of the constitution, alongside a public facing version.
14. Option 1 has the following advantages:
- a) In 2021-22, 71% of Stage 1 complaints and 60% of Stage 2 complaints were responded to within target timescales (including the current permitted extensions). These figures have been relatively stable for some years. Experience shows that meeting the timescales can be challenging due to the complexity of some complaints and to other operational demands. Reducing the target timescales for **all** complaints (Option 2) would therefore be likely to increase the number of responses being provided late. This is likely to increase frustration for complainants and potentially prompt criticism and findings of fault from the LGSCO.
 - b) Social housing complaints represent a small proportion of the total number of complaints handled under the Procedure (around 10-15%). Implementing a specific target timescale only for these complaints will therefore have minimal impact on response times for all other complaints handled under the Procedure.
 - c) Introducing a new procedure exclusively for social housing complaints would increase the complexity of the complaints handling system overall. In addition, the current Complaints Procedure is in line with the new Housing Ombudsman’s Code, excepting the issues detailed above.

Other amendments to the corporate Complaints Procedure

15. The current Protocol 6 – Complaints Procedure accurately sets out the current complaints process, but is not comprehensive or user-friendly as a public-facing document. The Procedure has been redrafted to address this, and the new version proposed:
- Provides an easy-reference flowchart of the complaints process;
 - Sets out the council’s commitment to valuing complaints and the objectives of its complaints function;
 - Clarifies that complaints cannot be considered from corporate bodies, due to the lack of a personal injustice;
 - Clarifies what a response to a complaint will include and what happens when a complaint is upheld;
 - Describes how the council will:
 - respond to anonymous complaints, complaints about multiple services and about other agencies
 - use complaints data to learn and improve
 - protect customers’ data and confidentiality
 - manage unreasonable customer behaviour
 - support customers with specific needs to access the procedure.

Overview and Scrutiny Engagement

16. The new Complaints Procedure has been considered by Wiltshire Council's Housing Board on 28 September 2022 and the Standards Committee on 5 October 2022. The Standards Committee has recommended its adoption as the Committee responsible for overseeing the council's complaint handling arrangements.

Safeguarding Implications

17. As stated in the proposed Complaints Procedure, all complaints represent a learning opportunity for the council. It is important that all residents are supported to access a simple but robust complaints procedure when they wish to raise concerns about the council's actions in regard to safeguarding vulnerable people.

18. The proposed new Complaints Procedure clarifies that anonymous complaints will be considered where enough information is provided. It also sets out how serious complaints will be handled.

19. The proposed new Complaints Procedure clarifies that legal requirements and internal policies will be respected when considering complainant confidentiality.

Public Health Implications

20. There are no public health implications arising from this report

Procurement Implications

21. There are no procurement implications arising from this report

Equalities Impact of the Proposal

22. The Complaints Procedure states that:

- *Everyone has the right to access the process. Customers who do not have English as a first language will be offered help with interpretation and translation services, and other customers may have specific needs that we will seek to address;*
- *The council will always take into account its commitment and responsibilities to equality. This includes making reasonable adjustments to the Complaints service to help the customer where appropriate;*
- *Several support and advocacy groups are available to support customers in pursuing a complaint and customers will be signposted to these as appropriate.*

Environmental and Climate Change Considerations

23. There are no environmental and climate change implications arising from this report

Workforce Implications

24. The shorter timescales for responding to social housing complaints required under the proposed Complaints Procedure are deliverable with the council's current workforce structure.

Financial Implications

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

Legal Implications

26. The proposed Complaints Procedure is in keeping with the council's legal duties regarding handling complaints as well as the requirements of the relevant Ombudsmen.

Proposal

27. **To adopt the amended Protocol 6 – Complaints Procedure as attached at Appendix 2, within the Constitution**

Perry Holmes - Director for Legal & Governance (and Monitoring Officer)

Report author: Henry Powell, Democracy and Complaints Manager, 01225 718400, complaints@wiltshire.gov.uk

7 October 2022

Appendices

Appendix 1 **Current** 'Protocol 6 – Complaints Procedure' of Wiltshire Council's Constitution

Appendix 2 **Proposed amended** 'Protocol 6 – Complaints Procedure' of Wiltshire Council's Constitution

Background Papers

None

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**Wiltshire Council
Constitution
Protocol 6
Complaints Procedure**

PROTOCOL 6

COMPLAINTS PROCEDURE

Wiltshire Council is committed to listening to the view of customers and welcomes feedback whether positive or negative. This complaints procedure sets out what you can expect to happen when you make a complaint to this council.

A complaint is any expression of dissatisfaction by you or your representative.

You can complain to us verbally or in writing.

1. Aims of the complaints procedure

Our aim is to ensure that your concern is taken seriously and that you receive a satisfactory answer. The aims of this complaints procedure are:-

- To give you an effective way of raising your complaint.
- Where possible, to resolve complaints quickly.
- To deal with complaints fairly and consistently.

2. What is covered under the complaints procedure?

A complaint can be considered under this procedure if Wiltshire Council has a power or duty to provide or secure the provision of a service for you. If you are unsure whether we can deal with your complaint, please contact us for advice.

3. What is not covered by the complaints procedure?

Sometimes you will not be able to complain using our complaints procedure. We give some examples of complaints that we cannot consider using our complaints procedure below.

- Complaints from individuals or organisations where there is a contract governing the relationship between the council and the complainant (for example, contractors)
- Complaints by one part of the council or its affiliate organisations against another (e.g. community area boards, maintained schools, governing bodies)
- If there are or have been legal proceedings in connection with the complaint, including proceedings taken by the council.
- Any matter that should be considered by a court, statutory tribunal or statutory appeals process.
- A school admission or exclusion appeal dealt with by the Education Appeals Panel.
- Complaints about a councillor – there is a separate complaints process for this.
- A complaint which lies within the jurisdiction of the governing body of a school.
- A complaint about personnel matters, including appointments, dismissals, pay, pensions and discipline.

- Complaints that are principally about members of staff. Complaints about staff may, if it is appropriate, go through the staff disciplinary procedure.
- Complaints about council policy, such as the level of council tax, how eligibility criteria are set, or the prioritisation of works.

This list is not exhaustive. If we cannot consider your complaint using this procedure we will try to advise you of other appropriate routes available to you for making your complaint.

Time limitations on making a complaint

In keeping with Local Government Ombudsman guidelines there will be some complaints that cannot be investigated because too much time has passed for there to be a reasonable and factual investigation to take place.

The Ombudsman puts a time limit of 12 months from the day you become aware of the problem.

The Local Government Ombudsman states:-

“One reason for the time bar is that the further away an investigation takes place from the events to be investigated the more difficult it may be to establish the material facts with reasonable confidence. This is because of faded memories and other difficulties in gathering evidence. The difficulty of carrying out a fair investigation has to be balanced against the seriousness of the injustice claimed. If there seems to be little evidence of maladministration or of injustice it is unlikely that discretion should be exercised”

If the Council receives a complaint where there is a question about the length of time since the original complaint, we will seek further advice and you will be contacted with an explanation if we cannot investigate.

4. Making a complaint

We will take complaints seriously, and will always ensure that you receive a response within the set timescales.

You can make a complaint in a number of ways. You can contact us by phone, e-mail, by e-form online, a letter or at one of our offices. When you make your complaint please provide as much information as possible, including the names of any officers you may have already spoken to about the matter and any reference number you may have relating to the complaint.

If you want someone else, for example a friend, relative or representative, to complain to us on your behalf, we will work with them to resolve your complaint. However, we will always need to have evidence that you have given your permission for someone else to complain on your behalf.

5. The complaints procedure

This is a two stage procedure, and it can be used for most concerns you wish to raise.

Stage 1

We hope that most complaints can be resolved at the first stage of the complaints procedure.

When you first make a complaint we should acknowledge receipt of it within 2 working days, and let you know when we think we will be able to give you a full response.

The timescale for responding to Stage 1 is 20 working days. In some circumstances this can be extended to 30 working days. If the team or the complaints manager require more time, you will be contacted and advised of when you can expect a response and the reasons for the delay.

At Stage 1, your complaint will be dealt with by either the Department Complaints Manager or a member of the team that provides the service you are complaining about.

If you are not happy with the full response that you receive at Stage 1, you can ask for the complaint to be put through to Stage 2. Please telephone or write to the corporate complaints team at County Hall if you would like to take your complaint through to Stage 2. The corporate complaints team's contact details are at the end of this document.

Stage 2 – Investigation and Review

If we are unable to resolve your complaint at Stage 1, the corporate complaints team will review your complaint.

The timescale for responding to Stage 2 is 30 working days. In some circumstances this can be extended to 40 working days. If the corporate complaints team require more time, you will be contacted and advised of when you can expect a response and the reasons for the delay.

We understand that you want your complaint resolved and we want to ensure you get a response as soon as possible. However to ensure all elements of your complaint are considered, we have to ensure that a thorough investigation is undertaken, that all information has been provided to us and that any legal requirement has been looked at. Only then can we produce a comprehensive and considered report for you.

If you remain unhappy with the council's response at the end of Stage 2, you can contact the Local Government Ombudsman. We will provide information about how to complain to the Ombudsman, who is completely independent of the council.

7. Data protection

When you make a complaint, we will log information about your complaint and your name and contact details. Information will only be collected and stored for the purposes of dealing with your complaint and improving our services. Your complaint and details will be treated confidentially.

8. Equality and diversity complaints (including complaints relating to allegations of discrimination or discriminatory behaviour)

If in receiving a service from us, you feel you have experienced any form of unlawful discrimination or unfair treatment on the grounds of your race, gender, disability, sexuality, faith/belief or age you can make a complaint using the corporate complaints procedure. In these cases we will put your complaint straight through to Stage 2 of the corporate complaints procedure.

If the complaint relates to staff conduct and behaviour the corporate complaints manager and the equality and diversity manager will consider the details of the complaint and decide what the most appropriate way to investigate the complaint.

Where officers of the council are involved, it may be necessary to refer the matter to the council's human resources department to be handled under the staff disciplinary procedures.

If you remain unhappy with the response, you will be advised how to take the matter further.

Depending on the seriousness of the allegations, it may be necessary to refer the matter directly to the police.

If you would prefer to seek independent advice about a complaint of this nature, you may wish to contact The Equality and Human Rights Commission.

Contact us

If you are unsure about making a complaint or want to talk to someone for further advice, information or support please contact us in the following ways:

Corporate Complaints Team
Wiltshire Council
County Hall
Trowbridge
Wiltshire
BA14 8JN

Telephone: 0300 456 0100

E-mail: complaints@wiltshire.gov.uk

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Wiltshire Council

Complaints Procedure

Foreword

This Complaints Procedure (“the Procedure”) reflects Wiltshire Council’s commitment to valuing complaints. We welcome hearing our customers’ complaints to better understand how they view our services and to use these opportunities to learn and improve for the future.

We aim to resolve customer dissatisfaction promptly and efficiently and to conduct appropriate and fair investigations so that we can make evidence-based decisions on the facts of the case.

We aim to deliver a complaints function that:

- Is simple for everyone to use and understand
- Is led and supported by the very top of the organisation
- Ensures excellent service standards are delivered
- Fulfils the needs of our customers
- Enables us to learn from customer feedback in order to improve
- Complies with the relevant legislation and council policy
- Focuses on fair, proportionate resolution at the earliest stage
- Works in an open-minded and impartial way

Not all complaints that the Council may receive are covered by the procedure set out in this document. In particular, complaints about adult social care, some aspects of children’s services, the Wiltshire Police and Crime Commissioner and elected members are governed by other, statutory, procedures. Links to those procedures are provided where appropriate.

Contents

- Foreword2
- What is a complaint?.....4
- Who can make a complaint?5
- Complaints involving more than one service or organisation.....5
- Handling anonymous complaints5
- What if the customer doesn't want to complain?5
- Time limit for making complaints6
- Informal resolution6
- Maintaining confidentiality8
- Managing unacceptable behaviour8
- Supporting the customer8
- Contact us8

What is a complaint?

Wiltshire Council's definition of a complaint is an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents, and which the public has suffered a personal injustice.

A complaint may relate to:

- ✓ failure to provide a service
- ✓ inadequate standard of service
- ✓ dissatisfaction with the application of a Council policy
- ✓ treatment by, or attitude, of a member of staff (excluding those which may be disciplinary in nature which will need to be dealt with in accordance with the Council's HR Policies)
- ✓ disagreement with a decision where the customer cannot use another procedure (for example an appeal) to resolve the matter
- ✓ the Council's failure to follow the appropriate administrative process.

This list does not cover everything.

A complaint does **not** fall within this Complaints Procedure if it:

- × is a routine first-time request for a service
- × relates to legal proceedings involving the complainant, including proceedings brought by or against the Council
- × concerns a disagreement with a decision where a statutory right of appeal exists, for example in relation to council tax, planning or licensing
- × is an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision
- × is a matter relating to a contract between the complainant and the Council
- × relates to personnel matters, including appointments, dismissals, pay, pensions and discipline
- × it is a challenge to a policy/decision made by the Council
- × concerns school management issues (these are managed by individual schools)
- × falls within the scope of another statutory complaints process, such as those dealing with adult social care, some aspects of children's services, elected members, or the Wiltshire Police and Crime Commissioner (see below)

These issues will not be treated as complaints under this procedure. Customers will instead be directed to any appropriate alternative procedures that may be available.

Who can make a complaint?

Anyone who receives, requests or is affected by our services can make a complaint.

We will accept complaints brought by third parties (such as a friend or relative of the person affected) where there is clear evidence that the customer has given their permission. A complaint can also be made through an independent advocacy service and details of those services will be provided to the customer where appropriate.

A complaint can be made in writing, in person, by telephone, by email or online.

We do not accept complaints from corporate bodies under this Procedure, as in such cases there is no “personal injustice” suffered by the complainant.

Complaints involving more than one service or organisation

If a complaint relates to the actions of two or more Council services, we will endeavor to provide one response covering all issues raised.

Where a complaint relates to both a Council service and another agency or public service provider, (for example a housing association or a government department), and the Council has a direct interest in the issue, we will handle the complaint about the Council through this Procedure.

Handling anonymous complaints

The Council recognises that on occasions some complainants will wish to remain anonymous.

Generally, we will consider anonymous complaints if there is enough information to identify that there is an issue that needs to be considered and to enable further enquiries.

If, however, an anonymous complaint does not provide enough information to enable us to take further action, or is repetitive, we may decide not to pursue it further.

If an anonymous complaint makes serious allegations, we will refer it to an appropriate senior officer immediately for consideration.

If we pursue an anonymous complaint, we will still record the issues raised to allow us to take corrective action where appropriate.

What if the customer doesn't want to complain?

If a customer has expressed dissatisfaction, but does not wish to complain, we will still fully consider the matter and take corrective action where appropriate.

Time limit for making complaints

In line with guidelines set by the Local Government and Social Care Ombudsman and the Housing Ombudsman, this procedure sets a time limit of **12 months** from when the customer first knew, or ought to have known, of the problem, within which time they may ask us to consider the complaint, unless there are special circumstances for considering complaints beyond this time.

We will apply this time limit with discretion.

Satisfactorily resolved

At all stages of the complaints handling process the emphasis will be on resolving the complaint at the earliest opportunity.

On all occasions, an explanation will be provided to the complainant and where a mistake, error or failure (maladministration) is identified then a suitable apology along with a proposal for remedial action (if needed) will be provided. This does not mean that the Complainant's view will always be preferred.

If the complainant is unhappy with the conclusion, they are entitled to refer the matter to the appropriate Ombudsman who can provide an independent assessment of this conclusion. We will advise customers which Ombudsman is appropriate for their complaint.

Informal resolution

Often customers simply want the issue they are raising to be resolved, rather than to pursue a complaint under the council's formal procedure. The council will therefore often seek to resolve complaints by promptly delivering the service or correcting the error highlighted by the customer, without following the formal complaints procedure.

Where this approach is not appropriate, and in all cases where the customer requests it, the complaint will proceed to Stage 1.

Complaints Procedure

Complaint received

- Received in person, by phone, email, webform or letter
- Acknowledged within **2 working days** and recorded centrally



Informal resolution

- Where appropriate, quickly resolved as a 'service request'
- This can mean promptly delivering a service or correcting an error
- When not appropriate, or when the customer requests it, proceed to **Stage 1**



Stage 1: Service team response

- Response by the relevant service team within **20 working days***
- **10 working day extension** possible, with reasons and updated timescale provided to the customer
- Customer informed of the outcome, addressing relevant areas and reasons, and advising how to progress to **Stage 2: Investigation**
- *For complaints about the council as a social housing landlord, response within 10 working days with a 10 working day extension



Stage 2: Investigation

- For issues not resolved at Stage 1, that are complex, serious or 'high risk', or where the customer believes they have faced discrimination due to a protected characteristic
- Complaints Team investigates
- Response provided within **30 working days****
- **10 working day extension**** possible with reasons and updated timescale provided to the customer
- Customer informed of the outcome, addressing relevant areas and reasons, and advising how to progress to **Independent external review**
- **For complaints about the council as a social housing landlord, response within 20 working days with a 10 working day extension



Independent external review

- For issues that have not been resolved at **Stages 1 and 2**, customers can contact the appropriate Ombudsman, whose contact details will be provided
- In most cases, they will only investigate if the customer:
 - has completed the council's procedure
 - contacts them within 12 months of becoming aware of the matter
 - has been directly affected by the matter
- Ombudsmen can require the council to take remedial action and make compensatory payments

Learning from complaints

- Complaint details, outcomes, actions taken and Ombudsman findings recorded centrally
- Complaints data reported to senior officers and councillors highlighting areas of concern and improvement actions in place

Maintaining confidentiality

Confidentiality in complaints handling includes maintaining the customer's confidentiality and explaining to them the importance of confidentiality generally. We will always bear in mind legal requirements as well as internal policies on confidentiality and the use of customer's information. This includes when we need to make enquiries to an outside agency.

Managing unacceptable behaviour

A customer's reasons for complaining may contribute to the way in which they present their complaint. Regardless of this, we must treat all complaints seriously and properly assess them.

However, the actions of some customers may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. We will, therefore, apply our policies and procedures to protect staff from unacceptable behaviour such as unreasonable persistence, threats or offensive behaviour from customers. Where we decide to restrict access to a customer under the terms of our Unreasonable Complainant Behaviour Procedure, we will communicate that decision, notify the customer of any right of appeal, and review any decision to restrict contact with us.

Supporting the customer

Everyone has the right to access to our complaints procedure. Customers who do not have English as a first language may need help with interpretation and translation services, and other customers may have specific needs that we will seek to address to ensure easy access to the complaints procedure.

We will always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to our service to help the customer where appropriate.

Several support and advocacy groups are available to support customers in pursuing a complaint and customers will be signposted to these as appropriate.

Contact us

If you are unsure about making a complaint or want to talk to someone for further advice, information or support, please contact us in the following ways:

Complaints Team
Wiltshire Council
County Hall
Trowbridge
Wiltshire
BA14 8JN

Telephone: 0300 456 0100 / 01225 718400

E-mail: complaints@wiltshire.gov.uk

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Wiltshire Council

Full Council

18 October 2022

Part 3B of the Constitution: Responsibility for Functions - Prevent Duty and Channel Programme

Executive Summary

The purpose of this report is to seek Full Council approval for the local authority function of Channel to be included within Wiltshire Council's constitution as required in the annual Home Office Channel Assurance Statement.

The report provides an outline of Prevent and the Channel programme. It calls attention to the statutory Prevent duty placed on specified authorities to prevent individuals supporting, or committing acts of terrorism and how we, as a council are adhering to this via the Wiltshire Prevent Board and Channel Panel.

Proposal

That Full Council:

Agree to Channel's inclusion in the framework of Wiltshire Council's constitution within Part 3B: Responsibilities for Functions as set out in Appendix 1.

Reason for Proposal

Local authorities are required to complete an annual 'Channel Assurance Statement.' This outlines council compliance with facets of Channel delivery articulated in the Channel Duty Guidance 2020 and sections 36 – 41 of the Counter Terrorism and Security Act (CTSA) 2015.

The Channel programme's key objectives are to support, safeguard and improve outcomes for individuals identified as susceptible to being drawn into terrorism (the process of radicalisation).

The assurance statement forms part of the national quality assurance framework and is used to identify local authority areas where additional support is required, or, where reviews should be undertaken.

Chief Executive sign-off is required for this and completion is required by all local authorities in England and Wales.

Part of the statement requires that 'Channel, as a local authority statutory function (Section 36 of the CTSA), is included within the local authority's constitution.'

Professor Kate Blackburn
Director - Public Health

Wiltshire Council

Full Council

18 October 2022

Part 3B of the Constitution: Responsibility for Functions - Prevent Duty and Channel Programme

Purpose of Report

1. This report provides a background understanding of Channel and Prevent. The Counter Terrorism and Security Act 2015 placed the statutory Prevent duty on specified authorities (including local authorities) in England and Wales to have 'due regard to the need to prevent people from being drawn into terrorism'. A key part of this is the Channel programme. This report seeks to facilitate a decision on Channel's inclusion in Wiltshire Council's Constitution.

Relevance to the Council's Business Plan

2. Reducing risk of radicalisation is relevant to the key themes outlined within Wiltshire Council's business plan, 2022-2032:
 - Prevention and early intervention
 - Improving social mobility and tackling inequalities
 - Understanding communities
 - Working together

Background

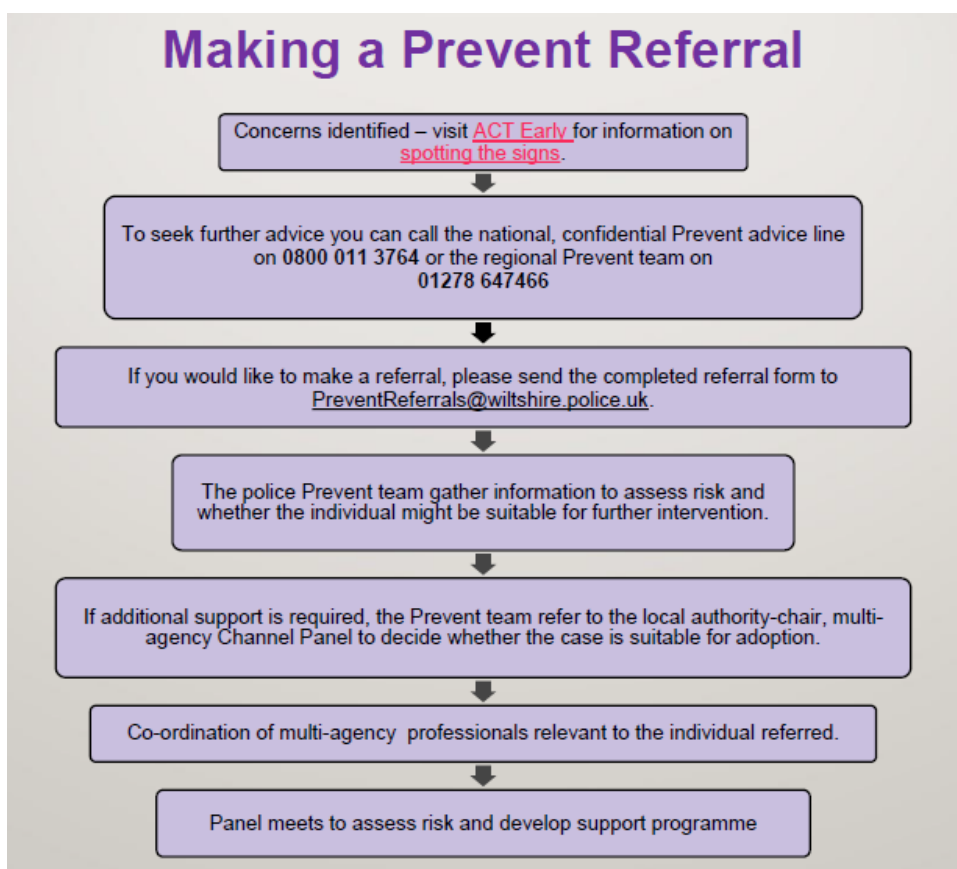
3. The Standards Committee has responsibility for oversight of the Council's constitution. It has established a cross party working group, known as the Constitution Focus Group, to advise and assist in carrying out this function.
4. The Constitution Focus Group met on 12 April 2022 and 1 June 2022 to consider how to incorporate the Channel Panel within the Constitution.
5. The Standards Committee considered the proposals of the Focus Group on 15 June 2022 and recommended Council adopt the proposals set out in Appendix 1.

Main Considerations

Channel

6. The Counter-Terrorism and Security Act 2015 made the multi-agency Channel programme a legal requirement and statutory duty for local authorities.
7. Channel is a collaborative early intervention programme to safeguard and provide personalised support to individuals (of all ages) identified as susceptible to radicalisation. This is to ensure their vulnerabilities are not exploited by terrorist recruiters and to divert them away from a potentially harmful or criminal pathway.
8. Support is wide-ranging and can include:

- Education or career advice
 - Assistance coping with mental or emotional health issues
 - Substance misuse support
 - Community integration
 - Diversionary activities of interest
 - Ideological mentoring from specialist intervention providers (commissioned by the Home Office) who work with individuals on a one-to-one basis.
9. Participation in Channel is voluntary and confidential, with consent being obtained prior to provision of support. It does not criminalise the individual, rather, it aims to divert them from coming to or causing possible harm.
10. Individuals are identified via referral. Anyone can refer to Prevent and Channel. The referral pathway is shown below:



11. The extent and nature of risk is assessed in partnership with Counter Terrorism Policing South West and other key agencies. Following this, an appropriate programme of support is compiled based on the individual's needs.
12. The Channel programme sits within the Prevent Duty.
- Prevent
13. Prevent is one of four key strands within the government's overarching Counter-Terrorism strategy, Contest. It is the earliest stage of counter terrorism intervention.
14. An overview of the four areas is shown below:

- Prevent: to stop people becoming terrorists or supporting terrorism.
- Pursue: to stop terrorist attacks.
- Protect: to strengthen our protection against a terrorist attack.
- Prepare: to mitigate the impact of a terrorist attack.

15. The aim of the Prevent strategy is 'to reduce the threat to the UK from terrorism by stopping people becoming terrorists or supporting terrorism'.

16. The 2011 Prevent Strategy has three specific strategic objectives:

- respond to the ideological challenge of terrorism and the threat we face from those who promote it
- prevent people from being drawn into terrorism and ensure that they are given appropriate advice and support
- work with sectors and institutions where there are risks of radicalisation that we need to address.

Local Delivery

17. The Channel programme sits within the same governance as the Wiltshire Prevent Board.

18. The Wiltshire Prevent Board sits within the governance arrangements of the Wiltshire Community Safety Partnership (CSP), and it supports a key strategic outcome of 'Enabling Safer Communities' within the CSP's framework. The Chair and Vice-Chair of the Community Safety Partnership were informed that this report would be presented to Full Council. The partnership will be informed of the outcome.

19. The board also sits within the governance of the Strategic Contest Board, a Wiltshire and Swindon board chaired by a Wiltshire Police Assistant Chief Constable.

20. The Prevent Board's first strategy (2021 – 2025) was recently approved by both the Wiltshire Community Safety Partnership and Strategic Contest Board.

21. The Wiltshire Channel Panel has monthly meetings to assess any new referrals.

22. Channel is chaired by a Public Health Principal within the local authority.

23. Wiltshire has departmental and organisational Channel Champions who support the identification of relevant partner representatives at meetings. Champions receive additional opportunities for training and support the sharing of key messages.

24. Partners involved at each panel meeting include: Public Health, Counter Terrorism Policing South West, adult or children's safeguarding services (dependant on age) and mental health if there is a mental health concern present. Additional partners are included case dependant, such as: education, local policing, health, housing providers and substance misuse services.

25. There is now a requirement to complete and submit to the Home Office a Channel Panel Assurance Statement. This provides centralised oversight to Channel Panels across England and Wales.

26. The statement is in conjunction with a programme of support encompassing training for chairs, deputies and panel members, Home Office Channel Panel observations and a regional Channel quality assurance lead.

The council are asked to consider the following steps

27. To support the ongoing work of the Wiltshire Channel Panel and Prevent Board

28. To agree to Channel, as a local authority statutory function (Section 36 of the CTSA), being included within the local authority's constitution as required in the Channel Assurance Statement.

29. The Focus Group considered proposed amendments and sought additional details on engagement with or reporting to elected Members, membership of the Panel, and how other authorities were complying with the latest guidance.

30. The Focus Group made a series of changes to the proposed text in order to improve clarity, which were considered by the Standard Committee.

31. Following minor amendment on reference to specific job posts, the Committee recommended the amendments be adopted by Full Council.

Overview and Scrutiny Engagement

32. The Overview and Scrutiny Chair and Vice-Chair have been consulted on the recommendation to include Channel as part of the constitution.

Safeguarding Implications

33. Safeguarding is a key part of the Prevent Duty. Public Health lead on Prevent and work in partnership with adult and children safeguarding teams for the functions of the Prevent Board and Channel Panel.

Public Health Implications

34. Terrorism has huge implications for the health of individuals, communities, economies, and populations worldwide. It affects public well-being and can lead to the erosion of trust, the spread of prejudice and fear with adverse health outcomes for those directly and indirectly involved.

35. By reducing risk of radicalisation in the first place and ultimately incidents of terrorism, we can reduce if not halt these possible consequences.

Procurement Implications

36. There are no procurement implications at present.

Equalities Impact of the Proposal

37. An equalities impact assessment has not been undertaken. It should be noted that some individuals within this process may fall into certain protected characteristics under the Equality Act 2010 (i.e Age, Disability, Gender Reassignment, Marriage/Civil Partnership, Maternity/Pregnancy, Race, Religion, Sex and Sexual Orientation). The council will ensure that the panel meets any duties under the Act.

Environmental and Climate Change Considerations

38. Environmental and climate change considerations do not affect the decisions within this proposal; however, Channel and Prevent Board meetings are now held virtually which reduces need for travel across the county and therefore the harmful environmental impact of such travel.

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

39. Potential harms to the health and wellbeing of Wiltshire residents if the risk of terrorism were not reduced.
40. Potential economic impacts of terrorism
41. Risk of reputational damage if an incident occurred within the county and standards of the statutory duty had not been met. Additional legal risk of not meeting the council's statutory duty.

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

42. There is a potential reputational risk if the Channel process is not delivered once the programme is included in the constitution. There is a robust quality assurance process in place, which requires the local authority to report back to the Home Office on an annual basis to ensure we are fulfilling our duty. The Home Office have also allocated regional Channel Quality Assurance Leads. The lead for Wiltshire will be notified of Cabinet's decision to ensure we are compliant with the duty.

Finance Implications

43. There are no financial implications arising from this report as the costs predominantly of staff time, are already being met from existing budgets.

Legal Implications

44. If it is not agreed to include Channel within the constitution, Wiltshire Council will not be adhering to the statutory duty and therefore could be subject to challenge.
45. This report has not specified Channel case numbers according to Home Office guidance.

Workforce Implications

46. Public Health currently fund a practitioner role to co-ordinate this work. The board is chaired by the Public Health Principal for Vulnerable Communities. It is important the local authority continues to ensure statutory requirements are met for both Prevent and Channel.

Conclusions

47. The Counter-Terrorism and Security Act 2015 makes the Channel programme, a key part of the Prevent Duty, a legal requirement.

48. As part of fulfilling this, the council must complete and return an assurance statement to the Home Office each year. Part of this statement requires that 'Channel, as a local authority statutory function (Section 36 of the CTSA), is included within the local authority's constitution.'
49. It is a requirement for Channel to be included in Wiltshire Council's constitution. It has been determined this would be appropriate within Part 3B: Responsibilities for Functions. It is recommended that the constitution is amended to include the reference as set out in Appendix 1.
50. Following Council's decision, the outcome will be recorded within the Channel Assurance Statement for sign off by Wiltshire Council's Chief Executive and returned to the Home Office.

Professor Kate Blackburn – Director, Public Health

Report Authors: Kelly Fry, Public Health Principal and Katherine Hoskin, Public Health Practitioner.

Appendices

Appendix 1 – Proposed revisions to Part 3B

Background Papers

[PREVENT - Safeguarding - Wiltshire Council](#)

Appendix 1 – Part 3B: Responsibilities for Functions

Addition	Part of the Constitution
<p><u>Local Authority Panels</u> Channel Panel</p> <p>8.1 The Channel Panel uses a multi-agency approach to protecting people vulnerable to being drawn into terrorism. The Channel Panel was established in line with the Counter-Terrorism and Security Act 2015.</p> <p>8.2 The Channel Panel forms part of the council’s Prevent Duty. The relevant Cabinet Member attends meetings of the Prevent Board.</p> <p>8.3 The Channel Panel is required to:</p> <p>8.3.1 Identify individuals at risk</p> <p>8.3.2 Assess the nature and extent of that risk;</p> <p>8.3.3 Develop the most appropriate support plan for the individuals concerned.</p> <p>8.4 The key requirements of the Channel Panel:</p> <p>8.4.1. The local authority is the Channel Panel Chair;</p> <p>8.4.2. Membership of the panel must include the local authority and the police as they have principal responsibility for Channel in their area;</p> <p>8.4.3. Minimum membership of the panel includes:</p> <ul style="list-style-type: none"> • The local authority representative as chair • Counter Terrorism Policing South West Prevent Officer • Safeguarding representation (as determined by the age of the case) • Mental Health representation if mental health concerns are present (service dependant on age of case) • Minute taker <p>Additional members from agencies relevant to the case are requested which could include education providers, voluntary community groups, probation services or others as appropriate.</p> <p>8.4.4. The panel to develop a support plan for individuals accepted as channel cases.</p> <p>8.4.5. The panel to consider alternative forms of support, including health and social services, where Channel is not appropriate.</p>	<p>Part 3B Para 8</p>

8.4.6. The panel to ensure that the council's functions to safeguard and promote the welfare of children under section 11 of the Children Act 2004 are discharged;

8.4.7. All partners of a panel, so far as appropriate and reasonably practicable, to cooperate with the police and the panel in the carrying out of their functions;

8.4.8. Each case is handled separately; people deemed appropriate to receive support will have a tailored package developed for them, according to their identified vulnerabilities.

8.4.9. Where the panel is unable to make a unanimous decision, the question must be decided by a majority of the panel. Where the panel is unable to make a majority decision, the question must be decided by the Channel Panel Chair. In certain circumstances the Chair may wish to escalate the question internally through the agreed governance route.

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Wiltshire Council

Full Council

18 October 2022

Part 12 of the Constitution – Members’ Code of Conduct

Summary

This report presents a recommendation from the council’s Standards Committee that Full Council adopt a new Members Code of Conduct and accompanying Guidance for Wiltshire Council, based on the Local Government Association’s (LGA) Model Code of Conduct 2020.

Proposals

To adopt the version of Part 12 – Members Code of Conduct attached at Appendix 1.

Reason for Proposals

The recommendation of the Standards Committee set out here is in accordance with its responsibilities as set out in Part 3 of the Constitution:

2.5.6. advising the Council on the adoption or revision of the Members’ code of conduct and the arrangements for dealing with Member complaints of misconduct which the Council is required to make under Section 28 of the Localism Act 2011;

Perry Holmes – Director Legal and Governance (and Monitoring Officer)

Part 12 of the Constitution – Members’ Code of Conduct

Purpose

1. The report presents the recommendation of Standards Committee that Full Council adopt a new Members Code of Conduct and accompanying Guidance for Wiltshire Council (attached at **Appendix 1**), based on the Local Government Association’s (LGA) Model Code of Conduct 2020. The council’s current Code is attached for reference at **Appendix 2**.

Background

2. Under Section 28 of the Localism Act 2011, all councils are required to have a local Member Code of Conduct. Although there is no national Code, bodies such as the LGA have produced model codes for adoption by councils.
3. In January 2019, the Committee on Standards in Public Life published a report on Local Government Ethical Standards, following a consultation in 2018. This included many recommendations which would require legislative changes. The government has not yet responded to the Committee’s report.
4. The report’s first recommendation was that the LGA should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government. In December 2020, the LGA Model Code of Conduct 2020 (link [here](#)) was approved.
5. In February 2021, the Standards Committee asked its Constitution Focus Group to review the new LGA Model Code. Due to the Covid-19 pandemic, the Focus Group’s reported its comments to Standards Committee in January 2022. It expressed reservations about whether it was likely to lead to an improvement in councillor conduct, given that there had not been, and were unlikely to be, changes to Government legislation to enforce sanctions. The Group also raised concerns about:
 - the potential impact on those town and parish councils currently using Wiltshire Council’s existing Code;
 - the Group raised specific concerns regarding paragraph 8.4, in terms of the implications of a Standards Sub-Committee making an unreasonable recommendation, such as asking the member to resign.
6. Having noted the Focus Group’s comments, the Standards Committee established a member working group to review the LGA Model Code further and bring its findings back to the Committee.
7. The Standards Committee’s LGA Model Code of Conduct Working Group met on four occasions, comprising three members of Wiltshire Council and two independent

members of its Standards Committee. On 20 April 2022, the Working Group presented its first report to Standards Committee (link [here](#)) recommending the adoption of an amended version of the LGA Model Code. Having received the report, the Standards Committee asked the Working Group to meet again to consider comments from the council’s Group Leaders and any further comments from the Constitution Focus Group.

Main considerations

- 8. On 5 October 2022, the Working Group presented its second report (attached at **Appendix 3**) to the Standards Committee, proposing a slightly amended version of the Code. Having consulted Legal Services, they amended paragraph 8.4 as follows:

Version proposed in April 2022

8.4 I comply with all sanctions and recommendations imposed on me following a finding that I have breached the Code of Conduct.

Version proposed now

8.4 I comply with all sanctions imposed on me and any recommendations agreed to be undertaken by me following a finding that I have breached the Code of Conduct and any undertakings that I have agreed to fulfil as part of the informal/alternative resolution of any alleged breach of the Code of Conduct.”

- 9. Regarding the Constitution Focus Group’s concerns about this paragraph noted above, the Working Group noted that:
 - a) Actual sanctions are limited to those defined through case law;
 - b) Any public decision is challengeable via Judicial Review;
 - c) Legal advice indicates that, under the Code proposed at **Appendix 1**, it is only where a member **agrees to fulfil a recommendation but does not do so** that this could be considered a further breach of the Code.
- 10. The Group accepted that there were a range of views surrounding the issue of compliance and, like Wiltshire’s existing Code, the proposed Code would lack legal enforcement. However, the group felt that the proposed Code provided greater clarity regarding the conduct required. They also considered that the sanctions available to the Standards Committee, such as publication of its findings, do carry some weight in encouraging good conduct by elected members and holding those who breach their Code to account.
- 11. The Group endorsed their original conclusions regarding the benefits of the proposed Code over the council’s existing Code, namely:

LGA Model Code of Conduct Working Group findings	
Benefits of proposed LGA Model Code over current WC Code	Impact
Sets out expected behaviours in greater detail, including the following additional sections:	Provides more clarity for councillors and the public on what is/isn’t considered acceptable conduct

LGA Model Code of Conduct Working Group findings	
Benefits of proposed LGA Model Code over current WC Code	Impact
<ul style="list-style-type: none"> • Respect • Bullying and harassment • Impartiality • Disclosure and use of information • Disrepute • Abiding by the Code of Conduct • Gifts and hospitality 	<p>Provides more clarity for those assessing alleged breaches of the Code</p> <p>By being more prescriptive, demonstrates the council's full commitment to standards in public life</p> <p>Although some of the bulleted sections are mentioned in the current WC Code's guidance, guidance is not enforceable</p>
<p>Uses the phrasing "I will..." rather than "I must..."</p>	<p>Encourages greater personal ownership of the Code, as opposed to a code that is imposed by others</p>
<p>The Guidance states that the Code applies to all forms of communication and interaction, including:</p> <ul style="list-style-type: none"> • at face-to-face meetings • at online or telephone meetings • in written communication • in verbal communication • in non-verbal communication • in electronic and social media communication, posts, statements and comments. 	<p>Provides greater clarity on when the Code may apply, particularly applicable in the context of the number of complaints now received about conduct on social media</p>
<p>Regarding Registers of Interest:</p> <ul style="list-style-type: none"> • defines 'sensitive' interests • states that you must leave the room in some circumstances • includes guidance re interests specifically for Cabinet members 	<p>Provides greater clarity on handling interests</p>
<p>Regarding Gifts and Hospitality, requires that gifts not accepted must also be declared</p>	<p>Provides greater transparency regarding Gifts and Hospitality</p>

12. Following consideration of the Code, Standards Committee resolved to recommend that Full Council adopt it as Part 12 of Wiltshire Council's Constitution – Members' Code of Conduct.

13. It should be noted that the Code recommended by Standards Committee is different from the LGA Model Code 2020 in the following respects:

- a) It is shorter, with much of the explanatory detail contained within the Code's accompanying guidance.
- b) It **retains** two requirements that are included in the council's **current** Code but **not** in the LGA Model Code (for clarity, these are in **red**). These sections relate to not placing oneself under financial or other obligation to other parties, and decision-making.
- c) The proposed code also retains some sections of this council's current Code's Guidance, which were not included in the LGA Code (these are also in **red**).
- d) Paragraph 8.4 is amended as detailed above.

Overview and Scrutiny Engagement

14. None. The report presents a recommendation of the Standards Committee, which has responsibility overseeing the council's Code of Conduct for Members.

Safeguarding Implications

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

Public Health Implications

16. There are no public health implications arising from this report

Procurement Implications

17. There are no procurement implications arising from this report

Equalities Impact of the Proposal

18. Under paragraph 2.3, the Code recommended by Standards Committee contains a requirement that councillors "promote equality and do not discriminate unlawfully against any person."

Environmental and Climate Change Considerations

19. There are no environmental and climate change implications arising from this report

Workforce Implications

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

Financial Implications

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

Legal Implications

22. The Code recommended by Standards Committee is in accordance with the requirements of the Localism Act 2011 for the council to:

- a) adopt a Code that is consistent with the seven 'Nolan' principles of standards in public life (selflessness, integrity, objectivity, accountability, openness, honesty and leadership); and
- b) set out the rules that the authority wants to put in place with regard to requiring members to register and disclose pecuniary and non-pecuniary interests.

Conclusion

Council is asked to consider the recommendation of the Standards Committee that it adopts version of Part 12 of the Constitution – Members Code of Conduct and accompanying Guidance attached at **Appendix 1**.

Perry Holmes – Director, Legal & Governance (and Monitoring Officer)

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Date of report: 9 October 2022

Appendices

Appendix 1 Part 12 – Members Code of Conduct with accompanying guidance (**new version** recommended by Standards Committee)

Appendix 2 Part 12 – Members Code of Conduct with accompanying guidance (**existing version**)

Appendix 3 Report to Standards Committee from its LGA Model Code of Conduct Working Group (5 October 2022)

Background documents

First report of the Standards Committee's LGA Model Code of Conduct Working Group – 20 April 2022 (link [here](#)).

**Draft Wiltshire Council
Constitution
Part 12
Wiltshire Council Code
of Conduct for
Members**

PROPOSED CODE

1. Code of Conduct

Appendix 1 – Roles and Responsibilities of Members

Appendix 2 – [Wiltshire Council EPIC Values document](#) [replacing the Behaviours Framework document]

2. Code of Conduct Guidance

Appendix 1 Social Media Guidance for Councillors

Appendix 2 Openness and transparency on personal interests – a guide for councillors

Appendix 3 Standards and Complaints Assessment Criteria

PROPOSED CODE

DRAFT PART 12

WILTSHIRE COUNCIL CODE OF CONDUCT FOR MEMBERS

As a Member or Co-opted Member of Wiltshire Council, I shall have regard to the following principles:

- **Selflessness**
- **Integrity**
- **Objectivity**
- **Accountability**
- **Openness**
- **Honesty**
- **Leadership.**

To uphold these principles, I will follow the below Code of Conduct whilst carrying out my role.

1. Respect

1.1 I treat other Councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

2. Bullying, harassment and discrimination

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equality and do not discriminate unlawfully against any person.

3. Impartiality of officers of the council

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

4. Confidentiality and access to information

4.1 I do not disclose information:

- (a) given to me in confidence by anyone
- (b) acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless

- i. I have received the consent of a person authorised to give it;
- ii. I am required by law to do so;
- iii. The disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
- iv. The disclosure is:
 1. Reasonable and in the public interest; and
 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

5. Disrepute

5.1 I do not bring my role or local authority into disrepute.

6. Use of position

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

6.2 I do not place myself under a financial or other obligation to outside individuals or organisations that might seek to influence me in the performance of my official duties.

7. Use of local authority resources and facilities

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- (a) act in accordance with the local authority's requirements; and
- (b) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

8. Complying with the Code of Conduct

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with all sanctions imposed on me and any recommendations agreed to be undertaken by me following a finding that I have breached the Code of Conduct and any undertakings that I have agreed to fulfil as part of the informal/alternative resolution of any alleged breach of the Code of Conduct.

9. Interests

9.1 I register and disclose my interests.

10. Gifts and hospitality

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

11. Taking decisions

11.1 When carrying out my public duties, I make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

11.2 I am as open as possible about my decisions and actions and the decisions and actions of my authority, and am prepared to give reasons for those decisions and actions.

11.3 I am accountable for my decisions to the public and will co-operate fully with whatever scrutiny is appropriate to my office.

This Code of Conduct sets out the minimum standards of conduct required of you as a Councillor.

This Code of Conduct should be read in conjunction with the guidance set out in this constitution as well as the following appendices:

Appendix 1 – Roles and Responsibilities of Members [unchanged]

Appendix 2 – [Wiltshire Council EPIC Values document](#) [replacing the Behaviours Framework document]

PROPOSED CODE

DRAFT WILTSHIRE COUNCIL CODE OF CONDUCT GUIDANCE FOR MEMBERS

Contents

1. Purpose	8
2. Principles of Public Life	8
3. Application of the Code	9
4. Code of Conduct Guidance	9
5. Registers of Interests	14

PROPOSED CODE

Purpose

This guidance is intended to assist you in meeting your obligations under the Council's Code of Conduct.

You are encouraged to seek advice from the Monitoring Officer if you are unclear about any aspect of the Code or how it applies in your particular situation.

The statutory framework for standards in local government is contained in Part 7 of the Localism Act 2011, which can be found at:

<http://www.legislation.gov.uk/ukpga/2011/20/part/1/chapter/7/enacted>

The Principles of Public Life

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work.

They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Application of the Code of Conduct

The Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a Co-opted Member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you are acting in your capacity as a Councillor which may include when:

- you misuse your position as a Councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Councillor.

The Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from the Monitoring Officer on any matters that may relate to your Code of Conduct.

Code of Conduct Guidance

This section sets out further guidance relating to your obligations, which are the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations set out in the Code of Conduct and how they should be followed.

1. Respect

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidating or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow Councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's Councillor- officer protocol.

2. Bullying, harassment and discrimination

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

An objective test is applied in determining whether conduct amounts to bullying or intimidation; in other words the conduct will be looked at through the eyes of a notional reasonable member of the public with knowledge of all the facts, and who looks at the conduct objectively.

3. Impartiality of officers of the council

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the

content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentially and access to information

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow Councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you must not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a Councillor more effectively and are not to be used for business or personal gain. They should be

used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

It is extremely important for you as a Councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Complaints Procedure

The Council's arrangements for dealing with complaints under the Code of Conduct are set out in Protocol 11 of the Council's Constitution.

Local Assessment Criteria

Complaints under the Code are assessed or reviewed in accordance with the criteria attached at Appendix 3.

9. Interests

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow Councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

The Register of Interests section below sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Councillor. The

presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a Councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Councillor. If you are unsure, do contact your Monitoring Officer for guidance.

11. Taking decisions

The decisions you take whilst undertaking your public duties should be made on an objective basis, using the best information available whilst avoiding discrimination, or bias. To ensure public confidence in the decision-making process, you should be willing to make the reasons for your decisions, as well as those of Wiltshire Council, publicly available. Information about why decisions have been taken should only be withheld in cases where there are clear and lawful reasons for doing so. As a holder of public office, you must be accountable for your decisions and actions and must submit yourself to the level of scrutiny commensurate with your position. It is important that the public are able to constructively challenge and express concern about the process by which decisions are made.

Bias and Predetermination

Decisions, particularly in regulatory matters such as planning and licensing, may be challenged and ruled unlawful on the ground of bias. The test is whether a fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the councillor was biased. In particular, under the Council's Code of Conduct for Members, bias would occur if you placed yourself under a financial or other obligation to third parties that might seek to influence you in the performance of your official duties. The rules on registration and declaration of interests are intended to protect councillors against allegations of bias and predetermination.

The Localism Act 2011 has clarified the rules on predetermination. Predetermination occurs where someone has a closed mind so that they are unable to apply their judgment fully and properly to the issue requiring a decision. This can lead to legal challenges and decisions being set aside.

The Act makes it clear that a councillor is not deemed to have had a closed mind on an issue just because they have indicated what view they have taken or may take before the issue is decided. A councillor is not, for example, prevented from participating in discussion of an issue or voting on it if they have campaigned on the issue or made public statements about their approach to it.

The general position, however, remains that, whatever their views, councillors must approach their decision-making with an open mind in the sense that they must have regard to all material considerations and must be prepared to change their views if persuaded that they should.

Whether or not there is actual or apparent bias or predetermination is a question of fact to be considered in each case. Where this may be an issue for a councillor advice should be sought at an early stage and in any event before the decision concerned is made.

Registers of Interests

Your registration of personal interests should be guided by your duty to act in conformity with the Principles of Public Life.

The rules on registering and declaring interests are intended to promote openness and transparency to give the public confidence that councillors are putting the public interest first and are not benefiting their own financial affairs from being a councillor.

You should consider your obligations in respect of registering and declaring interests within this context. As a general rule, if you are in any doubt about your situation you should register or declare an interest. This provides openness and transparency, protects the public interest, the local authority's decision and your own position.

Your register of interests is a public document available on the Council's web site and should contain sufficient details to ensure that the nature of your interest is clear to members of the public. In the case of an interest in land this should include a sufficient description of the land to enable it to be identified.

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.

2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the Councillor, or a person connected with the Councillor, being subject to violence or intimidation.

3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Table 1: Disclosable Pecuniary Interests	
Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the Councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.

Table 1: Disclosable Pecuniary Interests

Subject	Description
Land and property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the Councillor's knowledge)—</p> <ul style="list-style-type: none"> (a) the landlord is the council; and (b) the tenant is a body that the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	<p>Any beneficial interest in securities* of a body where—</p> <ul style="list-style-type: none"> (a) that body (to the Councillor's knowledge) has a place of business or land in the area of the council; and (b) either— <ul style="list-style-type: none"> (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the Councillor, or his/ her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2

You must register as an Other Registerable Interest:

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body

- (i) exercising functions of a public nature
- (ii) directed to charitable purposes or
- (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

PROPOSED CODE

Guidance Appendices

Appendix 1 Social Media Guidance for Councillors

Appendix 2 Openness and transparency on personal interests – a guide for councillors

Appendix 3 Standards and Complaints Assessment Criteria

PROPOSED CODE

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**Wiltshire Council
Constitution
Part 12
Wiltshire Council Code of
Conduct for Members**

Contents

1. [Principles](#) 3
 2. [Registering and declaring pecuniary and non-pecuniary interests](#) 4
- Appendix 1 – [Roles and Responsibilities of Members](#)
Appendix 2 – [Wiltshire Council Behaviour's Framework](#)

Current Code

PART 12

WILTSHIRE COUNCIL CODE OF CONDUCT FOR MEMBERS

1. You are a Member or Co-opted Member of Wiltshire Council and hence you shall have regard to the following principles:

1.1 Selflessness;
1.2 Integrity;
1.3 Objectivity;
1.4 Accountability;
1.5 Openness;
1.6 Honesty;
1.7 Leadership.

2. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the following requirements, by leadership and example.

3. Accordingly, when acting in your capacity as a Member or Co-opted Member:

- 3.1 You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

- 3.2 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

- 3.3 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

- 3.4 You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

- 3.5 You must be as open as possible about your decisions and actions and the decisions and actions of your authority, and should be prepared to give reasons for those decisions and actions.

- 3.6. You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties, and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out below.

- 3.7. You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government

Act 1986. Members of Wiltshire Council will have regard to the Roles and Responsibilities of Wiltshire Councillors (Part 11) according to Appendix 1 and the Wiltshire Council **Behaviour's Framework** at Appendix 2.

Registering and declaring pecuniary and non-pecuniary interests

- 3.8 You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living as a husband or wife, or as if you were civil partners.
- 3.9. In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interests which your authority has decided should be included in the register.
- 3.10. If an interest has not been entered onto the authority's register you must disclose the interest to any meeting of authority at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a sensitive interest.
- 3.11. Following any disclosure of an interest which is not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.
- 3.12. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your authority.

Guidance on Wiltshire Council's Code of Conduct for Councillors

This guidance is intended to assist you in meeting your obligations under the Council's Code of Conduct.

You are encouraged to seek advice from the Monitoring Officer [contact details below] if you are unclear about any aspect of the Code or how it applies in your particular situation.

The statutory framework for standards in local government is contained in Part 7 of the Localism Act 2011, which can be found at:

<http://www.legislation.gov.uk/ukpga/2011/20/part/1/chapter/7/enacted>

Principles of Public Life

The Council's Code of Conduct must, when viewed as a whole, be consistent with the following principles:

Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.

Honesty Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership Holders of public office should promote and support these principles by leadership and example.

You should conduct yourself in accordance with these principles, which underpin the purpose and provisions of the Code of Conduct.

Duty to promote and maintain high standards of conduct

The Council has a duty under section 27 Localism Act 2011 to promote and maintain high standards of conduct by members and co-opted members of the Council. The Council's Code of Conduct therefore requires you to promote and support high standards of conduct when serving in your public post.

The obligations set out in paragraphs 1-7 of the Code of Conduct reflect the Principles of Public Life and the duty to promote and support high standards of conduct.

'Promoting and supporting high standards of conduct' also includes:

- Treating others with respect;

This is not intended to stand in the way of lively debate, which is a crucial part of the democratic process. Differences of opinion and the defence of those opinions through argument and public debate are an essential part of the cut and thrust of politics. However, conduct which involves an unreasonable or excessive attack on a person and their personal characteristics will amount to disrespect.

- Promoting equality by not discriminating unlawfully against any person on the grounds of their race, age, religion, gender, sexual orientation or disability;
- Not bullying or intimidating any person;

Bullying may be defined as offensive, intimidating, malicious, insulting or humiliating behaviour by an individual or group of individuals, based on abuse or misuse of power or authority, which attempts to undermine an individual or group. Conduct is unlikely to be considered as bullying when it is an isolated incident of a minor nature, or when the behaviour by both the complainant and the member contributed equally to the breakdown in relations.

An objective test is applied in determining whether conduct amounts to bullying or intimidation; in other words the conduct will be looked at through the eyes of a notional reasonable member of the public with knowledge of all the facts, and who looks at the conduct objectively.

- Not disclosing information given to you in confidence by anyone, or information acquired by you which you believe or ought reasonably to be aware, is of a confidential nature, except where:
 - you have the consent of a person authorised to give it;
 - you are required by law to do so;
 - the disclosure is made to a third party for the purpose of obtaining professional advice, provided that the third party agrees in writing not to disclose the

information to any other before the information is provided to them; or

- the disclosure is:

- reasonable and in the public interest; and

- made in good faith; and

- in compliance with the reasonable requirements of your Council.

- Not preventing or attempting to prevent another person from gaining access to information to which that person is entitled by law.

Behaviours Framework and Role and Responsibilities of Wiltshire Councillors

The Council's Code of Conduct requires you to have regard to the Council's Behaviours Framework and the Role and Responsibilities of Councillors in carrying out your duties as a councillor. These documents may be used to assist with the interpretation of the Code but do not themselves create obligations which are directly enforceable.

Use of Social Media

Social media is a useful tool for councillors, but unwise or inappropriate use can give rise to difficulties and lead to complaints under the Code of Conduct.

Guidance is attached at Appendix 1 to help you use social media effectively.

Registration and Declaration of Interests

Your registration of personal interests should be guided by your duty to act in conformity with the Principles of Public Life.

The rules on registering and declaring interests are intended to promote openness and transparency to give the public confidence that councillors are putting the public interest first and are not benefiting their own financial affairs from being a councillor.

You should consider your obligations in respect of registering and declaring interests within this context. As a general rule, if you are in any doubt about your situation you should register or declare an interest. This provides openness and transparency, protects the public interest, the local authority's decision and your own position.

Your register of interests is a public document available on the Council's web site and should contain sufficient details to ensure that the nature of your interest is clear to members of the public. In the case of an interest in land this should include a sufficient description of the land to enable it to be identified.

To ensure openness and transparency, in addition to the interests you are required to register by law you are strongly encouraged to include details of the following on your register of interests:

- Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;
- Any body exercising functions of a public nature of which you are a member or in a position of general control or management;
- Any body directed to charitable purposes of which you are in a position of general control or management;
- Any body whose principal purposes include the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.
- Details of any gift, benefit or hospitality with a value in excess of £ 50 which you have accepted as a member from any person or body other than the Council.

The Department for Communities and Local Government (DCLG) has issued guidance on the registration and declaration of interests in September 2013. **'Openness and transparency on personal interests'**.

A copy of the guidance is attached at Appendix 2.

Bias and Predetermination

Decisions, particularly in regulatory matters such as planning and licensing, may be challenged and ruled unlawful on the ground of bias. The test is whether a fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the councillor was biased. In particular, under the Council's Code of Conduct for Members, bias would occur if you placed yourself under a financial or other obligation to third parties that might seek to influence you in the performance of your official duties. The rules on registration and declaration of interests are intended to protect councillors against allegations of bias and predetermination.

The Localism Act 2011 has clarified the rules on predetermination. Predetermination occurs where someone has a closed mind so that they are unable to apply their judgment fully and properly to the issue requiring a decision. This can lead to legal challenges and decisions being set aside.

The Act makes it clear that a councillor is not deemed to have had a closed mind on an issue just because they have indicated what view they have taken or may take before the issue is decided. A councillor is not, for example, prevented from participating in discussion of an issue or voting on it if they have campaigned on the issue or made public statements about their approach to it.

The general position, however, remains that, whatever their views, councillors must approach their decision-making with an open mind in the sense that they must have regard to all material considerations and must be prepared to change their views if persuaded that they should.

Whether or not there is actual or apparent bias or predetermination is a question of fact to be considered in each case. Where this may be an issue for a councillor advice should be sought at an early stage and in any event before the decision concerned is made.

Complaints Procedure

The Council's arrangements for dealing with complaints under the Code of Conduct are set out in Protocol 12 of the Council's Constitution, which may be found at:

(insert link)

Local Assessment Criteria

Complaints under the Code are assessed or reviewed in accordance with the criteria attached at Appendix 3.

If you need advice on any of the above please contact:

[Contact details]

Current Guidance

Wiltshire Council

Social media guidance for councillors.

Introduction

Social media is the term used for online tools, websites and interactive media that enable users to interact with each other by sharing information, opinions, knowledge and interests. This guidance covers social media issues over the internet and by email, smart phones, social networking sites, blogging, and tweeting.

Social media increases our access to audiences and improves the accessibility of our communication. It enables us to be more active in our relationships with citizens, partners and stakeholders and encourages people to be involved in local decision making, enabling better engagement and feedback, ultimately helping to improve the services we provide.

For the purposes of this guidance, the term 'social media' covers sites and applications including but not restricted to Facebook, Twitter, MySpace, Flickr, YouTube, LinkedIn, blogs, discussion forums, wikis and any sites which may emerge after the creation of this guidance. Wiltshire Council acknowledges social media as a useful tool however, clear guidelines are needed for the use of social media sites to ensure they are used effectively as part of a wider communications mix and that their use does not expose the council to security risks or breach the Data Protection Act.

Purpose

This guidance applies to councillors in respect of their personal use of social media. It sets out how to use social media, how to effectively manage social media usage and indicates how any risks or pitfalls can be minimised or mitigated. The following risks have been identified with social media use (this is not an exhaustive list):

- Virus or other malware (malicious software) infection from infected sites.
- Disclosure of confidential information.
- Social engineering attacks (also known as 'phishing').
- Discrimination, bullying, harassment or witch-hunting.
- Civil or criminal action relating to breaches of legislation.
- Breach of safeguarding through the use of images or personal details leading to the exploitation of vulnerable individuals.

- Breach of the Wiltshire Council Members Code of Conduct through inappropriate use.

In light of these risks, the use of social media sites should be regulated to ensure that such use does not damage the council's employees, partners and the people it serves. As such this guidance aims to ensure:

- Council information and computer systems/networks remain secure and are not compromised through the use of social media.
- Users operate within existing policies, guidelines and relevant legislation..

Councillors must ensure that they use social media sensibly and responsibly and that their use will not adversely affect the council or its business.

Responsibilities of Councillors

You are personally responsible for the content you publish on any form of social media, in the same way that you are responsible for letters or emails you send. Publishing or allowing to be published (in the form of a comment) an untrue statement about a person which is damaging to their reputation may incur a libel action.

Social media sites are in the public domain and it is important to ensure you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed.

Make use of stringent privacy settings if you don't want your social media to be accessed by the press or public. Read the terms of service of any social media site accessed and make sure you understand their confidentiality/privacy settings.

Do not disclose personal details such as home addresses and telephone numbers. Ensure that you handle any personal or sensitive information in line with the council's Data Protection Policy Statement.

Safeguarding issues are paramount because social media sites are often misused by offenders. Everyone has a responsibility for protecting and safeguarding children and adults who may be vulnerable. If you have concerns that a child or adult is suffering or is likely to suffer from any form of maltreatment (whether financial, physical, sexual, emotional or neglect) this should be reported in the following ways:

- (a) if a child or vulnerable adult is in immediate danger or left alone, contact the police or call an ambulance on 999;
- (b) in all other cases involving children, referrals should be made to Wiltshire social

care services via the Council's 'Multi-Agency Safeguarding Hub'

Current Guidance

(MASH) on 0300 456 0108 (or out of hours via the 'Emergency Duty Service' on 0845 607 0888);

- (c) in all other cases involving adults, referrals should be made to the Council's customer advisers on 0300 456 0111 (or out of hours via the 'Emergency Duty Service'), e-mail customeradvisors@wiltshire.gov.uk.

Do not publish or report on meetings which are private or internal (where no members of the public are present or it is of a confidential nature) or are Part 2 reports (which contain confidential information or matters which are exempt under the provision of the Local Government (Access to Information) Act 1985).

Copyright laws still apply online. Placing images or text from a copyrighted source (e.g. extracts from publications or photos) without permission is likely to breach copyright. Avoid publishing anything you are unsure about or seek permission from the copyright holder in advance.

Don't send or post inappropriate, abusive, bullying, racist or defamatory messages to members of the public, other councillors or officers either in or outside the work environment.

The council will not promote councillors' social media accounts during the pre- election period.

In any biography, the account should state the views are those of the councillor in question and may not represent the views of the council.

Do not use the council's logo, or any other council related material on a personal account or website.

Social media must not be used for actions that would put councillors in breach of the Wiltshire Council Members Code of Conduct For example, don't publish on social media something you wouldn't say face to face, or at a public meeting.

Be aware of your own safety when placing information on the internet and do not publish information which could leave you vulnerable.

Anyone receiving threats, abuse or harassment via their use of social media should report it to their political group leader, Democratic Services and/or the police.

It is recommended that in the case of Facebook, councillors wishing to keep their personal life and role as a councillor separate create a Facebook page which members of the public can like rather than using their personal profiles.

Conduct

Councillors are reminded that in respect of social media, they are governed by the Wiltshire Council Members Code of Conduct and relevant law.

This guidance is not exhaustive and if you have any queries you should contact the monitoring officer.

Breaches of this guidance may amount to a breach of the Wiltshire Council Members Code of Conduct. Other violations of this guidance, such as breaching the Data Protection Act, could lead to fines being issued and possible criminal or civil action being taken against the council or the individual(s) involved.

The council reserves the right to request the removal of any content that is deemed to be in breach of the Wiltshire Council Members Code of Conduct.

Principles for using social media

You should follow these five guiding principles for any social media activities:

Be respectful – set the tone for online conversations by being polite, open and respectful. Use familiar language, be cordial, honest and professional at all times. Make sure that you respect people's confidentiality – do not disclose non-public information or the personal information of others.

Be credible and consistent – be accurate, fair, thorough and transparent. Encourage constructive criticism and deliberation. Make sure that what you say online is consistent with your other communications.

Be honest about who you are – it's important that any accounts or profiles that you set up are clearly and easily identifiable. Be clear about your own personal role.

Be responsive – make an effort to share what you know. Offer insights where appropriate and put people in touch with someone who can help if you can't. Respond to questions and comments in a timely manner.

Be confident – don't be scared of participating. Follow this advice and seek further guidance if you need it. If you're about to publish something that makes you even the slightest bit uncomfortable, pause to think about it. Feel confident in what you say before you say it – and say it as clearly as you can.

Guidance on capturing social media post

Posts made using third party sites such as Facebook or Twitter are not held or within the control of the council - posts can be deleted by site administrators without knowledge or consent of the council. In exceptional circumstances, copies of posts may be made and retained by the council, (e.g. as evidence of inappropriate posts) in line with relevant council procedures, (depending on the nature of the allegation). These copies will be held for a period dependent on the type of investigation they are subject to, (e.g. disciplinary, audit, criminal, etc).

Where inappropriate use is suspected, it is suggested that you should pro-actively attempt to capture any inappropriate posts (before they might be deleted). Copies should be made (press, 'alt+Prt Scrn,' and copy into MS Word) and reported to both the relevant authority within the council as well as following the social media sites own reporting procedures where appropriate. Please note that this is just one means of gathering evidence of inappropriate use; it does not preclude the gathering of other types of evidence, e.g. witness statements.

Relationship with other council information

This guidance should be read in conjunction with:

- Wiltshire Council Constitution Protocol 7 – Media Relations
- Information Security Social Media and Blogging Policy
- Information Security Policy
- Members Code of Conduct
- Data Protection Policy Statement
- Information Assurance Acceptable Usage Policy for email, internet and computer use

Current Guidance



Department for
Communities and
Local Government

Openness and transparency on personal interests

A guide for councillors

September 2013 Department for Communities and Local Government

Current Guidance

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Current Guidance

The Guide

This guide on personal interests gives basic practical information about how to be open and transparent about your personal interests. It is designed to help councillors, including parish councillors, now that new standards arrangements have been introduced by the Localism Act 2011¹.

Why are there new rules?

Parliament has abolished the Standards Board regime and all the rules under it. It has done this because that centrally-imposed, bureaucratic regime had become a vehicle for petty, malicious and politically-motivated complaints against councillors. Rather than creating a culture of trust and openness between councillors and those they represent, it was damaging, without justification, the public's confidence in local democratic governance.

The new standards arrangements that Parliament has put in place mean that it is largely for councils themselves to decide their own local rules. It is essential that there is confidence that councillors everywhere are putting the public interest first and are not benefiting their own financial affairs from being a councillor. Accordingly, within the new standards arrangements there are national rules about councillors' interests.²

Such rules, in one form or another, have existed for decades. The new rules are similar to the rules that were in place prior to the Standards Board regime. Those rules, originating in the Local Government Act 1972 and the Local Government and Housing Act 1989, involved local authority members registering their pecuniary interests in a publicly available register, and disclosing their interests and withdrawing from meetings in certain circumstances. Failure to comply with those rules was in certain circumstances a criminal offence, as is failure to comply in certain circumstances with the new rules.

Does this affect me?

Yes, if you are an elected, co-opted, or appointed member of:

- a district, unitary, metropolitan, county or London borough council
- a parish or town council
- a fire and rescue authority
- a transport or other joint authority
- a combined authority or an economic prosperity board
- the London Fire and Emergency Planning Authority
- the Broads Authority

¹ The Guide should not be taken as providing any definitive interpretation of the statutory requirements; those wishing to address such issues should seek their own legal advice.

² The national rules are in Chapter 7 of the Localism Act 2011 and in the secondary legislation made under the Act, particularly in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (S.I. 2012/1464).

Current Guidance

- a National Park authority
- the Greater London Authority
- the Common Council of the City of London
- the Council of the Isles of Scilly

How will there be openness and transparency about my personal interests?

The national rules require your council or authority to adopt a code of conduct for its members and to have a register of members' interests.

The national rules require your council's code of conduct to comply with the Seven Principles of Public Life, and to set out how, in conformity with the rules, you will have to disclose and register your pecuniary and your other interests. Within these rules it is for your council to decide what its code of conduct says. An illustrative text for such a code is available on the Department's web site.³

Your council's or authority's monitoring officer (or in the case of a parish council the monitoring officer of the district or borough council) must establish and maintain your council's register of members' interests. Within the requirements of the national rules it is for your council or authority to determine what is to be entered in its register of members' interests.

What personal interests should be entered in my council's or authority's register of members' interests?

Disclosable pecuniary interests, and any other of your personal interests which your council or authority, in particular through its code of conduct, has determined should be registered.

Any other of your personal interests which you have asked the monitoring officer, who is responsible for your council's or authority's register of members' interests, to enter in the register.

As explained in the following section, your registration of personal interests should be guided by your duty to act in conformity with the seven principles of public life. You should ensure that you register all personal interests that conformity with the seven principles requires. These interests will necessarily include your membership of any Trade Union.

What must I do about registering my personal interests?

Under your council's code of conduct you must act in conformity with the Seven Principles of Public Life. One of these is the principle of integrity – that 'Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in

³ <https://www.gov.uk/government/publications/illustrative-text-for-local-code-of-conduct--2>

Current Guidance

order to gain financial or other material benefits for themselves, their family, or their friends. **They must declare and resolve any interests and relationships.**⁴.

Your registration of personal interests should be guided by this duty and you should give the monitoring officer who is responsible for your council's or authority's register of members' interests any information he or she requests in order to keep that register up to date and any other information which you consider should be entered in the register.

All sitting councillors need to register their declarable interests – both declarable pecuniary interests, and other interests that must be declared and registered as required by your authority's code, or your duty to act in conformity with the Seven Principles of Public Life, such as your membership of any Trade Union. Any suggestion that you should tell the monitoring officer about your pecuniary interests only in the immediate aftermath of your being elected is wholly incompatible with this duty, with which you must comply.

If you have a disclosable pecuniary interest which is not recorded in the register and which relates to any business that is or will be considered at a meeting where you are present, you must disclose⁵ this to the meeting and tell the monitoring officer about it, if you have not already done so, so that it can be added to the register. You must tell the monitoring officer within 28 days of disclosing the interest. For this purpose a meeting includes any meeting of your council or authority, of its executive or any committee of the executive, and of any committee, sub-committee, joint committee or joint sub-committee of your authority.

If you have a disclosable pecuniary interest which is not shown in the register and relates to any business on which you are acting alone, you must, within 28 days of becoming aware of this, tell the monitoring officer about it, if you have not already done so, so that it can be added to the register. You must also stop dealing with the matter as soon as you become aware of having a disclosable pecuniary interest relating to the business.

When you are first elected, co-opted, or appointed a member to your council or authority, you must, within 28 days of becoming a member, tell the monitoring officer who is responsible for your council's or authority's register of members' interests about your disclosable pecuniary interests. If you are re-elected, re-co-opted, or reappointed a member, you need to tell the monitoring officer about only those disclosable pecuniary interests that are not already recorded in the register.

What are pecuniary interests?

A person's pecuniary interests are their business interests (for example their employment, trade, profession, contracts, or any company with which they are associated) and wider

⁴ <http://www.public-standards.gov.uk/about-us/what-we-do/the-seven-principles/>

⁵ If the interest is a sensitive interest you should disclose merely the fact that you have such a disclosable

pecuniary interest, rather than the interest. A sensitive interest is one which the member and the monitoring officer, who is responsible for the register of members' interests, consider that disclosure of its details could lead to the member, or a person connected to the member, being subject to violence or intimidation.

Current Guidance

financial interests they might have (for example trust funds, investments, and assets including land and property).

Do I have any disclosable pecuniary interests?

You have a disclosable pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest listed in the national rules (see annex). Interests or your spouse or civil partner, following the approach of the rules under the 1972 and 1989 Acts, are included to ensure that the public can have confidence that councillors are putting the public interest first and not benefiting the financial affairs of themselves or their spouse or civil partner from which the councillor would stand to gain. For this purpose your spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Does my spouse's or civil partner's name need to appear on the register of interests?

No. For the purposes of the register, an interest of your spouse or civil partner, which is listed in the national rules, is **your** disclosable pecuniary interest. Whilst the detailed format of the register of members' interests is for your council to decide, there is no requirement to differentiate your disclosable pecuniary interests between those which relate to you personally and those that relate to your spouse or civil partner.

Does my signature need to be published online? Won't this put me at risk of identity theft?

There is no legal requirement for the personal signatures of councillors to be published online.

Who can see the register of members' interests?

Except for parish councils, a council's or authority's register of members' interests must be available for inspection in the local area, and must be published on the council's or authority's website.

For parish councils, the monitoring officer who is responsible for the council's register of members' interests must arrange for the parish council's register of members' interests to be available for inspection in the district of borough, and must be published on the district or borough council's website.

Where the parish council has its own website, its register of members' interests must also be published on that website.

This is in line with the Government's policies of transparency and accountability, ensuring that the public have ready access to publicly available information.

Is there any scope for withholding information on the published register?

Copies of the register of members' interests which are available for inspection or published must not include details of a member's sensitive interest, other than stating that the member has an interest the details of which are withheld. A sensitive interest is one which the member and the monitoring officer, who is responsible for the register of members' interests, consider that disclosure of its details could lead to the member, or a person connected to the member, being subject to violence or intimidation.

When is information about my interests removed from my council's register of members' interests?

If you cease to have an interest, that interest can be removed from the register. If you cease to be a member of the authority, all of your interests can be removed from the register.

What does having a disclosable pecuniary interest stop me doing?

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

In certain circumstances you can request a dispensation from these prohibitions.

Where these prohibitions apply, do I also have to leave the room?

Where your council's or authority's standing orders require this, you must leave the room. Even where there are no such standing orders, you must leave the room if you consider your continued presence is incompatible with your council's code of conduct or the Seven Principles of Public Life.

Do I need a dispensation to take part in the business of

setting council tax or a precept?

Current Guidance

Any payment of, or liability to pay, council tax does not create a disclosable pecuniary interest as defined in the national rules; hence being a council tax payer does not mean that you need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support.

If you are a homeowner or tenant in the area of your council you will have registered, in accordance with the national rules, that beneficial interest in land. However, this disclosable pecuniary interest is not a disclosable pecuniary interest in the matter of setting the council tax or precept since decisions on the council tax or precept do not materially affect your interest in the land. For example, it does not materially affect the value of your home, your prospects of selling that home, or how you might use or enjoy that land.

Accordingly, you will not need a dispensation to take part in the business of setting the council tax or precept or local arrangements for council tax support, which is in any event a decision affecting the generality of the public in the area of your council, rather than you as an individual.

When and how can I apply for a dispensation?

The rules allow your council or authority in certain circumstances to grant a dispensation to permit a member to take part in the business of the authority even if the member has a disclosable pecuniary interest relating to that business. These circumstances are where the council or authority considers that:

- without the dispensation so great a proportion of the council or authority would be prohibited from participating in that business as to impede the council's or authority's transaction of that business,
- without the dispensation the representation of different political groups dealing with that business would be so upset as to alter the likely outcome of any vote,
- the granting of the dispensation is in the interests of people living in the council's or authority's area,
- without the dispensation each member of the council's executive would be prohibited from participating in the business, or
- it is otherwise appropriate to grant a dispensation.

If you would like your council or authority to grant you a dispensation, you must make a written request to the officer responsible for handling such requests in the case of your council or authority.

What happens if I don't follow the rules on disclosable pecuniary interests?

It is a criminal offence if, without a reasonable excuse, you fail to tell the monitoring officer about your disclosable pecuniary interests, either for inclusion on the register if you are a newly elected, co-opted or appointed member, or to update the register if you are re-elected or re-appointed, or when you become aware of a disclosable pecuniary interest which is not recorded in the register but which relates to any matter;

- that will be or is being considered at a meeting where you are present, or
- on which you are acting alone.

It is also a criminal offence to knowingly or recklessly provide false or misleading information, or to participate in the business of your authority where that business involves a disclosable pecuniary interest. It is also a criminal offence to continue working on a matter which can be discharged by a single member and in which you have a disclosable pecuniary interest.

If you are found guilty of such a criminal offence, you can be fined up to £5,000 and disqualified from holding office as a councillor for up to five years.

Where can I look at the national rules on pecuniary interests?

The national rules about pecuniary interests are set out in Chapter 7 of the Localism Act 2011, which is available on the internet here:

<http://www.legislation.gov.uk/ukpga/2011/20/part/1/chapter/7/enacted>

and in the secondary legislation made under the Act, in particular The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 which can be found here:

<http://www.legislation.gov.uk/uksi/2012/1464/contents/made>

Annex A

Description of Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. The relevant period is the 12 months ending on the day when you tell the monitoring officer about your disclosable pecuniary interests following your election or re-election, or when you became aware you had a disclosable pecuniary interest relating to a matter on which you were acting alone.
- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.
- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where –
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either –
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Current Guidance

APPENDIX 3

STANDARDS COMPLAINTS ASSESSMENT CRITERIA

The Monitoring Officer will adopt the approach and apply the criteria set out below in the assessment of complaints under locally adopted Codes of Conduct for Members.

The Review Committee will use the same approach and criteria.

Relevance

1. It is likely that complaints will be received which do not relate to local codes of conduct for members. These might include complaints relating to the provision of services by local councils; matters relating to the local council as a corporate body; or matters which should be dealt with under a council's complaints procedure. They may be matters relating to council employees, other authorities or matters relating to a member's private life which do not fall within the remit of the Standards Committee. The Monitoring Officer will advise the complainant in such matters that they cannot proceed under local codes of conduct, but that the complainant should contact the clerk or chairman of the relevant council in order to bring a complaint under the appropriate complaints procedure.

Alternative resolution

2. Investigations are costly and time consuming. The Monitoring Officer will consider first of all whether an alternative means of resolving the complaint would be appropriate.

Initial Tests

3. Before the assessment of a complaint begins, the Monitoring Officer should be satisfied that:
 - a) The complaint is about the conduct of a member of a council within the area of Wiltshire Council;
 - b) That the member was a member at the time of the incident giving rise to the complaint;
 - c) That the member remains a member of the relevant council at the time of the complaint;
 - d) That the complainant has provided a copy of the Code of Conduct of the relevant council;
 - e) That the matters giving rise to the complaint would, if proven, be capable of breaching that Code.

If the complaint fails one or more of these tests it cannot be investigated and no further action will be taken.

Sufficiency of information

4. The complainant must provide sufficient information to enable the subject member and those responsible for assessing the complaint to understand the substance of the complaint. If insufficient information is provided, the Monitoring Officer will not normally proceed with assessment of the complaint.

If the complaint meets the criteria set out in 3. a-e above, and the complainant has provided sufficient information to enable the issues complained of to be understood, the Monitoring Officer will send a copy of the complaint to the subject member and ask for the subject member's comments. When these have been received, the Monitoring Person will assess the complaint, after consulting the Independent Person.

Seriousness of the Complaint

5. A complaint will not be referred for investigation if, on the available information, it appears to the Monitoring Officer (or Review Sub-Committee) to be trivial, vexatious, malicious, politically motivated or 'tit for tat'.

A complaint will not normally be referred for investigation if the subject member has offered an apology, a reasonable explanation of the issues, or if the Monitoring Officer takes the view that the complaint can reasonably be addressed by other means.

Bearing in mind the public interest in the efficient use of resources, referral for investigation is generally reserved for serious complaints where alternative options for resolution are not considered by the Monitoring Officer to be appropriate.

Length of Time Elapsed

6. A complaint will not be referred for investigation when it is made more than 20 working days from the date upon which the complainant became aware of the matter giving rise to the complaint.

Anonymous Complaints

Anonymous complaints will not be considered unless the Monitoring Officer is satisfied that there would otherwise be a serious risk to the complainant's personal safety, in which case the Monitoring Officer will decide how the complaint should be taken forward.

Multiple Complaints

7. A single event may give rise to similar complaints from a number of complainants. Where possible these complaints will be considered by the Monitoring Officer at the same time. Each complaint will, however, be considered separately. If an investigation is deemed to be appropriate the Monitoring Officer may determine that, in the interests of efficiency, only one complaint should go forward for investigation, with the other complainants being treated as potential witnesses in that investigation.

Confidentiality

8. All information regarding the complaint will remain confidential until determined otherwise by the Monitoring Officer or Hearing Sub-Committee.

Withdrawing Complaints

9. A complainant may ask to withdraw their complaint before it has been assessed. In deciding whether to agree the request the Monitoring Officer will consider:
 - (a) the complainant's reasons for withdrawal;
 - (b) whether the public interest in taking some action on the complaint outweighs the complainant's wish to withdraw it;
 - (c) whether action, such as an investigation, may be taken without the complainant's participation.

Current Guidance

Current Guidance

Report of the Local Government Association (LGA) Model Code of Conduct Working Group

Purpose

1. To present the recommendations of the Working Group regarding the council's Code of Conduct for Councilors, following their consideration of comments from the Constitution Focus Group and Group Leaders.

Background

2. On 20 April 2022, the Working Group recommended to Standards Committee the adoption of an amended version of the LGA Model Code of Conduct, which largely reflected the LGA Model Code, but retained some sections of Wiltshire Council's existing Code and moved a large amount of text into a guidance section.
3. Standards Committee supported adoption of the revised Code and resolved that it should be presented to the Constitution Focus Group and Group Leaders for comment. On 15 June 2022, Standards Committee resolved that the Working Group should reconvene to consider these comments before the Committee made its final recommendation.

Main considerations

4. For context, the Constitution Focus Group had previously discussed, and not supported the adoption of, the original version of the LGA Model Code.
5. On 1 June 2022, the Constitution Focus Group discussed the Working Group's proposed Code. It expressed reservations about whether it was likely to lead to an improvement in behavior, given that there had not been, and were unlikely to be, changes to Government legislation to enforce sanctions. The Group also raised concerns about:
 - the potential impact on town and parish councils who were currently using Wiltshire Council's existing Code;
 - the Group raised specific concerns regarding paragraph 8.4, in terms of the implications of a Standards Sub-Committee making an unreasonable recommendation, such as asking the member to resign.

6. Group Leaders were asked for their comments and if they wished to be invited to the Working Group. None of the Group Leaders who provided written comments voiced objections, noting either they did not have any comments, or supported the proposals.
7. The Working Group met on 6 September 2022 to review its original recommendations, together with the subsequent comments made by Group Leaders and the Constitution Focus Group.

Conclusions

8. Having reviewed the comments of the Constitution Focus Group and Group Leaders, the Working Group endorsed their original recommendation of adopting an amended LGA Model Code of Conduct, **but agreed one amendment to the version proposed to Standards Committee in April 2022**: Having consulted Legal Services, they amended paragraph 8.4 as follows:

Version proposed in April 2022

8.4 I comply with all sanctions and recommendations imposed on me following a finding that I have breached the Code of Conduct.

Version proposed now

8.4 I comply with all sanctions imposed on me and any recommendations agreed to be undertaken by me following a finding that I have breached the Code of Conduct and any undertakings that I have agreed to fulfil as part of the informal/alternative resolution of any alleged breach of the Code of Conduct.”

The new version of the Code proposed is attached at **Appendix A**. It should be noted that the sections in **red** are not featured in the LGA Model Code of Conduct but, excepting 8.4, are retained from the current Wiltshire Council Code of Conduct.

9. Regarding the Constitution Focus Group’s concerns about this paragraph noted above, the Working Group notes that:
 - a) Actual sanctions are limited to those defined through case law;
 - b) Any public decision is challengeable via Judicial Review;
 - c) Legal advice indicates that, under the Code proposed at Appendix A, it is only where a member **agrees to fulfil a recommendation but does not do so** that this could be considered a further breach of the Code.
10. The Group accepted that there were a range of views surrounding the issue of compliance and, like Wiltshire’s existing Code, the proposed Code would lack

legal enforcement. However, the group felt that the proposed Code provided greater clarity regarding the conduct required. They also considered that the sanctions available to the Standards Committee, such as publication of its findings, carry some weight in encouraging good conduct by elected members and holding those who breach their Code to account.

11. The Group endorsed their original conclusions regarding the benefits of the proposed Code over the council's existing Code, namely:

Benefits of proposed LGA Model Code over current WC Code	Impact
<p>Sets out expected behaviours in greater detail, including the following additional sections:</p> <ul style="list-style-type: none"> • Respect • Bullying and harassment • Impartiality • Disclosure and use of information • Disrepute • Abiding by the Code of Conduct • Gifts and hospitality 	<p>Provides more clarity for councillors and the public on what is/isn't considered acceptable conduct</p> <p>Provides more clarity for those assessing alleged breaches of the Code</p> <p>By being more prescriptive, demonstrates the council's full commitment to standards in public life</p> <p>Although some of the bulleted sections are mentioned in the current WC Code's guidance, guidance is not enforceable</p>
<p>Uses the phrasing "I will..." rather than "I must..."</p>	<p>Encourages greater personal ownership of the Code, as opposed to a code that is imposed by others</p>
<p>The Guidance states that the Code applies to all forms of communication and interaction, including:</p> <ul style="list-style-type: none"> • at face-to-face meetings • at online or telephone meetings • in written communication • in verbal communication • in non-verbal communication • in electronic and social media communication, posts, statements and comments. 	<p>Provides greater clarity on when the Code may apply, particularly applicable in the context of the number of complaints now received about conduct on social media</p>
<p>Regarding Registers of Interest:</p> <ul style="list-style-type: none"> • defines 'sensitive' interests • states that you must leave the room in some circumstances 	<p>Provides greater clarity on handling interests</p>

Benefits of proposed LGA Model Code over current WC Code	Impact
<ul style="list-style-type: none"> includes guidance re interests specifically for Cabinet members 	
Regarding Gifts and Hospitality, requires that gifts not accepted must also be declared	Provides greater transparency regarding Gifts and Hospitality

Update

12. Having reviewed the Working Group's proposed Code on 26 September 2022, the Constitution Focus Group did not have any further comments.

Proposal

13. To recommend the Code of Conduct provided at **Appendix A** for adoption by Full Council.

Cllr Ruth Hopkinson, Chair of the LGA Model Code of Conduct Working Group

Report authors:

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Appendices

Appendix A Proposed Code of Conduct for Wiltshire Council (v2)
 Appendix B Current Code of Conduct for Wiltshire Council

Wiltshire Council

Full Council

18 October 2022

Notice of Motion No. 2022-02 - Cost of Living

From Councillors Richard Clewer and Laura Mayes

To consider the following motion submitted in accordance with the constitution:

Wiltshire Council is determined to ensure the protection of the residents of Wiltshire from the cost of living challenge driven by Covid and Vladimir Putin's war in Ukraine. Their combined effects have led to rising energy prices and residents facing significant cost of living pressures.

This council is thankful for the significant work that the Government has done to support the residents of Wiltshire. It notes the benefit that the two-year energy price guarantee and the certainty it will give to residents across Wiltshire as well as the enormous help that the £400 energy bill discount will provide to every household. It further notes the additional support of the £650 cost of living payment for those in receipt of means-tested benefits, £300 for pensioner households and £150 for recipients of disability benefits in Wiltshire.

Wiltshire Council thanks the Government for providing equivalent support for those not on the mains energy grid and the protection of jobs in Wiltshire that the six-month protection for businesses will provide. Wiltshire Council further thanks the Government on its long-term plans that will maximise domestic energy produce through North Sea oil and gas, as well as nuclear and renewables that will contribute towards securing energy independence in the long term and ensure that Wiltshire will never be subject to energy price hikes caused by illegal wars again.

Wiltshire Council therefore resolves to:

- 1) Work with the Government to ensure that it delivers the much-appreciated support to the residents of Wiltshire as quickly as possible.
- 2) Proactively identify those most in need of support in Wiltshire and ensure that they access all the Government support they are eligible for.
- 3) Identify local opportunities in Wiltshire for energy generation to help increase the supply of energy to further aid the long-term lowering of prices, support the Government's aim of domestic energy security and create local jobs.

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Wiltshire Council

Full Council

18 October 2022

S85 Local Government Act 1972 - Extension of Office

Summary

To consider requests from the following Members for an extension of office beyond the six-month period of non-attendance:

Councillor Charles McGrath
Councillor Pip Ridout

Proposals

1) That Council approves the requests for the Members listed below for an extension beyond the six-month period of non-attendance on the grounds of ill health:

**Councillor Charles McGrath
Councillor Pip Ridout**

2) That such an extension be granted until the end of July 2023, which would allow for any request for a further extension being considered by Council at its meeting in July 2023. In the event of that meeting either being cancelled or postponed, such an extension to remain in place until after the next available meeting of the Council.

Reason for Proposals

To enable Councillors McGrath and Ridout to remain in office during periods of illness

Perry Holmes – Director, Legal & Governance (and Monitoring Officer)

S85 Local Government Act 1972 - Extension of Office

Purpose of Report

1. To ask Council to consider requests from the following Members for an extension of office beyond the six-month period of non-attendance:
 - Councillor Charles McGrath
 - Councillor Pip Ridout

Background

2. Under Section 85(1) of the Local Government Act 1972, if a Member fails throughout six consecutive months to attend any meeting of the council or of its committees or its sub-committees of which they are a member, they shall, unless due to a reason approved by the council before the end of that period, cease to be a member of the council.
3. Since 6 May 2021, *The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020* permitting online meetings ceased to be in effect. As a result, attendance at an online meeting would not meet the requirements of S85 of the LGA 1972. Attendance at a physical meeting would be necessary.
4. Additionally, as specified in the Act, attendance by a Member must be of a committee or sub-committee to which they have been appointed by Full Council, not simply attendance at any council meeting.

Main Considerations

5. Councillor McGrath represents Salisbury Milford Division, and last attended a meeting on 13 July 2022. He has recently received diagnosis of a serious medical condition, and his scheduled treatment plan will mean he will be unable to attend meetings for at least six months.
6. Councillor McGrath is a member of Environment Select Committee, Salisbury Area Board and Southern Area Planning Committee, and is a substitute on the Licensing Committee.
7. Councillor McGrath has requested Council to approve an extension to the usual six-month rule to enable him to remain in office. Council can only consider approval of any reasons for non-attendance before the end of the relevant six-month period, which would be 12 January 2023. This meeting would therefore be the last opportunity for Council to consider such a request before the expiry of that period.
8. Councillor Ridout, representing Warminster West Division, has been seriously unwell for a period of several months, which has included several stays in hospital.

Although Councillor Ridout attended one very local meeting in August 2022, she has not been able to physically attend other meetings.

9. Councillor Ridout is a member of Audit and Governance Committee, Health Select Committee, Licensing Committee, Standards Committee, Strategic Planning Committee, Warminster Area Board, and Western Area Planning Committee. She is also a substitute on the Overview and Scrutiny Select Committee and Standards Assessment Sub-Committee.
10. Councillor Ridout has requested Council to approve an extension to the usual six-month rule to enable her to remain in office. Council can only consider approval of any reasons for non-attendance before the end of the relevant six-month period, which would be 22 February 2023.
11. S85 does not proscribe the reasons Council may approve an extension of office.

Safeguarding Implications

12. There are no safeguarding implications.

Public Health Implications

13. Any ongoing impact of the Covid-19 pandemic on the attendance of members should be considered. In particular, the potential need to self-isolate or otherwise cancel attendance at a scheduled meeting at short notice, or otherwise being classified as vulnerable.

Equalities Impact

14. Personal circumstances would need to be taken into account.

Environment and Climate Change considerations

15. There are no implications.

Risk Assessment

16. There are no risk implications to the council.

Financial Implications

17. There are no financial implications.

Procurement Implications

18. There are no procurement implications.

Legal implications

19. Section 85(1) of the Local Government Act 1972 enables a local authority to approve the reason(s) for non-attendance of a Member at any meeting of the authority throughout a period of six consecutive months, provided that approval is given by the authority before the expiry of the six month period.

20. Should the approval of Council not be given at this meeting, if any of the Members listed are not well enough to resume their duties as a Member before the expiry of the six-month period, and be unable to attend a required meeting, they would be disqualified from office. Full Council is unable to grant retrospective approval.

Proposals

21. That Council approves the requests for the Members listed below for an extension beyond the six-month period of non-attendance on the grounds of ill health:

Councillor Charles McGrath
Councillor Pip Ridout

22. That such an extension be granted until the end of July 2023, which would allow for any request for a further extension being considered by Council at its meeting in July 2023. In the event of that meeting either being cancelled or postponed, such an extension to remain in place until after the next available meeting of the Council.

Perry Holmes

Director - Legal & Governance (and Monitoring Officer)

Report author: Kieran Elliott, Democracy Manager (Democratic Services). 01225 718504, kieran.elliott@wiltshire.gov.uk

Appendices

None

Background Papers

None

Wiltshire Council

Full Council

18 October 2022

Membership of Committees

1. At its meeting on 8 September 2022, the Health and Wellbeing Board agreed to amend its membership.
2. The announcement agreed at that meeting is included below.
3. At the meeting on 18 October 2022, alongside any other requested changes to committee membership, the Chairman will move that the following changes be approved and adopted within the constitution.

Report Author – Kieran Elliott, Democracy Manager (Democratic Services)

Chairman's announcement – Wiltshire Health and Wellbeing Board membership – 8 September 2022

The 2022 Health and Care Act has amended the 2012 Health and Social Care Act to say that the Health and Wellbeing Board must include 'a representative of each relevant integrated care board' instead of the now abolished Clinical Commissioning Group.

Currently the Wiltshire Council constitution provides for 4 elected reps and 4 clinical reps as voting members of the Wiltshire Health and Wellbeing Board (HWB); with statutory council officers that are statutory members of the board as non-voting members along with the statutory NHS officers. The board remains committed to working by consensus wherever possible.

The current HWB composition is set out below together with a proposed revision underneath which aims to ensure ongoing parity between council and NHS representatives by reducing the numbers of voting representatives required:

Current HWB composition

Voting Members:

- 4 Elected representatives. The Leader of the Council and 2 Wiltshire Council Cabinet Members with responsibility for Children, Adults and Public Health; 1 Member of Wiltshire Council who is not a Member of the ruling group(s) on the Council;
- 4 clinical representatives from the CCG;
- 1 Police and Crime Commissioner (PCC);
- 1 representative from Healthwatch;
- 1 NHS England representative.

Non-voting Members:

- 1 Wiltshire Council portfolio holder for Adult Care and Public Health.
- 1 Wiltshire Council Chief Executive
- Wiltshire Council officers with statutory responsibility for Children, Adults and Public Health services;
- Chief Officer / Chief Finance Officer of the Clinical Commissioning Group;
- Acute Hospital Trusts representatives (Salisbury Hospital FT, Great Western Hospital FT and Bath RUH FT);
- 1 South West Ambulance Service (SWAS) representative;
- 1 Avon and Wiltshire Mental Health Partnership (AWP) representative;
- 1 Wiltshire Police Chief Constable representative;
- 1 Wessex Local Medical Committee representative;
- 1 Bath and North East Somerset, Swindon and Wiltshire CCG Locality Manager
- 1 Dorset and Wiltshire Fire and Rescue Service
- 1 Adult community health services provider (WHC)
- 1 Children's community health services provider (VirginCare)
- 1 Child and adolescent mental health services provider (Oxford Health)

Proposed HWB composition

Voting Members:

- 1 Leader of the Council and 1 Deputy Leader of the Council
- 1 healthcare clinical professional director (NHS BSW ICB) and 1 GP clinical lead (Wiltshire Integrated Care Alliance)
- 1 Police and Crime Commissioner (PCC);
- 1 representative from Healthwatch Wiltshire;

Non-voting Members:

- 1 NHS England representative.
- Other Wiltshire Council Cabinet Members with responsibility for Children, Adults and Public Health;
- 1 Wiltshire Council portfolio holder for Adult Care and Public Health;
- 1 Member of Wiltshire Council who is not a Member of the ruling group(s) on the Council;
- Wiltshire Council Chief Executive
- Place Director for Wiltshire (NHS BSW ICB) or nominated ICB Exec Director lead as sub
- Wiltshire Council officers with statutory responsibility for Children, Adults and Public Health services;
- Acute Hospital Trusts representatives (Salisbury Hospital FT, Great Western Hospital FT and Bath RUH FT);
- 1 South West Ambulance Service (SWAS) representative;
- 1 Avon and Wiltshire Mental Health Partnership (AWP) representative;
- 1 Wiltshire Police Chief Constable representative;
- 1 Wessex Local Medical Committee representative;
- 1 Dorset and Wiltshire Fire and Rescue Service;
- 1 Adult community health services provider (WHC);
- 1 Children's community health services provider (VirginCare);
- 1 Child and adolescent mental health services provider (Oxford Health);
- 1 VCS representative

The proposed revision also takes account of the need to include a representative from the Voluntary and Community Sector, reflecting discussions at the HWB earlier this year as well as the development of the VCS forum in the county.

The Board is asked to discuss and approve the proposed changes.

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