

SUMMONS

Council Meeting

Date: 14 July 2015

Time: 10.30 am

Place: Council Chamber, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN

**PLEASE SIGN THE ATTENDANCE
BOOK BEFORE ENTERING THE
COUNCIL CHAMBER**

Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Trowbridge, direct line 01225 718504 or email kieran.elliott@wiltshire.gov.uk

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

This summons and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

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PART I

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

1 **Apologies**

2 **Minutes of Previous Meeting** (*Pages 7 - 58*)

To approve as a correct record and sign the minutes of the Annual meeting of Council meeting held on 12 May 2015.

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 announcements through the Chair.

5 **Petitions**

5a) **Petitions Received**

No petitions have been received for this meeting.

5b) **Petitions Update** (*Pages 59 - 64*)

Report of the Democratic Governance Manager.

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. Please contact the officer named above 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 (acting on behalf of the Corporate Director) no later than **5pm on Tuesday, 7 July 2015**. 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.

In respect of questions submitted by the above deadline in respect of items 8 and 9 on this agenda (Draft Chippenham Site Allocations Plan and Statement of Community Involvement), you may by no later than 5pm Friday 10 July 2015,

modify your original question in light of any changes to the recommendations by Cabinet on 9 July 2015.

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

COUNCILLORS' MOTIONS

7 Notices of Motion

7a) Notice of Motion No. 22 - Grass Cutting - Councillors Terry Chivers and Jeff Osborn

To consider the following motion.

"This Council congratulates Councillor Philip Whitehead, and the Landscape Group on the standard of grass cutting in the County this year.

This is based on feedback from our wards".

7b) Notice of Motion No.23 - Special Responsibility Allowance Reduction - Councillors Jeff Osborn and Terry Chivers

To consider the following motion:

"Council congratulates the decision of the Prime Minister, David Cameron, not to increase ministerial salaries for the duration of the present parliament. The stated reason for this is to clearly set a public example in these hard times.

With this in mind, Wiltshire Council should follow the Conservative Government example and reconsider its own decision to substantially increase its special responsibility allowances"

POLICY FRAMEWORK

Under its Constitution, the Council is responsible for approving the Policy Framework of the Council expressed in various plans and strategies which includes the subjects referred to in items and below.

Both these items will be considered by Cabinet at its meeting on 9 July 2015

8 Draft Chippenham Site Allocations Plan

To consider Cabinet's recommendations dated 9 July 2015.

Owing to the scale of the documents, a link to the papers from the Cabinet meeting can be found at:

<http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&MId=9629&Ver=4>

Any updates following that meeting will be included in an agenda supplement.

9 **Statement of Community Involvement**

Owing to the scale of the documents, a link to the papers from the Cabinet meeting can be found at:

<http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&MId=9629&Ver=4>

Any updates following that meeting will be included in an agenda supplement.

CONSTITUTIONAL UPDATES

10 **Standards Committee Recommendations on Changes to the Constitution**
(Pages 65 - 152)

Report by the Associate Director, Law and Governance and Monitoring Officer on proposed changes to the Constitution as recommended by the Standards Committee from its meeting on 24 June 2015.

11 **Changes to Statutory Dismissal Procedures for Heads of Paid Service, Monitoring Officers and s.151 Finance Officers** *(Pages 153 - 154)*

Report by the Associate Director, Law and Governance and Monitoring Officer, on changes required by *The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015*.

OTHER ITEMS OF BUSINESS

12 **Annual Report on Treasury Management 2014/15** *(Pages 155 - 170)*

13 **Local Pension Board Update** *(Pages 171 - 172)*

Report of the Corporate Director

14 **Membership of Committees and Appointment of Chairman/Vice-Chairman of Committees**

- a) 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.
- b) Owing to a vacancy for Vice-Chairman of Standards Committee, to appoint a councillor to that position.

MINUTES OF CABINET AND COMMITTEES

15 **Minutes of Cabinet and Committees**

The Chairman will move that Council receives and notes the minutes of Cabinet and the various Committees of the Council and the Fire Authority as listed in the in the Minutes Book which can be accessed at

<http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=768&MIId=9735&Ver=4>

The Chairman will invite the Leader, Cabinet members and Chairmen of Committees to make any important announcements.

Councillors will be given the opportunity to raise questions on points of information or clarification on the minutes presented.

Councillors will be given an opportunity to raise any questions on the minutes of the Wiltshire and Swindon Fire Authority – please submit any questions to committee@wiltshire.gov.uk by 6 July 2015.

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

COUNCILLORS' QUESTIONS

16 **Councillors' Questions**

Please note that Councillors are required to give notice of any such questions in writing to the officer named on the first page of this agenda (acting on behalf of the Corporate Director) not later than 5pm on **Tuesday 7 July 2015**. Questions may be asked without notice if the Chairman decides that the matter is urgent.

In respect of questions submitted by the above deadline in respect of items 8 and 9 on this agenda (Draft Chippenham Site Allocations Plan and Statement of Community Involvement), you may by no later than 5pm Friday 10 July 2015, modify your original question in light of any changes to the recommendations by Cabinet on 9 July 2015.

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

PART II

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

None

Maggie Rae
Corporate Director and Head of Paid Service
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire BA14 8JN

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COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON 12 MAY 2015 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Desna Allen, Cllr Pat Aves, Cllr Chuck Berry, Cllr Richard Britton, Cllr Rosemary Brown, Cllr Allison Bucknell, Cllr Trevor Carbin, Cllr Chris Caswill, Cllr Mary Champion, Cllr Terry Chivers, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Mark Connolly, Cllr Christine Crisp, Cllr Brian Dalton, Cllr Andrew Davis, Cllr Tony Deane, Cllr Christopher Devine, Cllr Stewart Dobson, Cllr Bill Douglas, Cllr Mary Douglas, Cllr Dennis Drewett, Cllr Peter Edge, Cllr Peter Evans, Cllr Sue Evans, Cllr Nick Fogg MBE, Cllr Richard Gamble, Cllr Jose Green, Cllr Mollie Groom, Cllr Russell Hawker, Cllr Mike Hewitt, Cllr Alan Hill, Cllr Charles Howard, Cllr Jon Hubbard, Cllr Keith Humphries, Cllr Chris Hurst, Cllr Peter Hutton, Cllr Simon Jacobs, Cllr David Jenkins, Cllr Julian Johnson, Cllr Bob Jones MBE, Cllr Simon Killane, Cllr Gordon King, Cllr John Knight, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Magnus Macdonald, Cllr Alan MacRae, Cllr Howard Marshall, Cllr Laura Mayes, Cllr Helena McKeown, Cllr Ian McLennan, Cllr Jemima Milton, Cllr Bill Moss, Cllr Christopher Newbury, Cllr John Noeken, Cllr Paul Oatway, Cllr Stephen Oldrieve, Cllr Helen Osborn, Cllr Jeff Osborn, Cllr Linda Packard, Cllr Sheila Parker, Cllr Graham Payne, Cllr Nina Phillips, Cllr David Pollitt, Cllr Horace Prickett, Cllr Leo Randall, Cllr Fleur de Rhé-Philipe, Cllr Pip Ridout, Cllr Ricky Rogers, Cllr Jane Scott OBE, Cllr Jonathon Seed, Cllr James Sheppard, Cllr John Smale, Cllr Toby Sturgis, Cllr John Thomson, Cllr Ian Tomes, Cllr Dick Tonge, Cllr John Walsh, Cllr Bridget Wayman, Cllr Fred Westmoreland, Cllr Philip Whalley, Cllr Stuart Wheeler, Cllr Roy While (Chairman), Cllr Philip Whitehead, Cllr Jerry Wickham, Cllr Christopher Williams and Cllr Graham Wright

31 Announcements by Outgoing Chairman

The Chairman, Councillor Roy While advised Council that he would not be seeking re-election. As outgoing Chairman, he took the opportunity to thank the staff who had supported him during his chairmanship, in particular Jean Potter. He also made the following announcements:

A. 'fly a flag for the commonwealth' ceremony

On Monday, 9 March, Commonwealth Day, the Chairman was joined by Mr. Robert Floyd, Deputy Lieutenant, who represented the Lord-Lieutenant of Wiltshire, for a short ceremony to 'fly a flag for the Commonwealth'. After a

short ceremony, the Commonwealth flag was raised up the flagpole to mark this special day.

The Council was pleased to participate in this national initiative, which enabled people in their local communities to become involved and join with others nationwide in associating themselves with a widespread public expression of commitment to the Commonwealth, appreciation of the values it stands for, and the opportunities offered to its citizens around the world.

Similar ceremonies were held in other Wiltshire towns, including Trowbridge and Swindon.

B. Wiltshire and Swindon youth orchestra

The Chairman had attended the Wiltshire and Swindon Youth Orchestra's Easter concert at the Wiltshire Music Centre, which once again gave a stunning performance.

The Chairman encouraged councillors to attend these concerts to support talented young people and enjoy an evening of true professionalism and musical accomplishment.

C. Business and sports gala dinner.

Wiltshire council and Wessex Chambers of Commerce co-hosted the second business and sports gala dinner in the atrium at County Hall, Trowbridge.

The dinner was held as part of delivering a legacy for Wiltshire, a council-led partnership which aims to encourage people to keep fit and active, boost the local economy and bring communities together, building on the success of the 2012 Olympic and Paralympic games.

More than £28,000 was raised at the dinner by businesses and other organisations to help support the next generation of Wiltshire sports. Money raised from the night will boost the foundation fund set up following last year's inaugural dinner, which provides financial help to local elite athletes. Successful applicants receive funding to assist with training, attending competitions, as well as paying for equipment and transport costs to regional, national and international events.

More than 20 businesses sponsored and supported the dinner to assist the budding Olympians, Paralympians and athletes with world-class potential on

their journey to success. The main sponsors were Aerian, CGI and James Hay partnership.

D. Royal visits

The County had been fortunate to have had two further royal visits to the County.

In February Her Royal Highness the Duchess of Cornwall visited Dents, glove manufacturers in Warminster. Her Royal Highness then went on to Devizes to officially open Community First's new offices and launch their 50th birthday celebration.

Last week, His Royal Highness the Duke of Edinburgh officially opened the new Hayward Care Centre in Devizes run by the charity The Orders of St John Care Trust, with whom the Council worked in partnership to provide quality care services for older people. The new centre was named in honour of local hero Reginald Hayward who served through the first World War and, in addition to the military cross and bar, was awarded the Victoria Cross for his actions in 1918 when serving in the 1st Battalion the Wiltshire Regiment. To recognise the honour, a special feature of the visit was the participation of members of the Rifles Regiment, of which his Royal Highness was Colonel-In-Chief. He toured the centre, met residents and staff and also trustees, patrons, representatives of companies involved in the construction, councillors and other members of the local community.

E. Election Day

The Chairman expressed his thanks to the staff who contributed to the smooth running of the elections held on 7 May. The meeting echoed this sentiment.

On the Council's behalf, the Leader thanked Councillor Roy While for his hard work, his contribution to the Council and for being such a wonderful ambassador for the County. She referred to the numerous events he had attended on the Council's behalf, accompanied by his wife at many of them.

The meeting echoed these comments. In particular, Councillor Jon Hubbard added his and his groups' thanks for the way in which Council meetings had been managed in a fair and even-handed manner by Councillor While. Councillor Hubbard also took the opportunity to add his thanks to the staff for their contributions to making the election run smoothly and very efficiently.

Councillor Ricky Rogers added his and his group's thanks to Councillor While, for his dedication and service and for his support for Salisbury FC.

Councillor Clark added his and his group's thanks to Councillor While for his fairness and impartiality.

32 Election of Chairman 2015/16

The Chairman, Councillor Roy While called for nominations for the position of Chairman of Council for 2015/16.

Councillor Richard Britton was proposed by Councillor John Smale and seconded by Councillor Julian Johnson. There being no further nominations and on being put to the vote, it was

Resolved:

That Councillor Richard Britton be elected Chairman of Wiltshire Council for the municipal year 2015/16.

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

Councillor Richard Britton in the Chair

33 Election of Vice-Chairman 2015/16

The Chairman called for nominations for the position of Vice-Chairman of Council for 2015/16.

Councillor Allison Bucknell was proposed by Councillor Dick Tonge and seconded by Councillor Chuck Berry. There being no further nominations and on being put to the vote it was

Resolved:

That Councillor Allison Bucknell be elected Vice-Chairman of Wiltshire Council for the municipal year 2015/16.

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

34 Apologies

Apologies for absence were received from Councillors Howard Greenman, George Jeans, Ian Thorne, Tony Trotman, Mark Packard, Nick Blakemore, Desna Allen and Ian West.

35 Declarations of Interest

No declarations of interest were made.

36 **Minutes of Previous Meeting**

The minutes of the last meeting held on 24 February 2015 were presented.

Resolved:

That the minutes of the last Council meeting held on 24 February 2015 be approved as a correct record and signed by the Chairman.

37 **Announcements by the Chairman**

A. New Wiltshire councillors

The Chairman took the opportunity to thank ex-councillors Nick Watts and Liz Bryant for their service during their time at Wiltshire Council.

He also offered a warm welcome to Councillor Melody Thompson, who would be representing the Chippenham Hardenhuish Division and to Councillor Anna Cuthbert, who would be representing the Bromham, Rowde and Potterne Division.

B. Death of former Councillors

The Chairman drew the meeting's attention to the news of the sad deaths of three former Wiltshire councillors, as follows:

Mr. Colin Read was a Wiltshire County councillor from 2001-2005 in Mere, serving his community with dedication and commitment. In addition to being a Mere parish councillor, he was also chairman of the Wiltshire Rugby Football Union.

Mr. George Applegate was an active councillor in Trowbridge in the 1960s-80s, including a former chairman of Trowbridge Town Council and West Wiltshire District Council (1981-83). He ran several local businesses (heating engineering), farming and water divining throughout the world. He was also a founder member of the Trowbridge Rotary Club.

And finally, Major Colin Stone who was a former Kennet District Councillor who gave dedicated service to his electorate.

C. Big pledge engagement opportunity

The Chairman stated that the previous day had seen the launch of the 2015 Big Pledge – make a difference campaign. He went on to state that this year there were 12 pledges that people could make as an individual, a group, a business

or a community. Wiltshire's Big Pledge was a county-wide campaign endorsed by Wiltshire Council's Legacy Board.

This was part of the ongoing work to encourage Wiltshire residents to lead healthier and more active lives. The campaign aimed to make a difference to an individual's health and wellbeing; and make a difference in the local community. Wiltshire's Big Pledge would challenge people to get healthy, volunteer, or make a positive change in 2015.

Council officers would be on hand during the lunch break and after today's meeting to help Councillors who wished to make a pledge including participating in a photo opportunity to support the campaign.

D. Members' Training on The Sap Portal

The Chairman stated that a training session would be available to members in the Kennet room after this meeting on the use of the SAP portal system for submitting members' expenses.

38 Public Participation

The Chairman reported the receipt of statements and questions from Mr Michael Sprules, Mrs Spickernell, Mr Ian James and Mrs Iris Thompson, details of which were circulated in the agenda supplement. This also included written responses from the relevant Cabinet member and verbal responses as appropriate were given at the meeting. The Chairman provided questioners with the opportunity to ask a supplementary question.

Mrs Spickernell spoke in support of her question, expressing disappointment at the written response she had received, and stated that she felt that too much power was concentrated in the Cabinet at the expense of the wider community and other Councillors.

In response, the Leader, Councillor Jane Scott stated that the Council would take all views into account, but that she felt that the Council and the Cabinet was a good example of transparency in decision making and highly regarded as such. She referred to the openness of meetings of Cabinet where public participation was very much welcomed and Area Boards which centred on issues considered as important by the local communities.

Councillor Sturgis, in response to a supplementary question from Mr Sprules, stated that the manifesto pledges to subject all social housing to the right-to-buy had yet to be drawn up for consideration by Parliament. The Council would respond at the time to any formal consultation on such proposals.

In response to a question from Mr James, Councillor Sturgis stated that the modelling work regarding flooding was still to be carried out by the Environment

Agency.

In response to a question from Mrs Thompson, Councillor Sturgis stated that officers were satisfied that the design of the proposed scheme was satisfactory and that a road safety audit would take place upon its completion.

Mr McCall gave a statement on behalf of campaign to Better Trowbridge, in which concern was expressed about the division of responsibilities and gave a plea that all Councillors have an opportunity to debate how power should be distributed in the County.

Former Councillor Nick Watts attended the meeting to congratulate the new Councillor for his old division.

Mr Gowen gave a statement on behalf of Group 5. He expressed concern that the Council had withdrawn its grant to the organisation with insufficient consultation. He went on to extol the virtues of the organisation and stated that cancellation of the grant had tarnished its reputation.

Councillor Jon Hubbard, on a point of order, expressed concern that some answers given verbally should have been available in writing.

Councillor Sturgis, in response, stated answers had not been available in time to disseminate in writing and were therefore given verbally at the meeting as allowed for in the constitution.

A copy of questions received together with the written responses given are attached as Appendix 1 to these minutes.

39 **Petitions**

a) Petitions Received

The Chairman reported the receipt of two petitions for formal presentation at this meeting although neither petition had received the requisite number of signatories to require a Council debate.

i) RUH Hopper Service – 2,043 signatories

Mr Douglas Ross, Chairman of the Trowbridge Link Scheme in presenting the petition on behalf of the users of the Hopper scheme, expressed the concerns of the petitioners and asked that the Council to work with partners to find a mutually acceptable solution that would see a continuation of the service.

ii) Petition to keep the Connect 2 in service – 38 signatories

On behalf of Mrs Elbro, the petition organiser, Councillor Sue Evans,

presented a separate petition on the Hopper Bus calling on the Council to do all it could to retain the service.

The Chairman thanked Mr Ross and Cllr Sue Evans for the petitions and their comments which would be taken into account as part of the consultation on the issue. He also referred them to the related Notice of Motion No. 20 which would be considered later in the meeting. On being moved and seconded by the Chairman and Vice-Chairman respectively, it was:

Resolved:

That the petitions and comments be noted and be included as part of the consultation on this matter and be taken into account as part of the consideration of motion no. 20 later in the meeting.

b) Petitions Update

A report by the Democratic Governance Manager was presented which provided details of the 6 petitions received for the period since the last Council meeting.

Resolved:

That Council note the report, the petitions received and the actions being taken in relation to them, as set out in the Appendix to the report.

40 **Community Infrastructure Levy**

Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste, presented a report, including a supplement circulated on the 12 May 2015. The Chairman drew Council's attention to the recommendations of Cabinet which had considered the matter at its meeting on the 11 May 2015.

Cllr Sturgis explained that this included the adoption of the CIL charging schedule, planning obligations supplementary planning document, Regulation 123 list and associated community infrastructure policies as set out in the various appendices presented as part of the report. He also drew Council's attention to changes made to the document as circulated in the Agenda Supplement. Cllr Sturgis also explained how the document had evolved, its progression through the draft stage and the consultation mechanisms and feedback including Overview and Scrutiny Committee input. The main principle of the CIL would allow the Council to seek monies for infrastructure especially given that the process for using S.106 Agreements for this purpose had been tightened up considerably.

It was noted that there were some areas that might require further definition. Cabinet had agreed to a further review in due course and had agreed to the preparation of a communication plan to help community and parish groups to understand their role within the strategy. There was an opportunity for new Neighbourhood Development Plans to include a schedule of infrastructure requirements. It was also noted that the Examiner had required two modifications as outlined in the report presented.

Having been duly proposed and seconded, it was:

Resolved

- (i) To note the content of the Examiner's report on the examination of the Wiltshire CIL Charging Schedule (Appendix 1 of the report presented); and accept the modifications in the Appendix of the Examiner's Report, which the Examiner considers are necessary to improve clarity.**
- (ii) That the Wiltshire CIL Charging Schedule proposed in Appendix 3, as amended as set out in (i) above together with the other proposed minor modifications identified in the interest of clarity (Appendix 2 of the report presented), be approved as the appropriate basis for charging CIL in Wiltshire.**
- (iii) To adopt the proposed Regulation 123 List at Appendix 5 and the Instalments Policy as set out in Appendix 6 of the report presented alongside the Wiltshire CIL Charging Schedule in (ii).**
- (iv) To adopt the Planning Obligations Supplementary Planning Document as proposed in Appendix 8 of the report presented.**
- (v) To agree that the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste and, the Associate Directors of Finance and Legal and Governance, will undertake the final stages associated with the formal adoption and implementation of CIL, including any minor textual changes to documents in the interest of clarity and accuracy.**
- (vi) To agree an implementation date for CIL of Monday 18 May 2015.**
- (vii) That the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste develop a communication plan for parish and town councils, as well as representatives from neighbourhood planning steering groups, to help clarify their role in relation to CIL and the delivery of local infrastructure;**
- (viii) That the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste**

monitors the implementation of CIL to determine whether a review of the Charging Schedule is required. In any event, the need for review will be considered by Cabinet within two years of CIL's implementation in Wiltshire.

(Note: in reference to the various appendices in the above resolutions, as emphasised by Cllr Sturgis when moving the recommendations, this includes changes made to them as included in the Addendum to the report circulated in Agenda Supplement 2).

41 Notices of Motion

41a) No. 18 - Community Grants - From Councillors Jeff Osborn and Helen Osborn

The Chairman reported receipt of the above mentioned motion from Councillors Jeff Osborn and Helen Osborn. The wording of the motion was as follows:

"That this Council requires the rules concerning community grants awarded by Area Boards to be amended to allow only one grant per applicant per year".

To assist Council in its consideration of the motion, a briefing note was circulated.

In speaking to his motion, Councillor Jeff Osborn thanked the officers for preparing the briefing note. He expressed concern that some organisations had become serial applicants, that the purpose of the grants has been lost and that organisations should be limited to one grant per year. In his view, this situation had been exacerbated by the removal of revenue grant funding.

However, he accepted that the issue should be should be discussed at an Area Board level and therefore with the permission of his seconder, withdrew the motion.

Motion withdrawn

41b) No. 19 - Burnbake Trust and Group 5 - From Councillors Jeff Osborn and Peter Edge

The Chairman reported receipt of the above mentioned motion from Councillors Jeff Osborn and Peter Edge, worded as follows:

"This Council views with concern the manner in which the policy on voluntary

sector group funding has been implemented. In particular two well regarded voluntary furniture recycling groups, in different parts of the county, have been poorly treated – the Burnbake Trust and Group 5. They have had all their Wiltshire Council funding withdrawn, with little or no consultation.

The consequence is that these organisations are now at risk of closure, with a loss of local community resilience and serious reputational damage to this Council. Council need to reconsider; discuss the matter further with all those involved and seek to salvage something practical from this drastic situation”.

To assist Council in its consideration of the above motion, a briefing note had been circulated.

In speaking to his motion primarily in respect of Group 5, Councillor Jeff Osborn referred to the comments made by the Chair of Group 5 earlier in the meeting. He stated that he remained concerned that there had not been adequate correspondence with the affected groups. Furthermore, he stated that it was a small group fully run by volunteers, who did not charge for the furniture they provided and that they provided a very valuable service to the community. He considered that the reduction in their grant had tarnished the Group’s reputation. He asked that relevant Lead Members visit the organisation to discuss the situation.

Councillor Laura Mayes, the Cabinet Member for Children’s Services, in her response focused on two key issues about consultation and what could be done to address the current situation. The Council had committed to making strategic savings for 2015/16 and that all Voluntary and Community Sector organisations had been advised by letter that the Council was looking to make cuts in this area of at least 10%. She apologised that Group 5 did not appear to have received its letter. The Council also wanted all voluntary organisations to be less reliant on the Council being their sole funders.

In relation to the Burnbake, the Council had provided initial set up and regular funding. Burnbake had secured funds from a number of sources including charitable trusts and raised funds itself, leading them to build up significant reserves.

In relation to Group 5, Councillor Mayes explained that it received funding from Selwood Housing and Trowbridge Town Council, it did not try to raise funds itself. She compared it to other similar organisations which made a small charge for their furniture as a way of generating some income and suggested it should try and undertake some fundraising measures. Furthermore, officers had offered to discuss these issues and would continue to offer assistance in Group 5 securing other sources of funding.

On being moved by the Chairman and seconded by the Chairman, it was **Resolved:**

That Motion No. 19 be debated.

On opening the debate initially to Group Leaders, Councillor Jane Scott stated that some funding was available from the Council's emergency fund which could be used to meet a small charge which could be levied by Group 5. A much wider discussion could be had with Group 5 as with other organisations to include providing opportunities for adults with learning difficulties and for trainees and apprentices.

Councillor Jon Hubbard expressed his concern that there had not been adequate consultation with groups prior their funding being reduced or withdrawn, nor that they had been properly supported to find more sustainable funding before implementation of the cuts imposed by the Council to ensure they were sufficiently prepared.

Councillor Ernie Clark felt that it was unfortunate that misunderstandings had arisen especially where groups had had all their funding cut and expressed concern that the users of Group 5 services were often very needy and might not be able afford to pay any charges.

Councillor Ricky Rogers commended Burnbake for their work and stated that a number of its volunteers did so because it was also being supported by this Council. He agreed that withdrawal of Council funding could tarnish a group's reputation.

Councillor Graham Payne provide some background on the history of Group 5 and its work. He stated that volunteers had benefitted from new skills leading to further employment after periods of unemployment. He made reference o the letter date 30 December to the Chairman of Group 5 which had not properly addressed. He expressed concern as to the inadequacy of the communication, and explained how misunderstandings had arisen as to the scale of the reduction in funding. Furthermore, he emphasised the importance of keeping local members informed of changes to funding in their communities.

Councillor Alan Hill expressed concern that some of the comments in the debate implied criticism of officers who had no right of reply in Council meetings. The Chairman, in response, drew the meeting's attention to the wording of the motion and asked that subsequent speakers restrict their comments to terms of the debate.

Councillor Helen Osborn stated that Group 5 received £5,000 from Wiltshire Council which was used for rent, storage and some petrol. Furthermore, that as there were only 4-5 volunteers running the service they may not have the capacity for further fundraising.

Councillor Fleur de Rhé-Phillipe stated, that in her experience of working with charities, that organisations needed to be flexible and take help where it could be found.

Councillor Bill Moss referred to the importance of maintaining reserves to mitigate against unpredictable financial circumstances.

Councillor John Thomson made reference to Wiltshire Council's voucher system which enabled people to get furniture, and that this scheme was linked to the voluntary sector who could benefit from this. Furthermore he encouraged the group to discuss their future with the Council.

Councillor Gordon King, reminded councillors that some support was rigorously means-tested, and implored that this be revisited.

Councillor Richard Clewer challenged the view that the removal of Wiltshire Council funding would do damage to an organisation's reputation.

Councillor Laura Mayes stated, in response to some of the concerns raised, that the Council had offered to meet groups, via telephone and email, and had given them a named officer to help them find further source of funding. Councillor Jeff Osborn emphasised the importance of face to face contact.

Councillor Peter Edge, in relation to the Burnbake group questioned the amount of reserves quoted earlier in the meeting, it had £75,000 of restricted reserves and an amount in cash. He gave some background on the group and how it was set up to work with people needing work experience and the valuable service it provided. He encouraged the lead member to continue to have a dialogue with Burnbake.

Councillor Laura Mayes confirmed that she was happy to discuss options on securing alternative funding with both groups as well as any other groups in a similar situation. Councillor Laura suggested the deletion of the following section from the motion given the Council had been proactive in trying to discuss the situation with both groups: *'and seek to salvage something practical from this drastic situation'*.

Councillor Simon Killane supported the motion and the engagement by the lead cabinet member. He also suggested the scrutiny process as an avenue to explore the processes involved in this situation.

Councillor Mayes emphasised that the Council had on several occasions offered to meet with Group 5. In accepting the motion, she considered there had to be commitment from Group 5 to meet with the Council.

On being put to the vote, it was

Resolved

- 1. This Council views with concern the manner in which the policy on voluntary sector group funding has been implemented. In particular two well regarded voluntary furniture recycling groups, in different parts of the county, have been poorly treated – the Burnbake Trust**

and Group 5. They have had all their Wiltshire Council funding withdrawn, with little or no consultation.

- 2. The consequence is that these organisations are now at risk of closure, with a loss of local community resilience and serious reputational damage to this Council. Council need to reconsider; discuss the matter further with all those involved.**

The meeting then adjourned for lunch at 13.00

The meeting reconvened at 13.45

41c) No. 20 - RUH Hopper Service - Councillors Jeff Osborn and Helen Osborn

The Chairman reported receipt of the above mentioned motion from Councillors Jeff Osborn and Helen Osborn worded as follows:

“Council remains concerned with the overall manner in which the decision to cease funding the RUH Hopper has been handled. A decision was made without consulting other agencies, such as Wiltshire Clinical Commissioning Group (CCG), the RUH and the local Link schemes.

Council notes growing public unease regarding this matter as evidenced by the increasing numbers supporting the relevant petition.

Council urges the Administration to do everything possible to ensure this invaluable service continues and that members and the public are regularly updated on progress towards this objective.”

The Chairman drew Council’s attention to the briefing note circulated to assist Council in its consideration of the motion and to the earlier presentation of two related petitions.

In speaking to his motion, Councillor Jeff Osborn referred to a letter which accompanied a petition from a user of the service which highlighted the difficulties typically faced by members of the public trying to attend RUH appointments. He expressed his hope that a solution could be reached and expressed concern that negotiations with the relevant parties could be so protracted. Ultimately he looked to the Health & Wellbeing Board to bring the matter to a resolution.

In response Councillor Phillip Whitehead, Cabinet Member for Highways and Transport, explained that he would be happy to support the motion with some amendments to the wording as follows:

~~*“Council remains concerned with the overall manner in which the decision to cease funding the RUH Hopper has been handled. A decision was made without consulting other agencies, such as Wiltshire Clinical Commissioning*~~

~~Group, the RUH and the local Link schemes.~~

Council notes growing public unease regarding this matter as evidenced by the increasing numbers supporting the relevant petition.

Council urges the Administration to do everything possible to ensure this invaluable service continues and that members and the public are regularly updated on progress towards this objective.”

Councillor Jeff Osborn accepted the amendments to his motion and agreed by his seconder. He also sought an assurance that efforts would be doubled to reach a positive resolution on this matter.

Councillor Whitehead went on to thank the petitioners, and emphasised that their views should also be referred to the CCG and the RUH. He provided some background regarding the service and the meeting he had had with health partners. He emphasised his view that Wiltshire Council had no statutory duty to fund this service and that it should be funded by the Health Service.

Councillor Jane Scott stated that it was never the Council's intention to stop this service without a suitable replacement being in place and asked that the resolution be amended to include reference to referring the petition to the Health & Wellbeing Board to ensure that health partners, who attended that meeting, would be made aware of the issues raised.

Councillor Jon Hubbard acknowledged the efforts being made to address this issue of public concern and he welcomed the suggestion that the petition be presented to the Health & Wellbeing Board.

Councillor Ricky Rogers expressed his support for the growing consensus on this issue.

Councillor John Thomson, who had been the Lead Member when this issue was last debated at Council, stated that Health partners had been consulted but a resolution had not been possible at that time. He stated that he hoped that there would be more constructive dialogue now that a firmer decision by the Council had been proposed.

On being put to the vote, it was

Resolved

- 1. That Council notes public unease regarding this matter as evidenced by the numbers supporting the relevant petition.**
- 2. That Council urges the Administration to do everything possible to ensure this invaluable service continues and that members and the public are regularly updated on progress towards this**

objective.

3. That the petition be referred to the Health & Wellbeing Board.

41d) No. 21 - Reduction in the number of Councillors - Councillors Jeff Osborn and Terry Chivers

The Chairman reported receipt of the above mentioned motion from Councillors Jeff Osborn and Terry Chivers worded as follows:

“That Council recognises the need to economise in these hard times and should therefore instigate a process of reducing the number of members to 70.”

Whilst it appreciates that this cannot immediately happen, as division boundaries will need to be revised, it is important that the process starts now, to indicate to the public that we are serious in our commitment to save money.

The Chairman drew attention to a briefing note circulated to assist Council in its consideration of the motion.

In speaking to his motion, Councillor Jeff Osborn stated that the motion had been drafted in response to the public sentiment that the number of Councillors should be cut in response to decrease in the budget. This would have the effect of reducing the amount spent on members’ allowances. However, having read the explanatory briefing note and understanding that the time required to address this was relatively long which would also involve boundary reviews, he stated that he would withdraw the motion.

Motion No. 21 withdrawn

42 Review of Allocation of Seats on Committees to Political Groups and Appointment of Committees

42a) Appointment of Committees and Review of Allocation of Seats on Committees to Political Groups

42b) Appointment of Councillors to Committees

42c) Appointment of Chairmen and Vice-Chairman of Committees

43 Appointments to the Wiltshire and Swindon Fire Authority and Dorset and Wiltshire Fire Authority

The Chairman referred Council to the various items on the agenda on appointments – numbered 11 (a), (b) and (c), and 12, reports on which were presented. He explained that unless anyone had any comments to make on the individual items, he intended to take them together. The Chairman noted that Group Leaders had been consulted on the principles of what was being proposed.

In relation to item 11 (a) – Appointment of Committees, the Chairman reminded Councillors on the Pewsey and Tidworth Area Committee that they had been convened to meet on the rising of this meeting in order to elect its chairman and vice-chairman and establish the Pewsey Area Board and Tidworth Area Board. It was noted that all Area Boards would be asked to elect their respective chairmen and vice-chairmen at their first meeting in accordance with the arrangements set out in the constitution.

The Leader moved a composite motion as circulated in respect of the appointments noting a correction in the member proposed as vice-chairman of Standards Committee being Councillor Jerry Wickham and this was duly seconded.

On being put to the vote, the Leader's motion was CARRIED and it was;

Resolved:

- (a) **To note this 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**
 - **Area Planning – East, North, South and West**
 - **Licensing**
 - **Standards**
 - **Overview and Scrutiny Management**
 - **Children's Select**
 - **Health Select**
 - **Environment Select**
 - **Audit**
 - **Appeals**
 - **Staffing Policy**
 - **Officer Appointments**
 - **Pension Fund**
 - **Local Pension Board (terms of reference agreed by last Council).**
 - **Police and Crime Panel**
 - **Health and Wellbeing Board**
- (c) **To appoint those Area Boards, constituted as area committees as set out in paragraphs 12 to 14 and Appendix 1**

of the report presented and within the Constitution, to comprise the Unitary Councillors for that area (updated to include newly elected members).

- (d) To approve the aggregate number of committee places available to members of the Council being 174 and the number on each committee as follows:-

(Appendix 3 – schedule of committee places)

Committee	Total Number of Places for Elected Members	Conservative Group Allocation (60 seats)	Liberal Democrat Group Allocation (21 seats)	Labour Group Allocation (4 seats)	Independent Group Allocation (12 seats)	UKIP (1 seat)
Strategic Planning	11	7	3	-	1	-
Area Planning Committees						
North	11	8	1	-	2	-
South	11	6	2	2	1	-
East	8	7	-	-	1	-
West	11	7	2	-	2	-
Licensing	12	8	2	-	2	-
Overview and Scrutiny Management	15	8	4	1	2	-
Children's Select	13	8	3	1	1	-
Environment Select	13	7	4	1	1	-
Health Select	13	7	3	1	2	-
Standards	11	7	3	-	1	-
Police and Crime Panel	7	4	2	-	1	-
Audit	11	6		-	1	1
Appeals	8	5	1	1	1	-
Staffing Policy	9	5	2	-	1	1
Officer	5	3	1	-	1	-

Appointments						
Pension Fund	5	4	1	-	-	-
TOTALS:	174	107	37	7	21	2

- (e) To approve the nominations of Group Leaders, as set out in Appendix 2 for the appointment of councillors and substitutes to serve on committees in accordance with the agreed scheme of committee places until the next occasion membership is reviewed under the provisions of the Local Government & Housing Act 1989.
- (f) To reappoint the following co-opted non-voting members to the Standards Committee:
- Mr John Scragg
Miss Pam Turner
Mr Paul Neale
Mr Philip Gill MBE, JP
- (g) To appoint the following non-elected members to the Children's Select Committee:-

<u>Non-Elected Voting Members</u>	<u>Representing</u>
Mrs L Swainston	Church of England
Dr M Thompson	Clifton Diocese Roman Catholic Church
Vacancy	Parent Governor (Secondary- maintained)
Vacancy	Parent Governor (Secondary – academy)
Mrs A Kemp	Parent Governor (Special Educational Needs)
Mr K Brough	Parent Governor (Primary)
<u>Non-Elected Non-Voting Members</u> (Up to Five) Chloe Lintern (Member) Freya Pigott (Deputy)	School, Children and Young People representatives
Ms Cathy Shahrokni Ms Kim Hunte (Deputy)	Further Education Representative
Miss S Busby	Secondary Schools Headteacher Representative
Miss T Cornelius	Primary School Headteachers Representative
Mr J Hawkins	School Teacher Representative

(h) To appoint the following Chairmen and Vice-Chairmen:-

Committee	Chairman	Vice Chairman
Strategic Planning Committee	A Davis	A Trotman
Area Planning Committee – Eastern Connolly		C Howard M
Area Planning Committee – Northern Hutton		T Trotman P
Area Planning Committee – Southern Devine		F Westmoreland C
Area Planning Committee – Western Licensing Committee	P Ridout	C Newbury J Knight D Allen
Standards Committee	J Johnson	J Wickham
Audit Committee	A Deane	R Britton
Staffing Policy Committee	A Bucknell	J Smale
Officer Appointments Committee	J Scott	J Thomson
Pension Fund Committee	T Deane	C Howard
Health and Wellbeing Board	J Scott	delegated to the Board

- (j) To note that the Overview and Scrutiny Management Committee, the Select Committees, Area Boards and the Police and Crime Panel will be asked to elect their respective Chairmen and Vice-Chairmen at their first meeting following the annual meeting of council.
- (k) To appoint the following councillors to serve on the Wiltshire and Swindon Fire Authority for 2015/16

Conservative (6)	Liberal Democrat (2)	Independent (1)
C Devine G Payne M Groom C Newbury B Wayman J Knight	P Edge B Jones	E Clark

- (l) **To appoint the following Councillors to serve on the Wiltshire and Dorset Fire Authority for 2015/16:**

Conservative (6)	Liberal Democrat (2)	Independent (1)	Labour (1)
C Devine G Payne M Groom C Newbury B Wayman J Knight	P Edge B Jones	E Clark	Rogers

Council had agreed at its last meeting to establish the Local Pension Board as required by the relevant Regulations. Councillor Dick Tonge, Cabinet member for Finance, Performance, Risk, Systems Thinking, Procurement and Welfare Reform presented a report which asked Council to approve appointments to the Board, namely 3 scheme member representatives, a Group 3 employer representative and the Independent Chairman to the Local Pension Board (LPB) following the completion of a recruitment process.

Councillor Tonge stated that, currently, there were no persons nominated for Group 1 and Group 2 employer representatives and that these appointments would come back to Council for approval. He also highlighted minor changes made to the Board's terms of reference under delegated powers to include at paragraph 80 which should refer to expenses and not allowances and replacing reference to independent remuneration panel with administering authority.

Resolved

To approve the following appointments to the Local Pension Board:

1. As Scheme member representatives:

- **David Bowater – Active Member, Wiltshire Council**
- **Mike Pankiewicz – Active Member, Wiltshire Council & Unison Representative**
- **Barry Reed – Retired Member, Unison Representative**

2. As Employer representatives (Group 3):

- **Lynda Croft**

3. As Independent Chairman:

- **Howard Pearce**

45 Annual Reports

45a) Annual Report of the Overview and Scrutiny Management Committee 2014/15

Councillor Simon Killane, Chairman of the Overview and Scrutiny Management Committee presented the Overview and Scrutiny Annual Report for 2014/15. Cllr Killane highlighted the work carried out during the year and particularly the work undertaken to positively challenge the work of Cabinet; how the Select Committee's workplan was prioritised to ensure consistency with the Council's Business Plan; the work to develop scrutiny arrangements for the SWLEP, the work to enhance budget scrutiny, allowing Members of the opposition to present for scrutiny their alternative proposals. Furthermore, Councillor Killane singled out the Financial Planning Task

Group for praise in their hard work.

Cllr Killane then gave the opportunity to the chairmen of the Select Committees to comment on relevant key activities during the year for their respective committees.

Children's Select Committee - Councillor Jon Hubbard commended the great team, and in particular the support from officers Henry Powell and Emma Dove. Highlights of the year included: the SEND task group led by a co-opted member; the setting up of a standing task group on Childhood Sexual Exploitation, with a focus on preventative work; and that a Schools Improvement task group was being established. Furthermore, he thanked the Vice-chair and Members of the committee and in particular thanked the co-opted members of the Committee for their hard work.

Health Select Committee – Councillor Christine Crisp stated that the Select Committee had had a busy year with the dramatic changes in the landscape of Health services, including some high profile working groups in Homecare and Mental Health. Furthermore, she expressed the desire that the Select Committee would continue to work productively with partners and the new Health & Wellbeing Board. She expressed her thanks to Vice Chair and the other members of the Committee for their hard work.

Environment Select Committee – Councillor Peter Edge expressed his thanks to the members of the Committee and the officers supporting the Committee. Highlights of the year included the Community Infrastructure Levy task group, the Waste task group, work on Investing in Highways, Flood plan and Car Parking Review. In the coming year the Committee would be looking at Community Transport, Neighbourhood Planning and Gypsy and Traveller issues.

Councillor Simon Killane, in summary, thanked the Chairs for their hard work and commended the report to the meeting.

Resolved:

To receive and note the Annual Report of Overview and Scrutiny for 2014/15.

45b) Annual Report of the Corporate Parenting Panel 2014/15

At the Chairman's invitation, Councillor Laura Mayes introduced this item. She explained that the role of the Corporate Parenting Panel was to secure Councillor involvement and commitment throughout the Council to deliver better outcomes for children and young people who were looked after. All Councillors were reminded of their responsibilities as a "corporate parent" for children and young people who were looked after in Wiltshire.

Councillor Alan Macrae, Portfolio Holder for Safeguarding presented and guided Council through the Annual Report on the Corporate Parenting Panel.

A presentation was made by Bethany Lewis, Jo Harris and Claire Ashton discussing their work as Children in Care Council members and their experiences.

Councillor Macrae expressed his warm thanks for the excellent presentation, thanked members for their generous donations of Christmas presents and encouraged their attendance at future Panel meetings. Furthermore, he thanked Lisa Pullin, Democratic Services Officer, for her hard work in supporting the Panel meetings and Karen Reid, Head of Service for Virtual Schools and the young people who had contributed so successfully to the meetings of the Panel.

The Chair added his thanks for the excellent presentation.

Councillor Jon Hubbard, as a member of the Panel, gave thanks to the officers who supported their work, encouraged Members to visit Aspire House and to attend future Panel meetings.

Resolved:

- (a) To receive and note the Annual Report of the Corporate Parenting Panel and ratify the improvements required to strengthen Corporate Parenting in Wiltshire.**
- (b) To Record the Council's thanks for the young people who presented, namely Bethany Lewis, Jo Harris and Claire Ashton.**

45c) Annual Report on Executive Decisions Taken Under Special Urgency Provision

Council received an annual report as required by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012 concerning decisions taken by Cabinet under the Special Urgency procedure. The report related to the period since the last such report to Council in May 2014.

The Leader confirmed that two decisions had been taken by Cabinet using the Special Urgency procedure during this period. A report on the Porton Science Park and a Report on the Better Care Plan, details contained in the report. She confirmed that the relevant Regulations had been complied with and that this was a procedure only used in exceptional and urgent circumstances.

Resolved:

That Council notes the report presented and that two decisions had been taken under the special urgency provisions since the last report to Council.

46 Minutes of Cabinet and Committees

The Chairman moved that Council receive and note the following minutes as listed in the separate Minutes Book and this was duly seconded by the Vice-Chairman:

Cabinet - 15 March, 21 April 2015
Overview and Scrutiny Management Committee - 3 March 2015
Children's Select Committee - 27 January, 14 April 2015
Environment Select Committee - 17 February, 14 April 2015
Health Select Committee - 10 March 2015
Strategic Planning Committee - 11 February, 11 March, 22 April 2015
Northern Area Planning Committee - 18 February, 11 March, 1 April 2015
Eastern Area Planning Committee - 19 February, 2 April 2015
Southern Area Planning Committee - 26 February, 19 March, 9 April 2015
Western Area Planning Committee - 25 February, 8 April, 29 April 2015
Audit Committee - 10 March 2015
Staffing Policy Committee - 4 March 2015
Joint Strategic Economic Committee (SWLEP) - 1 April 2015
Wiltshire Health and Wellbeing Board - 26 March 2015
Wiltshire Pension Fund Committee - 12 March 2015
Wiltshire Police and Crime Panel - 5 March 2015
Wiltshire and Swindon Fire Authority - 12 February 2015

The Chairman then invited questions from members on points of information or clarification on the above minutes and gave the Chairmen of those meetings the opportunity to make any important announcements on the work of their respective Committees.

Resolved:

That the above mentioned minutes be received and noted.

47 Dates of Council meetings 2015/16

On report by the Chairman, it was

Resolved:

To approve the Council meetings for the remainder of 2015/16 as follows:

2015
14 July

20 October

2016

2 February (if required)

23 February (budget meeting)

10 May (Annual Council)

48 Councillors' Questions

The Chairman reported receipt of questions from Councillors Terry Chivers, Jeff Osborn, Helen Osborn, Chris Caswill and Ernie Clark details of which were circulated in Agenda Supplement No. 1 together with responses where available from the relevant Cabinet member. Details of questions and written responses provided are attached as Appendix ? Verbal responses were also provided as indicated.

Questioners were permitted to each ask one relevant supplementary question per question submitted and where they did so, the relevant Cabinet member responded.

Question 4 – Councillor Chivers – Supplementary question – would provision be made for payments to be made by direct debit or standing orders?
Councillor Tonge explained that whilst this would not be available for the first payment, the Council was looking at direct debits for subsequent payments. No decision had yet been made, assessing all factors to ensure the process would be cost effective.

Councillor Helen Osborn – Questions 5-8 – Supplementary question – asked why the extra costs were not accounted for such as asbestos and other difficulties encountered and why were the contractors not there rather giving up half way through.

Councillor Thomson explained that the contractors had not given up half way through. The Council wanted to make changes to the contract and the quote from the contractor in place was too high in our opinion and alternative arrangements were made with another contractor.

Question 10 Councillor Chris Caswill – Supplementary question – whether Councillor Sturgis had read all the consultation responses received to the Draft Chippenham Site Allocation Plan

Councillor Toby Sturgis explained that he had not yet read all responses which were currently being itemised. In his opinion a large proportion of the responses suggesting the Plan was unsound was an orchestrated response.

Question 13 – Councillor Caswill - Supplementary question – asked when will Councillor Sturgis be able to provide written responses to these questions?
Councillor Sturgis explained that these were verbal responses.

Question 14 – Councillor Caswill – Supplementary question – original timetable provided for revised plans to come before this Council meeting so there is therefore a need for a revised timetable and when will this be made public? Councillor Sturgis explained that the revised timetable could not be made public until such time as we have considered the responses.

Question 17 – would you agree that this particular part of the Care Act was an example of a government delegating responsibility to local authorities without adequate evidence of the impact of such delegation?

Councillor Humphries explained that prior to the pre-election campaign, there was a lot of lobbying with the government who was in the process of reviewing financial support to councils and we await the outcome of this.

Question 18 – wouldn't you accept that reports from the CQC stating that on occasions medicines not provided, residents on occasions not given adequate care plans?

Councillor Humphries explained that every care plan produced by Mears has been reviewed, now have a fantastic system in place for dealing with medicines and it was working with pharmacies on a new regime which will be cascaded out to others who needs further support.

Question 21 – Councillor Caswill – Supplementary question - asked whether given the response if Councillor Whitehead was not in favour of councils providing litter bins?

Councillor Whitehead explained that the Council year after year provides more bins and year after year there is more litter. He provided pictorial evidence which highlighted that negating a little problem was down to education rather than providing additional litter bins.

Question 22 – Councillor Caswill – Supplementary question – asked if Councillor Whitehead would undertake to circulate details to town and parish councils?

Councillor Whitehead confirmed that as soon as the documentation was ready it would be so circulated.

Question 25 – Councillor Caswill – Supplementary question – asked when did Councillor Scott anticipate that the names of the preferred bidders will be available in the public domain?

Councillor Scott explained that this was not a process owned by the Council but a CCG process in which case, Councillor Caswill might like to contact the CCG.

Question 28 – Councillor Ernie Clark – Supplementary question – asked was it the intention of the Council that town and parish councils would be invited to fund minor repairs to play areas rather than simply remove broken equipment and if so, when would this approach commence?

Councillor Jonathon Seed explained that it was adopted this financial year. If any of the play areas need to be repaired with no funds available to do so, then the relevant town or parish council would be contacted with a cost estimate and asked for its decision.

Appendices

Appendix 1 – membership of Area Boards

Appendix 2 – membership of Committees

Appendix 3 - Councillors' questions

(Duration of meeting: 11.00-16.30)

The Officer who has produced these minutes is Yamina Rhouati, of Democratic & Members' Services, direct line 01225 718024, e-mail

Yamina.Rhouati@wiltshire.gov.uk

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

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Area Boards: Electoral Divisions**Amesbury Area Board****Electoral Divisions 6**

Amesbury East
 Amesbury West
 Till & Wylve Valley
 Durrington & Larkhill
 Bulford, Allington & Figheldean
 Bourne & Woodford Valley

Members

John Noeken
 Fred Westmoreland
 Ian West
 Graham Wright
 John Smale
 Mike Hewitt

Bradford on Avon Area Board**Electoral Divisions 4**

Holt & Staverton
 Winsley & Westwood
 Bradford on Avon North
 Bradford on Avon South

Members

Trevor Carbin
 Magnus Macdonald
 Rosemary Brown
 Ian Thorn

Calne Area Board**Electoral Divisions 5**

Calne Rural
 Calne North
 Calne Chilvester & Abberd
 Calne Central
 Calne South & Cherhill

Members

Christine Crisp
 Glenis Ansell
 Tony Trotman
 Howard Marshall
 Alan Hill

Chippenham Area Board**Electoral Divisions 10**

By Brook
 Chippenham Cepen Park & Derriads
 Chippenham Cepen Park & Redlands
 Chippenham Hardenhuish
 Chippenham Monkton
 Chippenham Queens and Sheldon
 Chippenham Hardens and England
 Chippenham Lowdon and Rowden
 Chippenham Pewsham
 Kington

Members

Jane Scott
 Peter Hutton
 Nina Phillips
 Nick Watts
 Chris Caswill
 Desna Allen
 Bill Douglas
 Linda Packard
 Mark Packard
 Howard Greenman

Corsham Area Board

Electoral Divisions 4

Box and Colerne
Corsham Pickwick
Corsham Without & Box Hill
Corsham Town

Members

Sheila Parker
Alan Macrae
Dick Tonge
Philip Whalley

Devizes Area Board

Electoral Divisions 7

Bromham, Rowde and Potterne
Devizes & Roundway South
Devizes East
Devizes North
Roundway
The Lavingtons & Erlestoke
Urchfont & The Cannings

Members

Liz Bryant
Simon Jacobs
Peter Evans
Sue Evans
Laura Mayes
Richard Gamble
Philip Whitehead

Malmesbury Area Board

Electoral Divisions 4

Brinkworth
Malmesbury
Minety
Sherston

Members

Toby Sturgis
Simon Killane
Chuck Berry
John Thomson

Marlborough Area Board

Electoral Divisions 4

Aldbourne & Ramsbury
Marlborough East
Marlborough West
West Selkley

Members

James Sheppard
Stewart Dobson
Nick Fogg
Jemima Milton

Melksham Area Board

Electoral Divisions 6

Melksham Central
Melksham North
Melksham South
Melksham Without North
Melksham Without South
Summerham and Seend

Members

David Pollitt
Pat Aves
Jon Hubbard
Terry Chivers
Roy While
Jonathon Seed

Pewsey and Tidworth Area Committee

Electoral Divisions 6

Pewsey Vale
Pewsey
Burbage & The Bedwyns
The Collingbournes & Netheravon
Ludgershall & Perham Down
Tidworth

Members

Paul Oatway
Jerry Kunkler
Stuart Wheeler
Charles Howard
Chris Williams
Mark Connolly

Royal Wootton Bassett and Cricklade Area Board

Electoral Divisions 6

Cricklade and Latton
Lyneham
Purton
Royal Wootton Bassett East
Royal Wootton Bassett North
Royal Wootton Bassett South

Members

Bob Jones
Allison Bucknell
Jacqui Lay
Mollie Groom
Mary Champion
Chris Hurst

Salisbury Area Board

Electoral Divisions 8

Salisbury Fisherton & Bemerton
Village
Salisbury Bemerton
Salisbury Harnham
Salisbury St Edmund & Milford
Salisbury St Francis & Stratford
Salisbury St Mark's & Bishopdown
Salisbury St Martin's & Cathedral
Salisbury St Paul's

Members

John Walsh

Ricky Rogers
Brian Dalton
Helena McKeown
Mary Douglas
Bill Moss
Ian Tomes
Richard Clewer

South West Wiltshire Area Board

Electoral Divisions 5

Fovant & Chalke Valley
Mere
Nadder & East Knoyle
Tisbury
Wilton & Lower Wylde Valley

Members

Jose Green
George Jeans
Bridget Wayman
Tony Deane
Peter Edge

Southern Wiltshire Area Board

Electoral Divisions 5

Alderbury & Whiteparish
Downton & Ebbles Valley
Laverstock, Ford and Old Sarum
Redlynch & Landford
Winterslow

Members

Richard Britton
Julian Johnson
Ian McLennan
Leo Randall
Christopher Devine

Trowbridge Area Board

Electoral Divisions 9

Hilperton
Southwick
Trowbridge Adcroft
Trowbridge Central
Trowbridge Drynam
Trowbridge Grove
Trowbridge Lambrok
Trowbridge Park
Trowbridge Paxcroft

Members

Ernie Clark
Horace Prickett
Nick Blakemore
John Knight
Graham Payne
Jeff Osborn
Helen Osborn
Dennis Drewett
Steve Oldrieve

Warminster Area Board

Electoral Divisions 5

Warminster Without
Warminster Broadway
Warminster Copheap and Wylde
Warminster East
Warminster West

Members

Fleur de Rhe- Philippe
Keith Humphries
Christopher Newbury
Andrew Davis
Pip Ridout

Westbury Area Board

Electoral Divisions 4

Ethandune
Westbury East
Westbury North
Westbury West

Members

Jerry Wickham
Gordon King
David Jenkins
Russell Hawker

**Appointment of Committee Members
Agreed by Annual Council 13 May 2014**

Strategic Planning Committee (11)

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	UKIP (0)
A Davis	G Ansell	-	T. Chivers	-
S Dobson	D Jenkins			
C Howard	G Wright			
W Moss				
C Newbury				
A Trotman				
F Westmoreland				
Substitutes:				
J Shepherd	B Douglas		E Clark	
M Douglas	H Marshall		D Drewett	
P Oatway	N Watts		G Jeans	
J Wickham	I West			

Area Planning Committee – East (8)

Conservative Group (7)	Liberal Democrat Group (0)	Labour Group (0)	Independent (1)	UKIP (0)
M Connolly	-	-	N Fogg	
S Dobson				
P Evans				
R Gamble				
J Kunkler				
P Oatway				
C Howard				
Substitutes:				
E Bryant			T Chivers	
J Sheppard			E Clark	
P Whitehead			D Drewett	
C Williams			J Osborn	

Area Planning Committee – North (11)

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	UKIP (0)
C Crisp	H Marshall	-	S Killane	-
M Groom	C Hurst			
P Hutton	M Packard			
S Parker				
T Sturgis				
A Trotman				
P Whalley				
Substitutes:				
C Berry	D Allen		E Clark	
M Champion	G Ansell		T Chivers	
H Greenman	B Douglas		D Drewett	
J Lay	N Watts			

Area Planning Committee – South (11)

Conservative Group (6)	Liberal Democrat Group (2)	Labour Group (2)	Independent (1)	UKIP (0)
R Britton	B Dalton	I McLennan	G Jeans	-
R Clewer	I West	I Tomes		
C Devine				
J Green				
M Hewitt				
F Westmoreland				
Substitutes:				
A Deane	P Edge	J Walsh	T Chivers	
L Randall	H McKeown	R Rogers	E Clark	
J Smale	G Wright		D Drewett	
B Wayman	M Macdonald			

Area Planning Committee – West (11)

Conservative Group (7)	Liberal Democrat Group (2)	Labour Group (0)	Independent (2)	UKIP (0)
A Davis	T Carbin	-	E Clark	-
J Knight	M Macdonald		D Drewett	
C Newbury				
H Prickett				
P Ridout				
J Seed				
R While				
Substitutes:				
J Wickham	N Blakemore		T Chivers	
F de Rhé Philippe	R Brown		J Osborn	
K Humphries	S Oldrieve		R Hawker	
G Payne	G King			

Licensing Committee (12)

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (0)	Independent (2)	UKIP (0)
A Bucknell	D Allen	-	G Jeans	-
S Evans	N Blakemore		D Drewett	
J Green	N Watts			
M Hewitt				
S Jacobs				
L Randall				
P Ridout				
Substitutes:				
E Bryant	G Ansell		N Fogg	
A Davis	B Douglas		E Clark	
H Greenman	T Carbin		J Osborn	
W Moss	H Marshall			

Overview and Scrutiny Management Committee (15)

Conservative Group (8)	Liberal Democrat Group (4)	Labour Group (1)	Independent (2)	UKIP (0)
C Crisp	J Hubbard	J Walsh	J Osborn	-
S Dobson	G King		S Killane	
A Hill	M Packard			
J Lay	Ian Thorn			
P Ridout				
B Wayman				
P Whalley				
J Noeken				
Substitutes:				
M Douglas	G Ansell	R Rogers		
H Greenman	T Carbin		G Jeans	
P Oatway	D Jenkins		H Osborn	
C Berry	N Watts		E Clark	

Children's Select Committee (13)

Conservative Group (8)	Liberal Democrat Group (3)	Labour Group (1)	Independent (1)	UKIP (0)
M Champion	P Aves	R Rogers	H Osborn	-
M Douglas	J Hubbard			
S Evans	C Hurst			
J Lay				
S Jacobs				
W Moss				
C Crisp				
P Whalley				
Substitutes:				
C Berry	T Carbin	J Walsh	T Chivers	
J Shepherd	P Edge		D Drewett	
A Davis	I Thorn		J Osborn	
S Dobson	H Mckeown			

Environment Select Committee (13)

Conservative Group (7)	Liberal Democrat Group (4)	Labour Group (1)	Independent (1)	UKIP (0)
P Evans	L Packard	I McLennan	D Drewett	
J Green	B Dalton			
M Groom	P Edge			
J Lay	M Macdonald			
C Newbury				
J Sheppard				
B Wayman				
Substitutes:				
A Deane	B Jones	I Tomes	T Chivers	
M Hewitt	T Carbin	R Rogers	N Fogg	
E Bryant	R Brown		G Jeans	
P Whalley	I West		J Osborn	

Health Select Committee (13)

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (1)	Independent (2)	UKIP (0)
M Champion	B Jones		J Osborn	
C Crisp	G King	J Walsh	C Caswill	
M Douglas	H Mckeown			
J Noeken				
J Knight				
N Philips				
P Ridout				
Substitutes:				
C Berry	T Carbin	I McLennan	D Drewett	
S Evans	D Jenkins	R Rogers		
J Johnson	N Watts		H Osborn	
P Evans	P Aves		T Chivers	

Standards Committee (11)

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	UKIP (0)
A Bucknell	D Allen		T Chivers	
H Greenman	T Carbin			
J Johnson	R Brown			
J Noeken				
P Oatway				
H Prickett				
S Parker				
Substitutes:				
M Douglas	G Ansell		E Clark	
J Wickham	M Macdonald		D Drewett	
P Ridout	H Marshall			
J Smale	B Jones		G Jeans	

Police and Crime Panel (7)

Conservative Group (4)	Liberal Democrat Group (2)	Labour Group (0)	Independent (1)	UKIP (0)
R Britton	G Ansell	-		
C Howard	T Carbin		C Caswill	
P Hutton				
J Johnson				
Substitutes:	B Dalton		E Clark	
C Berry	L Packard			
S Evans	I Thorn		N Fogg	
T Trotman	H McKeown		J Osborn	

Audit Committee (11)

Conservative Group (6)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	UKIP (1)
R Britton	R Brown	-	H Osborn	D Pollitt
A Deane	S Oldrieve			
S Dobson	L Packard			
J Johnson				
S Parker				
J Sheppard				
Substitutes:				
P Evans	H McKeown		T Chivers	
M Hewitt	I West		N Fogg	
J Lay	M Packard		G Jeans	
J Noeken	D Jenkins		J Osborn	

Appeals Committee (8)

Conservative Group (5)	Liberal Democrat Group (2)	Labour Group (1)	Independent (0)	UKIP (0)
C Berry	H Marshall	I Tomes	-	-
A Bucknell	B Douglas			
A Davis				
A Deane				
S Parker				
Substitutes:				
M Hewitt	P Aves			
J Knight	P Edge			
P Oatway	G Wright			
F Westmoreland	D Allen			

Staffing Policy Committee (9)

Conservative Group (5)	Liberal Democrat Group (3)	Labour Group (0)	Independent (0)	UKIP (1)
A Bucknell	B Jones	-	-	D. Pollitt
M Hewitt	D Jenkins			
J Scott	G Wright			
J Smale				
S Wheeler				
Substitutes:				
F de Rhé Philipe	D Allen			
P Evans	M Packard			
W Moss	N Blakemore			
A Trotman	S Oldrieve			

Officer Appointments Committee (5)

Conservative Group (3)	Liberal Democrat Group (1)	Labour Group (0)	Independent (1)	UKIP (0)
F de Rhe Philipe	J Hubbard	-	N Fogg	-
J Scott				
J Thomson				
Substitutes:				
K Humphries	P Edge		T Chivers	
L Mayes	B Jones		D Drewett	
J Seed	G King		G Jeans	
S Wheeler	H McKeown		J Osborn	

Pension Fund Committee (5)

Conservative Group (4)	Liberal Democrat Group (1)	Labour Group (0)	Independent (0)	UKIP (0)
A Deane	M Packard	-	-	-
C Howard				
S Parker				
R While				
Substitutes:				
F de Rhe Philippe	C Hurst			
C Newbury	I Thorn			
P Whitehead	B Jones			
	G King			

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Wiltshire Council

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13 May 2014

Item 18 - Councillors' Questions

From Councillor Terry Chivers, Melksham Without North Division

**To Councillor Toby Sturgis, Cabinet Member for Strategic Planning,
Development Management, Strategic Housing, Property, Waste**

Question 1

At the Strategic Planning Committee, on 16th April, the Conservative Group voted on block to refuse the application for a solar farm at Sandridge.

Can you assure me and the residents of Wiltshire that applications aren't being decided on party lines, and every application is decided solely on planning issues?

Response

I attended the meeting on 16th April and I can give the assurance that for the Conservative Members on the Committee, every application is determined solely on planning issues.

Item 18 - Councillors' Questions

From Councillor Jeff Osborn, Trowbridge Grove Division

To Councillor John Thomson, Deputy Leader of the Council and Cabinet Member for Highways and Streetscene and Broadband

Question 2

Please can I be told that why after all the promises made, BBLP have once again failed to provide the residents of my division with a decent and reliable grass cutting service?

Response

As you are aware WC officers and BBLP spent a lot of time earlier in the year producing definitive maps of all grass cutting areas and issued these to the town and parish councils so that they too would have a definitive record.

From these definitive maps BBLP were tasked with producing grass cutting schedules and identifying the resource they would apply to each area. BBLP did this, showing the levels that would be applied to each area, north, south, east and west. During our regular service meetings with BBLP we expressed concern about the resource being allocated to the West, and to a lesser extent the South. We made it clear to BBLP that we did not think enough resource was being applied to the West.

However, this is a service contract, and we can only determine the outcome of the service not the input. We therefore monitored the situation through the first cut of the year and into the second cut of the year.

Because of our concerns about resource levels, and through our regular weekly review meetings, we elicited a number of response measures that would be invoked if BBLP were to fall behind the agreed schedules.

At the end of cut 1 BBLP were on schedule in the East and the North, but behind in both the West and the South. However the situation was redeemable so we did not invoke the special measures agreed.

During the last week of April our concerns increased re the West falling further behind so on 30th April we requested that the special measures be invoked immediately. Additional teams were employed over the bank holiday weekend at the start of May and by 7th May an additional 3 teams of grass cutters, 9 personal, were allocated to the West to bring it back to schedule. This additional resource will be

provided for the foreseeable future to support grass cutting across the county to ensure appropriate standards are maintained.

The impact of these additional teams could be seen immediately and we will remain until the schedules and all back on time.

Wiltshire Council

Council

13 May 2014

Item 18 - Councillors' Questions

From Councillor Jeff Osborn, Trowbridge Grove Division

To Councillor John Thomson, Deputy Leader of the Council and Cabinet Member for Highways and Streetscene and Broadband

Question 3

Will Balfour Beatty Living Places publicly apologise to the residents of Trowbridge for repeated failures to provide an effective grass cutting service?

Should this aspect of the overall Balfour Beatty contract be curtailed?

Response

BBLP apologise, both to Trowbridge residents, and to the Council for any inconvenience caused by any service shortfall in grass cutting in and around Trowbridge. We have now trebled the resources in the area, and are totally committed to providing an excellent service to Wiltshire Council. We will continue to invest more time, more people and more machines until the end of the season.

My comments:

The grass cutting element is a very small part of the contract. Grass cutting in many areas has been delivered in line with the contractual requirements. The implications of changing the grass cutting service arrangements would have considerable financial and contractual implications to the council. The contract has processes and procedures to manage services not delivering to the contract requirements. Corrective action is the most appropriate action to take when issues arise. Balfour Beatty Living Places have given assurances that the grass cutting arrangements will be delivered in line with the contractual requirements across the county.

Item 18 - Councillors' Questions

From Councillor Graham Payne, Trowbridge Drynham Division

To Councillor John Thomson, Deputy Leader of the Council and Cabinet Member for Highways and Streetscene and Broadband

Question 4

Do you think that Trowbridge will win the "Dandelions in Bloom" competition this year or is it your viewpoint that it would be better for the Town to be entered in the "Best Kept Roadside Verge" category?

Response

By the time judging takes place the Dandelions will no longer be there so we suggest collecting as many as possible now and using one of the following recipes:

Dandelion Wine (2)

- 2 qts dandelion flowers
- 3 lbs granulated sugar
- 4 oranges
- 1 gallon water
- yeast and nutrient

This is the traditional "Midday Dandelion Wine" of old, named because the flowers must be picked at midday when they are fully open. Pick the flowers and bring into the kitchen. Set one gallon of water to boil. While it heats up to a boil, remove as much of the green material from the flower heads as possible (the original recipe calls for two quarts of petals only, but this will work as long as you end up with two quarts of prepared flowers). Pour the boiling water over the flowers, cover with cloth, and leave to steep for two days. Do not exceed two days. Pour the mixture back into a pot and bring to a boil. Add the peelings from the four oranges (again, no white pith) and boil for ten minutes. Strain through a muslin cloth or bag onto a crock or plastic pail containing the sugar, stirring to dissolve. When cool, add the juice of the oranges, the yeast and yeast nutrient. Pour into secondary fermentation vessel, fit fermentation trap, and allow to ferment completely. Rack and bottle when wine clears and again when no more lees form for 60 days. Allow it to age six months in the bottle before tasting, but a year will improve it vastly. This wine has less body than the first recipe produces, but every bit as much flavour (some say more!).

Dandelion Fritters

For the fritters you only need the tops which are very easy to pick. Do pick them in the sunshine when they are open, and when you have time to make the fritters right after gathering. Bring your basket of flowers inside, find a bowl, and mix together one egg and one cup of milk. Stir in a cup of flour and your fritter batter is ready to go. (If you like your fritters sweet you can add a little maple syrup or honey.)

Now, prepare a skillet on the stove with gently warmed olive oil – keep it over medium heat. Take one of the flowers and hold it by the greens at the base of the flower petals. Dip the petals into the batter and twirl until the flower is covered.

Drop it into the skillet, flower side down. Continue dipping and dropping flowers, checking the first ones every once in a while to see if they are brown. When they've lightly browned, flip them over and brown them on the other side. When they're brown on both sides remove them from the skillet and drain the excess oil on paper towel.

For a sweet treat, drizzle them with maple syrup, honey, jam, or powdered sugar. For savoury fritters try dipping in mustard or adding some savoury herbs to the batter.

Enjoy!

Item 18 - Councillors' Questions

From Councillor Graham Payne, Trowbridge Drynham Division

To Councillor Jane Scott OBE, Leader of the Council

Question 5

Could you outline the recent successes of the Local Enterprise Partnership together with a report on the strategy to take this organisation forward? What specific benefits have accrued for Trowbridge as a result of LEP activities?

Response

The Swindon and Wiltshire Local Enterprise Partnership (S&WLEP) is one of 39 Local Enterprise Partnerships established by business and local authorities and approved by government. The Swindon and Wiltshire Local Enterprise Partnership comprises of 8 private sector board members and the 2 Local Authority Leaders, plus a representative from the Higher Education/Further Education sector and the military (43 Wessex Brigade).

To date the S&WLEP has delivered the Growing Places Infrastructure Fund, a £10 million revolving fund that is currently supporting the delivery of 3 Wiltshire projects: Gateway to Growth, a £1 million fund to provide business support including a web based portal and intensive support for growth, focusing on development of; new markets, products and processes, leadership and management capacity. In the first round, 4 local businesses were provided with support, and further rounds are available. Additionally, Wiltshire Council and S&WLEP are working to deliver 'The Enterprise Network', providing incubation space and business support for local businesses.

Currently, S&WLEP is working to develop its Strategic Economic Plan (SEP), setting out the schemes and infrastructure necessary to deliver economic growth through Swindon and Wiltshire. From this, the S&WLEP will negotiate with government its allocation of the Local Growth Fund which constitutes a competitive £10bn funding source for strategic infrastructure projects delivered between 2015 and 2021. As part of this, work is ongoing to establish the governance procedures, including the democratic mandate of the two Local Authorities which is being developed from the initial proposition outlined in the bid to establish S&WLEP, submitted in 2011.

While many schemes as mentioned above are LEP-wide, some bring specific benefits to Trowbridge including:

- Gateway To Growth, which has selected Trowbridge based Wessex Chamber of Commerce as its delivery partner

- White Horse Business Centre at Ashton Court Trowbridge, which is one of the centres in The Enterprise Network. Currently 4 businesses are utilising space at the centre, and through the support scheme 96 businesses have been supported across the 4 centres.

In addition, the Strategic Economic Plan, with reference to Trowbridge specifically, sets out the LEPs bid for £8.74million of Local Growth Funding to support essential transport infrastructure across Trowbridge. These projects seek to ensure that the Trowbridge transport network is developed sustainably to accommodate the future growth of the town and will help lever in an additional £8.84million in private sector contributions. In particular, proposed improvements to the West Ashton/Yarnbrook junctions are expected to create around 1470 jobs, opening up land for employment and housing. The SEP also makes provision for strategic improvements to both the local road network, sustainable transport network and the local rail network, supporting the sustainable development of Wiltshire as a whole up to 2026. These projects collectively amount to over £36million of Local Growth Fund matched by over £35million of private sector contribution.

Details of what this will comprise will be available once negotiations are concluded, but the first version of the Strategic Economic Plan is available at:

<http://www.swlep.biz/docs/1>

Wiltshire Council

Council

13 May 2014

Item 18 - Councillors' Questions

From Councillor George Jeans, Mere Division

To Councillor Jonathon Seed, Cabinet Member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding

Question 6

I am confused about Area Board Funding for 2014-15.

I am proud of what Area Boards have achieved as I know many Councillors would be. I welcomed the impression during the Budget debate that the Area Board Funding would be maintained at the same level as 2013-14.

However I find that SWWAB has been allocated £56,800 (Capital & Revenue) this year, the similar figure for 2013-14 was £96,467 i.e the amount is reduced by some £40K this year.

I have taken last years' amount from the summary attached to the delegated decision reference ACCH-001-13.

The Budget book for this year has the same amount of £1,027,000 as the prior year for Capital Funding, how can this be?

Would it be possible to have the breakdown of Area Board Funding in a similar format to that produced in Spring of 2013 as part of the delegated decision at the time, as it appears that Administration has substantially reduced the base monies of Area Board funding for this year.

Response

The total funding allocated to Area Boards is £1 million in line with Council's budget setting process. However Area Board funding varies from year to year for a number of factors. Last year's allocation included some one off grants for youth funding initiatives, Rural Support Funding and Digital Literacy Funding as well as one off funding for CATG Community Speed initiatives. This year further funding may be allocated following the conclusion of the Youth Services Review when that has been considered by Cabinet. The allocations per Area Board for this year are as follows

2014 Allocation :

Area Board	Capital	Revenue	CATG	Total
Amesbury	57,519.51	£10,151	17,731	85,401
Bradford on Avon	32,922.54	£5,810	10,062	48,795
Calne	38,536.98	£6,801	12,465	57,803
Chippenham	78,525.62	£13,857	18,087	110,470
Corsham	34,938.68	£6,166	10,951	52,055
Devizes	58,551.41	£10,333	15,751	84,635
Malmesbury	34,527.87	£6,093	13,360	53,981
Marlborough	35,437.57	£6,254	13,615	55,307
Melksham	47,438.90	£8,372	13,225	69,035
Pewsey	29,392.01	£5,187	12,377	46,956
Royal Wootton Bassett & Cricklade	49,892.98	£8,805	14,205	72,903
Salisbury	75,926.93	£13,399	14,758	104,084
Southern Wiltshire	37,335.35	£6,589	13,676	57,600
South West Wiltshire	48,299.52	£8,523	17,079	73,902
Tidworth	38,300.43	£6,759	11,757	56,816
Trowbridge	75,942.18	£13,402	15,354	104,698
Warminster	44,968.33	£7,936	15,226	68,130
Westbury	31,543.19	£5,566	10,320	47,430
TOTALS	850,000	150,000	250,000	1,250,000

Wiltshire Council

Council

14 July 2015

Petitions Update

Petitions Received

As of 1 July 2015 five petitions have been received by Wiltshire Council since the last report to Council on 12 May 2015. Further details are shown at Appendix 1 to this report.

No requests have been received to present petitions at this meeting.

Proposal

That Council notes the petitions received and the action being taken, as set out in the Appendix to this report.

Yamina Rhouati
Democratic Governance Manager

Background papers - None
Appendix 1 - Petition update

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Petitions Update - Council 14 July 2015

NAME	DATE RECEIVED	RESPONDENTS	ACTION
<p>Mr Heaton</p> <p>'Enforce removal of the unsightly scaffolding from No. 3 High Street, Warminster'</p>	07/05/15	540	<p>Response sent by Building Control-</p> <p>The building is structurally stable and the site does not constitute an 'untidy' site therefore no action can be taken under a Section 215 Notice. There are limited options open to Wiltshire Council to influence the situation, however it continues to be monitored.</p>
<p>Kate Buttmer</p> <p>'Re-evaluate and revise the 100% cutting of funds to Salisbury Arts Centre'.</p>	18/05/15	1,845	<p>Response sent by Heritage and Arts-</p> <p>The decision to not renew the funding agreement with the Arts Centre rather than to reduce the funding to each of the three arts organisations was taken as it was seen as the least damaging decision to the city as a whole and the Council continues to invest over £250,000 into the Arts in Salisbury.</p> <p>The Council has opened dialogue with the other arts organisations within Salisbury to find a solution which enables the Council to commence a new funding agreement with the Arts Centre in 2016/17.</p>

<p>Alaric Cooper</p> <p>'Bring Rowde into the intervention area for Fibre Broadband provision by Wiltshire Online.'</p>	<p>19/05/15</p>	<p>68</p>	<p>Response sent by Programme Office-</p> <p>The European Commission requires that local authorities can only use public money in areas they can demonstrate there is no current, or planned (within the next three years) deployment of either standard or superfast broadband.</p> <p>As part of their market response, BT informed Wiltshire Council that the cabinet that serves Rowde was in their commercial footprint which meant that the cabinet could not be included in the Intervention Area. Currently the upgrade is on hold due to unexpected high cost however, BT has confirmed that the infrastructure that serves the area is under review to see if the cost can be reduced to make it commercially viable.</p>
<p>John Aubrey</p> <p>'Improved safety for the residents, visitors (and pets) of Yatton Keynell'- This petition relates to speeding in the village.</p>	<p>26/06/15</p>	<p>213 signatures</p>	<p>This petition has been noted at Chippenham Area Board, appropriate action is currently being investigated.</p>
<p>'We are asking Wiltshire Council to allow our trees and hedgerows to grow</p>	<p>31/06/15</p>	<p>70</p>	<p>This petition is to be noted at Devizes Area Board, appropriate action is currently being investigated.</p>

<p>naturally and to only prune very gently and carefully in the dead of winter where absolutely necessary'</p> <p>No contact details for petitioners</p>			
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Note: This does not include petitions received in respect of regulatory matters ie planning and licensing which are dealt with under different procedures.

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Wiltshire Council

Council

14 July 2015

Recommendations of the Standards Committee on Changes to the Constitution

Purpose of Report

1. This report asks Full Council to consider recommendations of the Standards Committee on Changes to the Constitution on the following matters:
 - a) Part 4: Council Rules of Procedure - in relation to public disturbance, recorded votes, State of Wiltshire debate, and councillors' questions (Appendix 4)
 - b) Protocols 1-2: Briefing and Information for Local Councillors and Councillor-Officer Relations (Appendix 5)
 - c) Protocol 7: Media Protocol and associated Social Media Guidance for Councillors (Appendix 6)
 - d) Protocol 9: Monitoring Officer (Appendix 7)
 - e) Protocol 11: Governance Reporting Arrangements (Appendix 8)

Background

2. 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 the committee in carrying out this function.
3. The Focus Group met on 3 December 2014 and 8 January, 1 April and 11 June 2015, to review sections of the constitution as detailed in paragraph 1 and made a series of recommendations.
4. The Standards Committee considered those recommendations on 24 June 2015 and determined what should be endorsed to be approved by Full Council. A briefing on the Standards Committee recommendations was held on 26 June 2015.

Main Considerations

5. The relevant minutes and resolutions of the Standards Committee can be found at Appendix 1. The relevant minutes of the Focus Group meetings listed in paragraph 4 can be found at Appendix 2.

(a) Part 4 - Council Rules of Procedure

6. The Standards considered a series of changes to Part 4 of the Constitution as follows:

Public Disturbances

7. The Standards Committee considered and recommended further clarifications to the rules on public disturbance, in particular regarding the displaying of offensive materials and a requirement for a Chairman to consult with the Monitoring Officer or their designated representative before requiring someone causing a public disturbance to leave a meeting.

Recorded Voting

8. It was also recommended that in order to take advantage of the technology in the County Hall Council Chamber to provide a record of how Members voted in Council, without requiring the use of the technology for inconsequential matters, the rules on voting should be amended to be either recorded or by assent of a meeting, removing the option of a show of hands. It would therefore be at the Chairman's discretion when to utilize the technology, while retaining the right of Members to demand a Recorded Vote.
9. The Focus Group determined that where the Council Chamber technology was utilized, the results of the vote and how members voted should be attached to the minutes of the meeting. In practice, this would mean that for a council meeting there would be no difference between a ballot and a recorded vote, but that the distinction would remain for other meetings.

State of Wiltshire Debate

10. In consultation with Group Leaders, it was agreed to remove the sections in Part 4 in relation to the 'State of Wiltshire' debate, which had not taken place for several years and had been superseded by the development of the Business Plan and its consideration.

Councillors' Questions

11. The final section of Part 4 reviewed was in relation to the submission of and processing of Councillors' Questions for council meetings.
12. The review considered issues in relation to, whether the timescales for submission and rules regarding types of responses were appropriate, how questions were logged and total number of questions presented at meetings.
13. Following consideration by the Focus Group, the Standards Committee determined to amend the Constitution to revise the procedure for submission and processing of councillor questions, with the key changes being:
 - I. Extending the deadline for submission of questions to council to receive guaranteed written responses, with the current deadline being retained with the option of verbal responses.
 - II. Amending the procedure for receipt of the questions at council meetings
 - III. Limiting the number of questions presented at any one meeting to 20 questions, with all other submitted questions guaranteed written responses within 5 working days of the meeting

14. A guidance note for councillors on the questions procedure can be found at Appendix 3, as prepared by the Focus Group and amended further by the Standards Committee.
15. The changes to Part 4 encompassing all these sections can be found at Appendix 4.

Recommendation

16. **That Council approve changes to Part 4 of the Constitution in relation to public disturbances, recorded voting, the 'State of Wiltshire' debate and Councillors' Questions, as shown in the attached tracked change document at Appendix 4.**

(b) Protocol 1: Briefing and Information for Local Councillors and Protocol 2: Councillor-Officer Relations

17. The Focus Group and then Standards reviewed Protocol 1 to consider if the specification of councillors' roles and what information should be provided to them by officers was up to date.
18. A motion from Councillors Jon Hubbard and Stephen Oldrieve at Council on 27 February 2015 further requested Protocol 2 also be reviewed as a result of concerns regarding all councillors being kept up to date by officers, in particular in relation to issues relating to their own electoral divisions.
19. It was also agreed that, in line with other local authorities and owing to the intrinsic connection between the pair, the two protocols should be integrated into a single Protocol.
20. The Focus Group also sought assurances and information from the Corporate Leadership Team on how they would ensure and encourage further officer compliance with obligations to keep councillors informed of relevant information, events and actions within their Divisions as detailed in the Protocol.
21. Standards therefore resolved to approve changes to address the concerns above.

Recommendation:

22. **That Council approve changes to Protocols 1 and 2 of the Constitution, to include their integration into a single protocol and the renumbering of subsequent protocols, and an update to Part 2 of the Constitution, as shown in the attached tracked change document at Appendix 5.**

(c) Protocol 7: Media Protocol, and Social Media Guidance for Councillors

23. The Focus Group reviewed Protocol 7 across the meetings on 3 December 2014 and 8 January, 1 April and 11 June 2015, considering changes in relation

to webcasting, personal websites for Members and Social Media Guidance for Councillors.

24. In addition to amending the Protocol to reflect the incorporation of rules on webcasting council meetings, clarification was sought and added on what situations would necessitate the cessation of a recording, and the procedure a Chairman should follow when determining that course of action.
25. Members considered it vital that guidance in relation to Social Media and personal websites did not in any way seek to restrict Members from being open and critical of the council if necessary in the course of their duties and responsibilities, and recommended the Social Media Guidance be considered as an associated document to the Protocol, and included on the website alongside it, for the assistance of Members on what the risks could be when operating such sites.
26. The Standards Committee therefore resolved to recommend changes to address the concerns above.

Recommendation:

27. **That Council approve changes to Protocol 7 of the Constitution as shown in the attached tracked change document at Appendix 6. And;**

(d) Protocol 9: Monitoring Officer

28. Protocol 9 was reviewed, and mostly minor changes and the inclusion of responsibility to maintain a Register of Interests for Members and Co-Opted Members, as well town and parish councils, were approved.

Recommendation:

29. **That Council approve changes to Protocol 9 of the Constitution as shown in the attached tracked change document at Appendix 7.**

(e) Protocol 11: Governance Reporting Arrangements

30. The Standards Committee agreed to recommend updating and revising the reporting arrangements of committees, and including newer bodies such as the Local Enterprise Partnership and Police and Crime Panel.

Recommendation:

31. **That Council approve changes to Protocol 11 of the Constitution as shown in the attached tracked change document at Appendix 8.**

Safeguarding Implications

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

Equalities Impact of the Proposal

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

Risk assessment

34. There are no significant risks arising from this report

Financial Implications

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

Legal Implications

36. The recommendations in this report are consistent with the relevant legislation, and there are no legal implications arising from this report

Public Health Impact of the Proposals

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

Environmental Impact of the Proposals

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

Proposal

39. **That Council approve the changes to the Constitution as set out in paragraphs, 16, 22, 27, 29, and 31 above.**

Ian Gibbons, Associate Director, Legal and Governance and Monitoring Officer

Report Author: Kieran Elliott, Senior Democratic Services Officer, 01225 718504, kieran.elliott@wiltshire.gov.uk

Unpublished reports relied upon in the preparation of this report: None

Appendices

Appendix 1 - Minutes of the Standards Committee (24 June 2015)

Appendix 2 - Minutes of the Constitution Focus Group (3 December 2014, 8 January, 1 April and 11 June 2015)

Appendix 3 - Procedure for Submission of Council Questions

Recommended Changes for Council Approval

Appendix 4 - Tracked Changes to Part 4 of the Constitution

Appendix 5 - Tracked Changes to Protocols 1 and 2 of the Constitution

Appendix 6 - Tracked Changes to Protocol 7 of the Constitution

Appendix 7 - Tracked Changes to Protocol 9 of the Constitution

Appendix 8 - Tracked Changes to Protocol 11 of the Constitution

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STANDARDS COMMITTEE

MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 24 JUNE 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Julian Johnson (Chairman), Cllr Jerry Wickham (Vice Chairman),
Cllr Desna Allen, Cllr Allison Bucknell, Cllr Rosemary Brown, Cllr Trevor Carbin,
Cllr Paul Oatway, Mr Philip Gill, Mr John Scragg and Miss Pam Turner

Also Present:

Cllr Dennis Drewett and Cllr Magnus Macdonald

13 **Membership and Apologies**

Following the meeting of Council on 12 May 2015, there were the following changes to Membership of the Committee.

Councillor John Noeken was removed as a Full Member of the Committee.
Councillor Jerry Wickham was removed as a Substitute Member and added as a Full Member of the Committee.
Councillor Alan MacRae was added as a Substitute Member of the Committee.

Apologies were received for the meeting from Councillors Terry Chivers, Howard Greenman, Sheila Parker and Howard Prickett.

Councillor Parker was substituted by Councillor Prickett.

14 **Minutes**

Resolved:

The minutes of the meeting held on 21 January 2015 were approved and signed as a true and correct record.

15 **Declarations of Interest**

There were no declarations.

16 **Chairman's Announcements**

With the assent of the Committee, it was agreed to change the order of the agenda to move the Constitution Focus Group Recommendations on Changes to the Constitution forward.

17 **Public Participation and Questions**

There were no questions or statements submitted.

18 **Constitutional Changes**

The Monitoring Officer presented recommendations from the cross-party Constitution Focus Group on changes to the constitution following reviews requested by Standards, Council or which were required by legislative changes, as detailed in the report.

Part 4 - Council Procedure Rules

The Committee considered proposed changes to Part 4 of the Constitution in relation to disturbances by the public, recorded voting, the 'State of Wiltshire' debate and the submission of and presenting of councillor questions to Full Council.

The Committee accepted the reasoning of the Focus Group regarding the proposed amendments to clarifying the rules on dismissal of a member of the public causing a disturbance at a meeting, noting it was the responsibility of Members to ensure a Chairman was aware of the nature of a disturbance or offence if this was not immediately apparent, and that ordering the dismissal of that member of the public remained an option for the Chairman in consultation with the proper officer, not an automatic decision.

The Committee also agreed to the alterations regarding recorded voting and the deletion of a constitutional requirement to hold a 'State of Wiltshire' debate, which was no longer necessary when the presentation of the council's business plan and subsequent debate had taken on many of the characteristics the 'State of Wiltshire' debate had been designed for.

In regards to Councillor questions to Council, members discussed the proposed new procedure, which included a total limit on questions that could be answered at any one meeting, but which still permitted as many questions as councillors wished to submit and guaranteed written responses either before the meeting or within five working days after the meeting depending on which deadline for submission of their question was met. The other key change was to reorder the presentation of questions to Council such that no Member could ask a second question until all other Members who had submitted a question had asked their first questions, with the same rule applying to second and subsequent questions.

The Committee debated whether the proposed procedure was effective and balanced, with some members concerned the procedure might be confusing to implement, although it was noted the elements of the proposed changes had been taken from operations at other councils. It was confirmed that all written responses to questions would be attached to the minutes of the relevant meeting, and it was also felt that as only 20 questions would be received at the meeting, to avoid confusion and delays it was the responsibility of Members to indicate to Democratic Services before a meeting if they did not wish to ask a supplementary question.

It was also requested that the Focus Group consider the paragraphs requiring Members to stand to speak at Council meetings, in particular in the context of equality rules.

Protocols 1 and 2 - Briefing and Information for Local Councillors and Councillor-Officer Relations, and Part 2 - The Constitution

The Committee considered proposed changes to Protocols 1 and 2 of the Constitution as detailed in the report, which would involve their merger into a single Protocol. The changes also required a small amendment to Part 2 of the Constitution regarding rights of members of the public.

The Protocol had been updated to reflect the type and frequency of information councillors should be informed of, particularly in relation to their divisions. Following referral of a motion from Council on response times, these had been amended to be more realistic for councillors and the public, with explanations to be made where meeting those deadlines was not possible.

The Committee was also informed the Corporate Leadership Team had assured that further measures to encourage officers to meet their obligations in respect of providing councillors with information would be taken.

The Committee was satisfied with the proposed changes.

Protocol 7 - Media Protocol

The Committee considered proposed changes to Protocol 7 as detailed in the report, which was mainly focused around the adoption of webcasting guidance, and rules on when broadcasts could or should be suspended.

The Committee accepted the proposed changes, and also proposed adoption of the associated 'Social Media Guidance for Councillors' to assist Members with any social media activity they might undertake.

Protocol 9 - Monitoring Officer

The Committee considered proposed changes to Protocol 9 as detailed in the report, and accepted and approved of these as updates to reflect current practice.

Protocol 11 - Governance Reporting Arrangements

The Committee considered proposed changes to Protocol 11 as detailed in the report, to reflect the creation of new bodies as well as updating the reporting arrangements for existing bodies.

The Committee considered that several Overview and Scrutiny Task Groups, while not standing task groups with the exception of the Financial Planning Task Group, such as the Safeguarding Children and Young People Task Group, were of such importance and expected to be long-running, that it might be more appropriate if they were to be formally constituted as sub-committees rather than Task Groups, and that this view be reported to the Overview and Scrutiny Management Committee.

The Committee also noted the series of changes as detailed in the report to be made by the Monitoring Officer under delegated powers to reflect the decisions of Full Council, ensure consistency and update following changes in legislation. In particular changes to the rules and procedures on dismissal of Heads of Paid Service, Monitoring Officers and s.151 Finance Officers were required to be made and reported to Full Council on 14 July and would require constitution changes including to Part 15 - Officer Employment Procedure Rules, as well as the contractual implications.

Resolved:

- 1) To recommend that Council adopt the proposed changes to the Constitution in relation to Part 4, Protocols 1-2 and Part 3, Protocol 7, Protocol 9 and Protocol 11, as detailed in the agenda papers subject to any amendments detailed above;**
- 2) To note the intention of the Monitoring Officer to make changes under delegated authority contained in Article 15.3 of Part 2 of the Constitution to make necessary amendments to Part 2.1, Part 3, Part 7, Part 14, Part 15 and a new Protocol 2, as detailed in agenda papers; And,**
- 3) To request the Overview and Scrutiny Management Committee consider reviewing whether standing or especially significant and expected to be long running Task Groups should be constituted as formal sub-committees, as detailed in the minutes above.**

19 Draft Annual Governance Statement 2014/15

The Monitoring Officer presented a report on the draft Annual Governance Statement, as drafted by the Governance Assurance Group which is comprised of senior officers who have lead roles in corporate governance and a representative from the Audit Committee, to review the effectiveness of the council's governance arrangements.

It was noted that paragraphs 27 and 70 of the draft Statement related to governance arrangements under the responsibility of the Standards Committee, and no objections were raised.

Members discussed the draft, and requested further drafting to ensure consistency across the document.

At the end of discussion, it was,

Resolved:

To note that the draft AGS will be revised in the light of comments from the Committee, as detailed above and further work by the Governance Assurance Group before being brought back to the Audit committee for final approval and publication with the Statement of Accounts at the end of July.

20 Status Report on Complaints

The Monitoring Officer presented an update on Complaints received since the last meeting of the Committee, noting that the total number was at present significantly down on those received in 2014, and that very few had been referred for investigation.

Members considered whether the reduction was as a result of the difficulties discussed in previous meetings regarding identifying a specific section of the Code under which to underpin a complaint, or lack of faith in the limited sanctions, but noted they had previously resolved to attempt to lobby the government for increased sanctions to be permitted and to strengthen to Code, and that these would be considered at their next meeting.

Resolved:

To note the update and the intention to bring proposed changes to the Code of Conduct to the next meeting of the Committee.

21 Forward Plan

The Forward Work Programme was approved.

Due to the change in date of the Council meeting from 20 October to 29 September 2015, it was noted the date of the next Standards Committee would need to be brought forward from 7 October.

Details would be circulated to Members and on the council's website as soon as they were available.

22 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 3.20 pm)

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

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CONSTITUTION FOCUS GROUP

MINUTES OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 3 DECEMBER 2014 AT NORTH WILTSHIRE ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Jon Hubbard, Cllr Julian Johnson, Cllr Helen Osborn, Cllr Jeff Osborn and Cllr Stuart Wheeler (Chairman)

34 **Apologies**

Apologies were received from Councillor Ernie Clark, Miss Pam Turner and Mr Paul Neale.

35 **Minutes of the Previous Meeting**

The minutes of the meeting held on 28 May 2014 were presented for consideration and it was,

Resolved:

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

36 **Review of Part 3: Responsibility for Function and Schemes of Delegation**

The Monitoring Officer presented a report on proposed changes to Part 3 of the Constitution in relation to election of Area Board Chairmen and Cabinet Member representation on Area Boards which did not have a Cabinet Member as a standing Member, following a request from Council on 29 July 2014 for the details to be clarified further.

One issue was the election of a Chairman in a unitary election year where an equality of votes occurred. It was also necessary to clarify what should happen if both Chairman and Vice-Chairman were nominated to be the Chairman for the forthcoming year.

The Focus Group considered that the process should be kept as simple as possible. . and determined that the Democratic Services Officer present should preside over the election in each year, drawing lots in the event of an equality of votes.

Regarding Cabinet Member representation on Area Boards the rules should be amended to clarify that a Cabinet Member would attend an area board meeting upon request reflecting current practice as well as the commitment of Cabinet Members to attend if so requested.

Resolved:

To advise the Standards Committee to recommend Council to adopt the proposed amendments to Part 3 of the Constitution as contained at Appendix 1 to these minutes.

37 **Review of Protocol 7: Media Relations and Protocol 1: Briefing and Information for Local Councillors**

The Monitoring Officer presented a draft revised Protocol 7- Media Protocol - and sought the views of the Focus Group on proposed additions to take into account the increased relevance and impact of Webcasting and Social Media policies for Members, as well as whether or not Protocol 1 - Briefing and Information for Local Councillors - should be incorporated within the same protocol.

The Focus Group considered the guidance on Webcasting which had been provided to Members ahead of the meeting of Council in October 2014 when the Council first utilized its Webcasting system, and the change in legislation which meant that members of the public have the right to record public meetings.. It was noted that although it would be advisable for those wishing to record a meeting to speak to council officers beforehand in case any practical arrangements or special requirements are needed, this could only be advisory.

Members wished to include safeguards within the guidance on webcasting to ensure that the chairman's power to suspend or terminate recording was exercised appropriately and that the interests of vulnerable persons were protected. . When considering the Social Media policy the Focus Group stated that much of it applied to officers only rather than also Members, and that provisions relating to restriction of content of blogs and posts should be confirmed to only apply to Wiltshire Council maintained social media. It was requested an updated and more member specific policy be brought back to the Focus Group, to also include reference to the behaviours framework.

The Focus Group further determined that Protocol 1 and Protocol 7 should remain separate protocols.

Resolved:

To amend Protocol 7 and Protocol 1 taking account of the comments of the Focus Group, to be approved at the next meeting.

38 **Review of Part 4: Rules of Procedure**

The Monitoring Officer presented a report on proposed amendments to Part 4 of the Constitution. The changes would be made under the delegated authority of the Monitoring Officer under Article 15.3 of Part 2 of the Constitution.

It was explained the amendments would be to ensure consistency with the rest of the Constitution and to correct cross referencing errors. The main changes would be to clarify the minimum quorum for committees to be three voting members and move the paragraph detailing which sections applied to which committees of the council to the front of the document.

The Focus Group also noted the paragraphs in relation to an annual 'State of Wiltshire' debate, which had not taken place for many years. It was recognised that this had largely been superseded by the council's consideration of the Business Plan, although this did not encompass all matters that were envisaged by a State of Wiltshire debate.. Prior to any changes being recommended to those paragraphs, it was requested the views of Group Leaders should be sought.

An amendment was also requested to ensure that a Chairman would be obliged to count members to determine if a meeting was inquorate.

Resolved:

To note the proposed changes to Part 4 of the Constitution as detailed in the report, and to refer the sections on the 'State of Wiltshire' debate to Group Leaders for consideration.

39 **Forward Plan and Date of Next Meeting**

The Forward Plan and date of the next meeting as 7 January 2015 was noted.

40 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.15 - 3.30 pm)

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CONSTITUTION FOCUS GROUP

MINUTES OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 8 JANUARY 2015 AT THE LEADER'S OFFICE, COUNTY HALL, TROWBRIDGE, BA14 8JN.

Present:

Cllr Stuart Wheeler (Chairman), Cllr Ernie Clark, Cllr Jon Hubbard, Cllr Julian Johnson, Cllr Helen Osborn and Cllr Jeff Osborn

1 **Apologies**

Apologies were received from Mr Paul Neale and Miss Pam Turner.

2 **Minutes of the Previous Meeting**

The minutes of the meeting held on 3 December 2014 were presented for consideration, and it was,

Resolved:

That subject to amending “The Democratic Services Representative may” for “The Democratic Services Representative shall” under paragraph 4.9.4 and 4.9.5 of Appendix 1, to APPROVE as a true and correct record and sign the minutes.

3 **Review of Protocol 7: Media Relations**

The Monitoring Officer presented amendments to Protocol 7 as requested by the Focus Group at its last meeting, clarifying wording on when a Chairman could suspend the recording of a meeting, and other minor changes.

It was requested that it be specified that a designated representative of the Monitoring Officer could be consulted by a Chairman on whether to suspend recording of a meeting. It was also stated that if anyone recording a meeting was responsible for any claims resulting from their recording and would be required to indemnify the council in relation to such claims, this would need to be drawn to their attention with a notification or announcement.

In debating the proposed social media guidance for councillors, the Focus Group determined this should be included within the Protocol as an appendix. The views of the Corporate Leadership Team were to be sought on the contents before a draft was to be considered by the Focus Group for approval.

The Focus Group also considered whether generic advice on Pre-Election Periods should be included within the Protocol, but considered that as a reminder of legal obligations tied to specific legislative deadlines depending on which election was taking place, this should continue to be issued by the Monitoring Officer as and when necessary.

Resolved:

That subject to the later approval by the Focus Group of Social Media Guidance for Councillors, to recommend to the Standards Committee to request Council adopt the proposed revisions to Protocol 7.

4 Review of Protocol 1: Briefing and Information for Local Councillors

The Monitoring Officer presented a revised Protocol 1, which contained a condensed version of the same information as contained in the existing Protocol.

The Focus Group advised on the roles of councillors that should be specifically mentioned within the Protocol, and discussed the level of information regarding their divisions that councillors currently received from council officers, what they felt councillors should be able to receive or be notified of, and how best to facilitate that level of notification. It was noted that currently councillors were not consistently informed of important business within their Divisions.

The Focus Group felt that with the adoption of paperless working and advances in electronic communication and monitoring of issues raised with the council, the Protocol should be redrafted following an investigation into the most appropriate method of notifying councillors of important business within their Divisions.

Resolved:

For a redrafted Protocol 1 to be considered at a future meeting of the Focus Group.

5 Review of Protocol 9: Monitoring Officer

The Monitoring Officer presented revisions to Protocol 9 of the constitution, which were stated to be mostly cosmetic changes, as well as the inclusion of the responsibility to maintain a Register of Interests for members and co-opted members of the council, as well as the town and parish councils of Wiltshire.

Resolved:

To recommend to the Standard Committee that Council adopt the changes to Protocol 9.

6 **Review of Protocol 11: Governance Reporting Arrangements**

The Monitoring Officer presented proposed revisions to Protocol 11 of the constitution, updating the governance reporting arrangements of the council.

The Focus Group debated the proposed changes, requesting external and internal audit list the same 'interested committees', and for updates to include Looked After Children and Safeguarding issues, and references where appropriate to newer bodies such as the Police and Crime Panel and Health and Wellbeing Board. It was also confirmed that amending the constitution remained the responsibility of Council, and this should be made clearer in the document.

Resolved:

For the Focus Group to consider further revisions at its next meeting.

7 **Review of Protocol 10: Code of Corporate Governance**

The Monitoring Officer stated that Protocol 10 was being revised through the Governance Steering Group, a body of senior officers including the Monitoring Officer and the Associate Director of Finance, as well as the Vice-Chairman of the Audit Committee.

Resolved:

For the Focus Group to consider any proposed revisions at its next meeting.

8 **Forward Plan and Date of Next Meeting**

It was requested the date of the next meeting be moved from 11 March 2015, with details to be circulated when arranged.

The Forward Plan was noted, with the intention to approve those items deferred for further consideration from the current meeting, along with if possible the Contract and Procurement rules, for final approval at the Council meeting on 12 May 2015.

9 **Urgent Items**

There were no urgent items.

(Duration of meeting: 1.10 - 2.20 pm)

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CONSTITUTION FOCUS GROUP

MINUTES OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 1 APRIL 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Stuart Wheeler (Chairman), Cllr Ernie Clark, Cllr Jon Hubbard, Cllr Julian Johnson, Cllr Helen Osborn and Cllr Jeff Osborn

10 Apologies

Apologies were received from Mr Paul Neale and Miss Pam Turner.

11 Minutes of the Previous Meeting

The minutes of the meeting held on 8 January were presented for consideration and it was,

Resolved:

To approve and sign as a true and correct record.

12 Protocol 7 - Media Relations (Social Media Guidance for Councillors)

At its last meeting the Focus Group considered and approved proposed changed to Protocol 7 - Media Relations - particular in respect of changes required as a result of the implementation of webcasting for some council meetings. It was further decided that councillors should be provided with a specific social media guidance policy similar that which applied to officers of the council.

The Monitoring Officer presented draft 'Social Media Guidance for Councillors' which could be included within the constitution or linked as an associated document. Members noted that any council business or information conducted on social media was subject to the same Freedom of Information rules as email messages, and that this as well as the need to remind councillors of their responsibilities and the potential risks through use of social media, justified the creation of the guidance to assist all Members.

Members discussed the contents of the guidance, and supported the focus on common sense advice, but were clear that the ability of members to be able engage in robust political comment and challenge on their own social media was essential, particularly as there could be circumstances where a councillor had a duty to report matters which could be argued would damage the reputation of the council.

Members were satisfied that the Guidance could form an advisory note for councillors, rather than be contained within the body of the constitution proper.

Resolved:

To review a final draft of the Social Media Guidance for Councillors at the next meeting of the Focus Group.

13 **Protocol 1 - Briefing and Information for Local Councillors and Protocol 2 - Councillor/Officer Relations**

At its last meeting the Focus Group considered revisions to Protocol 1 - Briefing and Information for Local Councillors - and requested further alterations.

The Monitoring Officer presented a proposal for Protocol 1 to be subsumed within Protocol 2 - Councillor/Officer Relations - with paragraphs to detail the general obligation of all officers to provide councillors with information of events occurring within their Divisions, and a detailed appendix setting out what information should be provided and how it could be accessed or circulated.

Members supported the proposal, and requested the Corporate Leadership Team consider the obligations of officers carefully and ensure that these were strongly reemphasised as the Protocol was finalised in order to improve this essential service.

Protocol 2 also contained details of timescales by which officers should acknowledge and respond substantively to questions and requests for information from councillors, and at Council on 24 February it was agreed to refer to the Standards Committee to review this section, along with whether there should be similar formal timescales within the constitution for officer acknowledgement and response to public enquiries, following a motion from Cllrs Jon Hubbard and Steve Oldrieve.

Members acknowledged that resource levels impacted how well the timescales as laid out for responses to councillors were met, currently 2 days for an acknowledgement and a further five days for a substantive response, and discussed whether these were realistic and reasonable timescales, and requested CLT determine whether any particular areas experienced problems meeting those deadlines.

It was noted that members were bound by similar timescales when responding to public queries, and if the councillor-officer timescales were unrealistic this had a direct impact on the councillor's ability to respond within time to queries they had received. It was considered that the timescale for officer response to councillor queries should be less than that for a public query, to enable councillors to obtain answers on behalf of those residents who had contacted them for assistance, within the timescale.

The council's website contained guidelines for response to public queries, being 2 days for an acknowledgement and 10 days for a more detailed response, and it was felt that this wording should be included as a formal commitment within the constitution at Part 2 article 3.1 as a right of the member of the public, but with a deadline of 15 days for a more detailed response.

Resolved:

To seek the views and CLT and receive draft proposals at the next meeting of the Focus Group.

14 **Protocol 11 - Governance Reporting Arrangements**

The Focus Group considered further amendments to Protocol 11 following the last meeting, and made further suggestions in respect of interested parties regarding the Local Enterprise Partnership.

Resolved:

To recommend that the Standards Committee ask Council to approve the changes to Protocol 11 as attached.

15 **Part 4 - Council Rules of Procedure**

The Focus Group considered proposals to review Part 4 of the Constitution in relation to the following areas.

15a **Part 4 - State of Wiltshire Debate**

Following a request from the Focus Group, Group Leaders had considered the paragraph on the 'State of Wiltshire' debate that had not taken place at council for several years. Group Leaders were in agreement that the debate had been overtaken by other events such as consideration of the business plan, and the paragraphs were therefore redundant.

Resolved:

To recommend to the Standards Committee that Council delete paragraphs 119-123 of part 4 of the constitution in respect of the 'State of Wiltshire' debate.

15b **Part 4 - Questions**

In response to the continued high number of questions submitted at Council meetings, the Focus Group considered the paragraphs in relation to councillor submitted questions for full council and whether the impact on officers and members from the current timescales was acceptable, or if different timescales or processes could improve the procedure for members, officers and the public.

The Focus Group considered the impact on officers from the current timescales in preparing large numbers of responses for approval, while feeling that a restriction on the number of questions that could be submitted was not appropriate, and whether some questions should be signposted to other persons or committees.

On balance the Focus Group felt that a further pushing back of the deadline for submission of questions to permit more time for responses to be prepared might be acceptable, but some members felt this should only be recommended were there changes to insist that a written response must be provided as a result, rather than an acceptable answer, as at present, being merely that a verbal answer would be provided at the meeting. This recognised that in some instances a full answer might not be able to be provided in written form and might need updating verbally at the meeting, but that some form of detail should be provided beforehand to enable supplementary questions to be readied by the questioner.

It was not felt suitable for questions to have the same deadline as Notices of Motion, given the lack of potential need for an officer report to be prepared.

Resolved:

For proposals on changes to the procedures in relation to Council Questions to be presented to the Focus Group at its next meeting.

15c **Part 4 - Recorded Votes**

In response to the possibility of utilizing the electronic voting system for every vote in Full Council meetings, and the names for each vote being then available in the minutes, being raised at the last Council meeting on 24 February, the Focus Group considered the potential advantages and limitations to such a

change, which would require alteration to the rules in the constitution regarding recorded votes.

During debate it was noted that with most votes in Council meetings being taken by acclamation of the meeting rather than a formal show of hands or recorded vote, although the electronic system was faster than the old method of recording votes, it was nevertheless an unnecessary use of time for many votes which were procedural or otherwise uncontroversial.

It was felt that by removing the option to determine a vote by show of hands, and leaving it to the Chairman's discretion to use the electronic voting system or to approve by acclamation of the meeting, while retaining the ability for members to force a recorded vote, a balance was achieved that did not require the system for all votes, but that any vote that in the opinion of the Chairman would involve significant dissent or was of clear significance, could utilise it.

It was further felt that in the event of the system being used, whether a forced 'recorded vote' or the Chairman deciding to utilise the system of their own volition, the results should be appended to the minutes of the meeting.

Resolved:

To recommend that the Standards Committee ask Council to approve changes to Part 4 of the Constitution as attached.

15d **Part 4 - Public Disturbances**

Following a disturbance at a Council meeting on 24 February 2015 the Focus Group was asked to consider if the current provisions on handling public disturbances were appropriate, particularly in relation to offensive materials.

The Focus Group considered that the current provisions could be strengthened to clarify the powers of the Chairman to eject a member of the public acting inappropriately, but requested additional wording for the Chairman to consult with the Monitoring Officer or his designated representative before utilising the authority to ensure it was considered appropriately before use.

Resolved:

To recommend to the Standards Committee to ask Council to approve the changes to Part 4 of the Constitution as attached.

16 **Forward Plan and Date of Next Meeting**

The date of the next meeting was confirmed as 27 May 2015.

With the April meeting of the Standards Committee cancelled due to insufficient business, the Focus Group requested it meet in Mid-June to enable time to

consider the multiple constitutional changes that would be scheduled for approval.

17 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 3.45 pm)

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CONSTITUTION FOCUS GROUP

MINUTES OF THE CONSTITUTION FOCUS GROUP MEETING HELD ON 11 JUNE 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Stuart Wheeler (Chairman), Cllr Jon Hubbard, Cllr Julian Johnson and Cllr Jeff Osborn

18 Apologies

Apologies were received from Mr Paul Neale, Miss Pam Turner and Cllrs Ernie Clark and Helen Osborne.

19 Minutes of the Previous Meeting

Resolved:

To approve and sign as a correct record the minutes of the meeting on 1 April 2015.

20 Review of Part 4: Council Rules of Procedure - Councillors' Questions

Following debate at the previous meeting on 1 April 2015, the Focus Group considered a discussion paper on the procedures of other local authorities regarding councillors' questions, and potential changes that could be applied to Wiltshire Council if appropriate.

The Focus Group considered whether, as with many other local authorities, there should be a limit on the amount of council time allotted for council questions, or the number of questions that could be received at any one meeting. While the Focus Group had no wish to limit the ability of Members to submit questions, during debate it was determined an upper limit on questions to be presented at any one meeting would be appropriate, rather than a time limit, with any other questions received to be listed at a meeting and given written responses shortly after that meeting.

The Focus Group also discussed the timescales for submission of questions and the best way to encourage members to submit questions early to enable proper responses to be drafted. It was determined that the guarantee of written responses to questions would encourage earlier submission of questions, and

to that end it was agreed that two deadlines would be the most appropriate solution, one for a guaranteed written response, and a second deadline where verbal responses could be given.

A further procedural change agreed was that questions presented at a meeting should be in order of receipt by members, but that no member should be able to ask a second question until all other members who had submitted a question had been able to ask their first questions, with the same principle applying to third and subsequent questions. As such, as many members as possible would be directly engaged at the meeting if they asked a question.

It was not felt that restrictions on similar questions being submitted within a certain timeframe was appropriate, due to the potential difficulties and disagreements about how similar questions were or how similar the responses would need to be.

It was also considered that due to the personal responsibility and focus arising from the Executive model of local government as existed in Wiltshire, it was not appropriate to reject questions which had received officer responses on operational or performance issues, as the particular view of the relevant Cabinet Member might be necessary to be sought in addition to any officer view.

Resolved:

That further to Group Leaders being informed of the proposals, to recommend to the Standards Committee that Council should approve amendments to Part 4 of the Constitution in relation to Councillors' Questions to encompass the procedure changes detailed above.

21 **Review of Protocol 2: Councillor-Officer Relations (including Briefings and Information for Councillors - previously Protocol 1)**

The Focus Group received a report on the latest amendments to Protocols 1 and 2 of the Constitution, which if approved would be amalgamated.

As requested by the Focus Group at its last meetings it was reported that the Corporate Leadership Team (CLT) had considered the changes and accepted the proposed timescales for responses to Member and public queries as reasonable and deliverable, and would be treated as maximum deadlines even as much faster responses would be aimed for.

CLT had further commented that work would be undertaken with Associate Directors to make all officers aware of their obligations to inform Members of issues within their Divisions, while emphasising that Members would also need to remain aware where confidential information was provided to local Members this would need to remain in confidence.

Subject to some further minor amendments regarding out of date wording and the right of political groups to request briefings from officers, it was,

Resolved:

To recommend to the Standards Committee that Council approve the changes to Protocols 1 and 2 of the Constitution as detailed.

22 **Review of Protocol 7: Media Protocol - Social Media Guidance for Councillors**

The Focus Group received the latest draft of the 'Social Media Guidance for Councillors' following their comments at the last meeting, and were satisfied it addressed all the issues raised.

Resolved:

To recommend the Standards Committee adopt the 'Social Media Guidance for Councillors' and publish it alongside Protocol 7 of the Constitution, the Media Protocol, for the assistance of Members.

23 **Changes to Statutory Dismissal Procedures for Heads of Paid Service, Monitoring Officers and s.151 Finance Officers.**

The Monitoring Officer advised the Focus Group of the publication of the *Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015* which had come into force in May 2015 and which required contractual and constitutional changes in relation to dismissal procedures for Heads of Paid Service, Monitoring Officers and s.151 Finance Officers.

The regulations required appropriate changes be made and reported to the next ordinary meeting of Council, and the Local Government Association (LGA) in discussion with the Department of Communities and Local Government (DCLG) would advise further on the exact nature of the changes required.

Resolved:

To note that changes to the Constitution as required by the Regulation above would be reported to Council on 14 July 2015.

24 **Changes Undertaken by the Monitoring Officer**

The Monitoring Officer detailed some changes that had or would need to be made to the Constitution, which would be made under his delegated authority as provided under Article 15.3 of Part 2 of the Constitution in order to reflect '*...the decisions of Full Council, changes in the law, to correct errors or clarify ambiguities, where to do so does not alter (but gives further effect to) the executive arrangements or the principles enshrined in the constitution*'.

The Focus Group were advised of the need for changes in relation to Part 2.1 - Committee Structure, Part 14 - Members Allowances, Part 3 and a new

Protocol in relation to Local Pension Boards and Part 7 - Cabinet Procedure Rules.

Resolved:

To note the intention of the Monitoring Officer to make changes to the Constitution under Article 15.3 of Part 2 as detailed above.

25 **Forward Plan and Date of Next Meeting**

Resolved:

To confirm the draft Forward Plan and confirm the next scheduled meeting as 2 September 2015.

26 **Urgent Items**

There were no urgent items.

(Duration of meeting: 4.00 - 5.10 pm)

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

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

Procedure for Councillor Questions at Council Meetings

1. The purpose of this procedure note is to provide guidance to Members and officers on how questions at Council meetings shall be dealt with.

It is intended to be read alongside, and to be complementary to, paragraphs 50-71 of Part 4 of the Constitution - Council Procedure Rules. If there is any conflict between the two then the Council Procedure Rules shall take precedence.

2. Members are encouraged to deliver any question as early as possible. Paragraphs 54-55 provides that questions on notice should be delivered to the Democratic Governance Manager no later than 5pm nine clear working days before the date of the relevant Council meeting in order to be guaranteed of a written response prior to the council meeting.

Questions received between nine and no later than 5pm four clear working days before a meeting may only receive a verbal response. Any questions received after this deadline will be received at a future meeting.

3. Members are however encouraged to refer the question to the appropriate Head of Service or Director, as appropriate, in the first instance, whenever questions relate to operational issues.
4. In accordance with paragraph 62, questions will be taken in the order of receipt per member, but a member may not ask a second question until all other first questions from other members have been dealt with. The same principle applies to third and subsequent questions.

For example, if member A submits four questions, and afterwards member B and thereafter member C submit two and one question respectively, the order of presentation at the meeting would be:

Q1 Member A
Q2 Member B
Q3 Member C
Q4 Member A
Q5 Member B
Q6-7 Member A

5. No more than 20 questions will be answered at the meeting from the list of questions submitted in accordance with paragraph 64. All questions will be recorded in an update received at the meeting, and any question which was given a verbal response will also receive a written response from the appropriate member no later than 5 clear working days after the meeting and also be attached to the minutes of the meeting.

6. Members should therefore submit their questions listed in priority order in accordance with paragraph 57, and should indicate to Democratic Services prior to the meeting if they do not wish to ask a supplementary question.
7. In exceptional circumstances the Chairman may allow questions without the full period of notice having been given where he or she is satisfied there is sufficient justification. In these circumstances, there is no guarantee that a full or written reply will be given at the meeting.
8. In accordance with paragraph 53 Member questions shall only be permitted at extraordinary meetings if they relate to the subject(s) under consideration at the extraordinary meeting.

Part 4

RULES OF PROCEDURE: COUNCIL

Application to committees and sub-committees

1. All of the council rules of procedure apply to meetings of Full Council. Only paragraph 48 applies to meetings of the cabinet. Only paragraphs 15 – 41; ~~94 95 – 118~~119; ~~123-120~~ – 1303; 1325; 13740; 1403 - 1458 apply to meetings of committees and sub-committees.

Annual meeting of the Council

2. In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the annual meeting will take place in March, April or May (Local Government Act 1972, Schedule 12, paragraph 2).
3. The annual meeting will:
 - elect a person to preside if the Chairman of Council is not present
 - elect the Chairman of Council (Local Government Act 1972, s.4)
 - elect the Vice-Chairman of Council
 - approve the minutes of the last meeting
 - receive any announcements from the Chairman and/or head of the paid service
 - in an election year, elect the Leader
 - appoint at least one overview and scrutiny committee, a standards committee and such other committees as the council considers appropriate to deal with matters which are neither reserved to the council nor are cabinet functions (as set out in part 3 of this constitution) (Local Government and Housing Act 1989, s.15)
 - agree the scheme of delegation or such part of it as the constitution determines it is for the council to agree (as set out in Part 3 of this constitution)
 - approve a programme of ordinary meetings of the council for the year and
 - consider any business set out in the notice convening the meeting.

Election of Chairman, Vice-Chairman and Leader of the Council

4. The election of the Chairman and the election of the Vice-Chairman shall be the

first and second items of business respectively transacted at the annual meeting of the council (Local Government Act 1972 s.4 and s.5).

5. The election of the Chairman, Vice-Chairman and Leader shall be determined by a show of hands unless at least 10 Councillors request a secret ballot which shall be conducted by the person presiding in accordance with the following procedure:

- the person presiding at the meeting shall invite nominations for Chairman, Vice- Chairman and Leader from those present at the meeting
- a Councillor's name must be proposed and seconded to be eligible
- a Councillor shall not be nominated in his or her absence for the position of Chairman, Vice-Chairman or Leader without his or her written consent
- the Chairman, Vice-Chairman or Leader shall be elected from among the Councillors duly nominated unless any Councillor nominated withdraws his or her name, in which case the election shall be from among the remaining nominees
- the Chairman, Vice-Chairman or Leader shall be elected by the vote of a majority of those Councillors present and voting (Local Government Act 1972 s4(3))
- each Councillor shall vote by writing the name of one of the Councillors nominated upon a ballot paper which shall then be placed in the ballot box
- when, in the opinion of the person presiding at the election, each Councillor present has had a reasonable time in which to vote, the ballot box should be delivered to the person presiding whereupon the voting shall be deemed to have been completed except that this shall not preclude the person presiding from exercising his or her casting vote in accordance with the final bullet of this section
- the ballot papers shall then be counted by the person presiding at the election
- if only one Councillor is nominated, the person presiding shall declare that member elected as Chairman, Vice-Chairman or Leader as the case may be; and if two members are nominated the member receiving the vote of the majority of those members present and voting shall be declared elected (Local Government Act 1972, Schedule 12, paragraph 39)
- if more than two Councillors are nominated, the person presiding shall announce the name of the Councillor with the smallest number of votes and that name shall be eliminated. A further ballot or ballots shall then be taken and after each ballot the name of the Councillor receiving the smallest number of votes shall be eliminated, in accordance with the foregoing procedure, until only two names remain which shall be submitted to the final vote

- in the event of an equality of votes in any of the ballots, the person presiding shall give a casting vote and where there are three or more members with an equal number of votes the person presiding shall give a casting vote to each of such members except one (Local Government Act 1972, Schedule 12, paragraph 39).

Selection of Councillors to serve on committees and outside bodies

6. At the annual meeting, the council will:

- decide which committees to establish for the municipal year
- decide the size and terms of reference for those committees
- decide the allocation of seats and substitutes to political groups in accordance with the political balance rules (Local Government and Housing Act 1989 s.15(1))
- receive nominations of Councillors to serve on each committee and
- appoint to those committees
- Appointments to outside bodies will be made by the Leader of Council, Cabinet, Area Boards or a meeting of group leaders as appropriate.

Ordinary meetings

7. Ordinary meetings of the council will take place in accordance with a programme decided by council. Ordinary meetings will:

- elect a person to preside if the Chairman and Vice-Chairman are not present
- elect a Leader if there is a vacancy
- approve the minutes of the last meeting
- receive any declarations of interest from members
- receive any announcements from the Chairman, Leader, members of the cabinet, committee chairmen or the head of paid service
- receive questions from and provide answers to members of the council and the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting
- deal with any business from the last council meeting
- receive reports from the cabinet and the council's committees and receive questions and answers on any of those reports
- receive reports about and receive questions and answers on the business of joint arrangements and external organisations
- consider motions and
- consider any other business specified in the summons to the meeting, including consideration of proposals from the cabinet in relation to the

council's budget and policy framework and reports of the overview and scrutiny committees for debate.

8. Councillors wishing to ask a question in relation to the reports of the Swindon and Wiltshire Fire Authority are required to give written notice (including details of the question) to the Proper Officer no later than five clear working days before the council meeting.

Extraordinary meetings

Calling extraordinary meetings

9. Those listed below may request the Proper Officer to call council meetings in addition to ordinary meetings:
 - the council by resolution
 - the Chairman of the Council (Local Government Act 1972, Schedule 12, paragraph 3(1))
 - the monitoring officer or the head of paid service (Local Government and Housing Act 1989 s.4 and s.5) and
 - any five members of the council if they have signed a requisition and presented it to the Chairman of the Council and he/she has refused to call a meeting, or has failed to call a meeting within seven days of the presentation of the requisition (Local Government Act 1972, Schedule 12, paragraph 3(2)).
10. The notice for any extraordinary meeting must specify the business proposed to be transacted at the meeting with no consideration of previous minutes or reports from committees.

Appointment of substitute members of committees and sub-committees

Allocation

11. As well as allocating seats on committees, the council will allocate seats in the same manner for substitute members.

Number

12. For each committee, the council will appoint up to a maximum of four substitutes for each political group which holds seats on that committee.

Powers and duties

13. Substitute members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

Substitution

14. Substitute members may attend meetings in that capacity only:

- to take the place of the ordinary member for whom they are the designated substitute
- where the ordinary member will be absent for the whole of the meeting and
- after notifying the Proper Officer before the start of the meeting of the intended substitution.

Declaration of disclosable pecuniary interests

15. Where a member has declared a pecuniary interest in an item on an agenda, they must withdraw from the meeting in their capacity as a councillor for the duration of that item, and not speak or vote on the item with the exception of exercising their right to speak as a member of the public.

Time and place of meetings

16. The time and place of meetings will be determined by the Proper Officer and notified in the summons (Local Government Act 1972, Schedule 12, paragraphs 1(4) and 2(2)).

17. With the exception of an extraordinary meeting requisitioned by Councillors in accordance with paragraph 9, the Proper Officer may cancel a meeting in the under mentioned circumstances following consultation with the Chairman and giving reasonable notice of its cancellation:

- Inclement weather
- Where there is reason to believe the meeting would not be quorate
- Insufficient business for the meeting to be viable
- Other reasonable unforeseen circumstances

Notice of and summons to meetings

18. The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Part 5 of this Constitution (Access to Information Procedure Rules). At least five clear days before a meeting, the Proper Officer will send a summons signed by him or her by post to every member of the council, or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available (Local Government Act 1972, Schedule 12, paragraph 4).

Chair of meeting

19. The person presiding at the meeting may exercise any power or duty of the Chairman. Where these rules apply to committee and sub-committee meetings, references to the Chairman also include the Chairman of committees and sub-committees.

Quorum

20. The quorum of a meeting will be one quarter of its total voting membership, subject to a minimum number of three voting members. During any meeting if upon request the Chairman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting (Local Government Act 1972, Schedule 12, paragraph 6).

Public participation at meetings

21. The council welcomes public participation from anyone who lives, works or studies in Wiltshire, or who has a direct connection to a service provided by the council. Public participation can take the form of presenting petitions, making statements or asking questions.

22. This rule applies to council and committee meetings other than planning committees. Paragraphs 47 – 49 refer to the application of this rule at cabinet, planning committees and area boards.

Petitions

23. The council has adopted a Petitions Scheme which is set out in Part 4A of this Constitution. This sets out the purpose of a petition, the eligibility criteria and relevant thresholds for making petitions, the procedure and review mechanisms.

Statements

24. Up to three speakers are permitted to speak for up to 3 minutes each on any agenda item although this may be extended at the Chairman's discretion.

25. Those wishing to make a statement must register to do so at least 10 minutes prior to the meeting by contacting Democratic Services.

26. Statements must be relevant to the powers and duties of the council and be clear and concise. A statement must not:

- be defamatory, frivolous, offensive, vexatious, unlawful or otherwise improper
- relate to any non determined planning or licensing application
- name or identify individual service users, members of staff or members of staff of partner agencies

Questions

27. At ordinary meetings of council, questions can be asked of the Chairman of Council, members of cabinet and Chairmen of committees, or chairmen of Committees (at committee meetings). The total time set aside for such questions and answers will be limited to 15 minutes which can be extended at

the Chairman's discretion.

Notice of questions

28. No person or organisation may submit more than two questions at any one meeting. No question may be sub-divided into more than two related parts.
29. Questions must be delivered in writing or by electronic mail to the Proper Officer no later than 5pm four clear working days before the meeting. This means that for a meeting held on a Tuesday, questions must be received by 5pm Tuesday of the preceding week (less any intervening bank holiday). The period of notice is to allow sufficient time for a response to be formulated.
30. In exceptional circumstances and in cases of urgency the Chairman may allow questions without the full period of notice having been given where he or she is satisfied there is sufficient justification. In these circumstances, there is no guarantee that a full reply will be given at the meeting.
31. Notice of each question must include the name and address of the questioner, (in respect of an organisation, the name of the organisation and the questioner's position within the organisation) and to whom the question is to be put.

Scope of questions

32. The question must be relevant to the powers and duties of the council and be clear and concise. A question will be rejected where it:
 - does not relate to a matter for which the local authority has a responsibility or which affects the council's administrative area
 - is defamatory, frivolous, offensive, vexatious, unlawful or otherwise improper
 - relates to any non determined planning or licensing application
 - requires the disclosure of confidential or exempt information
 - names or identifies individual service users, members of staff or members of staff of partner agencies
 - is considered by the Chairman to be inappropriate for the particular meeting.
33. The Chairman's ruling on rejection of a question will be final following consultation with the Monitoring Officer.
34. Where a question is rejected on the above grounds, the questioner shall be advised of the reasons for rejection. Time permitting the questioner will be given an opportunity to submit an amended question that will be considered afresh against the criteria in paragraph 32. For the avoidance of doubt, questions amended in this way, must be delivered within the timescale referred to at paragraph 29 above.

At the meeting

35. Questions will be dealt with in order of receipt subject to the Chairman's

discretion to group together questions on the same or similar subject.

36. The Chairman may choose to take questions as read. However, if a questioner wishes to ask his or her question at the meeting, he or she will be given up to three minutes to ask each question. If the questioner prefers, the question may be asked on his or her behalf by his or her local division member if the local division member consents to this. If the questioner is not able to be present at the meeting and has not made arrangements for someone else to ask the question, the Chairman may ask the question on the questioner's behalf or indicate that a written reply will be given.
37. Subject to time constraints, questions which are submitted by the deadline will be answered at the meeting. However, the Chairman in consultation with the Monitoring Officer may refer a question to officers for a direct written response if they consider the question can be most appropriately handled in that way. Where a question is dealt with in this way, the questioner will be advised of this and provided with a response where possible within five working days of the meeting copied to all members of the council.
38. The relevant member of the Council or another member on their behalf will aim to provide a response in advance of, or at, the meeting and this will be followed up by a written copy of the response being sent to the questioner where possible within five working days of the meeting. Where it is not possible to provide a response at the meeting, a written response will be sent to the questioner where possible within five working days of the meeting.
39. Any questions which cannot be dealt with during the time allocated for questions will be dealt with by a written response sent to the questioner where possible within five working days of the meeting and copied to all members of the council.

Supplementary questions

40. For each question submitted, the questioner will be permitted to ask one supplementary question without notice which must be relevant to the original question or arise from the response given. The Chairman may reject the supplementary question on the grounds listed in paragraph 32 above (reasons for rejection). The person to whom the question has been put or another member on their behalf, shall answer the supplementary question if he or she is able to do so at the time. If this is not possible, a written response will be provided to the questioner where possible within five working days of the meeting.

Form of response

41. A response may take the following forms:
- a direct oral answer,
 - where the answer is contained within a publication of the council or in any report or minutes by reference to those documents
 - a written reply

No debate on questions

42. Ordinarily, no debate shall be allowed on questions presented or responses given. In exceptional circumstances only, the Chairman may allow discussion. No decision can be made arising from a question other than to refer it to council, cabinet or a committee by way of a motion which shall be moved, seconded and voted on without discussion.

Circulation of questions and responses

43. Upon receipt, copies of questions will be circulated to the Chairman and Vice-Chairman, Leader of the Council and to the member of council to whom the question is to be put and any other relevant councillors.
44. Copies of questions received in accordance with these rules will be provided to all councillors or members of the committee as appropriate prior to the meeting.
45. Copies of responses where available, will be circulated to councillors two days before the meeting unless this is not possible due to exceptional circumstances.

Record of questions

46. The minutes of the meeting shall record the name of the questioner (in respect of an organisation, the name of the organisation and the questioner's position within the organisation), the subject matter, and the name of the person replying.

Application at Planning Committees, Cabinet and Area Boards

47. In respect of public participation at the Strategic Planning Committee and Area Planning Committees, please refer to the Planning Code of Good Practice for Members of Wiltshire Council Protocol. (Protocol 4 to this constitution)
48. In respect of public participation at Cabinet meetings, please refer to Part 7- Cabinet Procedure Rules.
49. In respect of Area Boards where public engagement is welcomed and encouraged throughout the meeting, please refer to any procedure rules and guidance as issued from time to time by the Leader.

Councillors' Questions

50. A member of the Council may ask the Leader of the Council, any other member of the Cabinet or Chairman of a committee or sub-committee any question without notice on a report of the Cabinet, Cabinet member or a committee or sub-committee when that report is being received or under consideration by the Council.

Questions on notice

51. In respect of council meetings, a member of the council may ask

- the Chairman of Council
- Leader of the Council
- Cabinet member
- Chairman of a committee
- as appropriate, a question on any matter in relation to which the council has powers or duties or which affects the Council's administrative area at all ordinary meetings on matters which are not included in a report to the council.

52. In respect of committee meetings, a member of the council may ask a question of the Chairman of the committee a question on any matter in relation to the powers and duties of that committee at all ordinary meetings on matters which are not included in a report to that committee.

53. In the case of extraordinary meetings of council and committees, questions must relate to the subject(s) under consideration at the extraordinary meeting.

Notice of questions

54. In order to be guaranteed of receiving a written response prior to the meeting, questions ~~Questions~~ must be delivered in writing or by electronic mail to the Proper Officer or their designated representative no later than 5pm ~~four~~ nine clear working days before the meeting. This means that for a meeting held on a Tuesday, questions must be received by 5pm Tuesday ~~of the preceding~~ week ~~two weeks prior~~ (less any intervening bank holiday). The period of notice is to allow sufficient time for a written response to be formulated.

55. Any question received between the deadline in paragraph 54 and no later than 5pm four clear working days before the meeting, may only receive a verbal response at the meeting. This means for a meeting held on a Tuesday, questions must be received by 5pm Tuesday of the preceding week (less any intervening bank holiday). Any questions received after this date will be received at the next meeting.

56. In exceptional circumstances the Chairman may allow questions without the full period of notice having been given where he or she is satisfied there is sufficient justification. In these circumstances, there is no guarantee that a full or written reply will be given at the meeting.

57. Notice of each question must include the name of the member asking the question and to whom the question is to be put and be listed in priority order.

Scope of questions

58. The question must be relevant to the powers and duties of the Full Council/committee and be clear and concise. A question will be rejected where it:

- does not relate to a matter for which the Council/committee has a responsibility or which affects the council's administrative area
- is defamatory, frivolous, offensive, vexatious, unlawful or otherwise improper
- relates to any non determined planning or licensing application
- requires the disclosure of confidential or exempt information
- names or identifies individual service users, members of staff or members of staff of partner agencies

considered by the Chairman to be inappropriate for the particular meeting.

59. The Chairman's ruling on rejection of a question will be final following consultation with the Monitoring Officer.

60. Where a question is rejected on the above grounds, the councillor shall be advised of the reasons for rejection. Time permitting, the councillor will be given an opportunity to submit an amended question that will be considered afresh against the criteria in paragraph ~~57-58~~ (reasons for rejection). For the avoidance of doubt, questions amended in this way, must be delivered within the timescale referred to at paragraph ~~54-55~~ above.

At the meeting

61. ~~No more than 20 questions will be answered at the meeting. Any question which receives a verbal response will also receive a written response from the appropriate member no later than five clear working days after the meeting and copied to all councilors or members of the committee as appropriate and also attached to the minutes.~~

62. ~~Questions will be received in the order of receipt per member, but a member may not ask a second question until all other first questions from other members have been dealt with. The same principle applies to third and subsequent questions. Questions will be dealt with in order of receipt subject to the Chairman's discretion to group together questions on the same or similar subject.~~

63. ~~The Chairman may choose to take questions as read. However, if a councillor wishes to ask his or her question at the meeting, he or she will be given up to three minutes to ask each question. If the councillor is not able to be present at the meeting, he or she can nominate another councillor to ask the question on his or her behalf. Questions will be taken as read. If no alternative~~a~~ councillor is nominated, not present to receive an answer to their~~

~~question in the event they were to receive a verbal response,~~ the Chairman may ask the question on the councillor's behalf or indicate that a reply will be given in writing ~~where possible~~ within five working days of the meeting.

~~The relevant member of the council or another councillor on their behalf will aim to provide a response in advance of, or at, the meeting. Where it is not possible to provide a response at the meeting, a written response will be sent to the councillor where possible within five working days of the meeting and copied to all councillors or members of the committee as appropriate.~~

Supplementary question

64. For each question submitted, a councillor will be permitted to ask one supplementary question without notice which must be relevant to the original question or arise from the response given, subject to the limit of 20 questions presented at the meeting in paragraph 61. The Chairman may reject the supplementary question on the grounds listed in paragraph ~~57-58~~ above (reasons for rejection).

65. The person to whom the question has been put or another councillor on their behalf, shall answer the supplementary question if he or she is able to do so at the time. If this is not possible, a written response will be provided to the councillor where possible within five working days of the meeting.

Form of response

66. A response may take the following forms:

- a direct oral answer, unless the question has been submitted nine clear working days prior to the meeting
- where the answer is contained within a publication of the Council or in any report or minutes by reference to those documents
- a written reply

No debate on questions

67. Ordinarily, no debate shall be allowed on questions presented or responses given. In exceptional circumstances only the Chairman may allow discussion. No decision can be made arising from a question other than to refer it to council, cabinet or a committee by way of a motion which shall be moved, seconded and voted on without discussion.

Circulation of questions and responses

68. Upon receipt, copies of questions will be circulated to the Chairman and Vice-Chairman of Council or committee as appropriate, Leader of the Council and the member of council to whom the question is to be put and any other relevant councillors.

69. Copies of questions received in accordance with these rules will be provided to

all councillors or members of the committee as appropriate prior to the meeting.

70. Copies of responses where available, will be circulated to councillors two days before the meeting unless this is not possible due to exceptional circumstances.

71. Copies of all questions and responses will be attached to the minutes of the meeting.

Record of questions

72. The minutes of the meeting shall record the name of the councillor asking the question, the subject matter, and the name of the councillor replying.

Motions on notice

Notice

73. Except for motions which can be moved without notice under paragraph 94, written notice of every motion signed by at least two members of council must be delivered to the Proper Officer no later than ten clear working days before the date of the meeting. This is to ensure that where appropriate a report is prepared to assist Council in its consideration of the motion.

74. In exceptional circumstances and in cases of urgency, the Chairman may accept motions without the full period of notice having been given.

75. Delivery can be by electronic means provided that the Proper Officer is satisfied that it has been sent by the councillors concerned.

76. Notices of motion may be moved at the Annual Meeting or any ordinary meeting of the Council.

77. Notices of motion may be moved at extra-ordinary meetings of the Council but only if the notice of motion relates to the subject matter of that extra-ordinary meeting.

78. There is no limit on the number of notices of motion that may be submitted to each meeting. However, the Chairman will apply this rule in the context of the length of the agenda to ensure proper conduct of the business to be transacted.

Scope

79. Motions must be clear and concise and be about matters for which the council has a responsibility or which affect the council's administrative area.

- Motions will be rejected where they:
- do not relate to a matter for which the council has a responsibility or which affect the council's administrative area or those living in that area

- are defamatory, frivolous, offensive, vexatious, unlawful or otherwise improper
- relate to any non determined planning or licensing application
- name or identify individual service users, members of staff or members of staff of partner agencies
- considered by the Chairman to be inappropriate for the particular meeting or undermines the purposes of the constitution.

80. The Chairman's ruling on rejection of a motion will be final following consultation with the Monitoring Officer.

81. Where a motion is rejected, the councillors concerned will be advised as soon as possible giving reasons for rejection. Where time permits, the councillors concerned may submit an amended motion which will be considered afresh against the criteria in paragraph 77 above. For the avoidance of doubt, motions amended in this way must be delivered within the timescale referred to at paragraph 71 above.

Recording of motions

82. On receipt of notices of motion received in accordance with these rules, the Proper Officer will enter the details of the motion and the time and date of receipt in a book. This book shall be open for inspection by members of the public during normal office hours.

83. Motions received in accordance with these rules will be listed on the agenda in the order in which notice was received subject to the Proper Officer's discretion to group together motions on the same or similar subject, unless the councillors giving notice state in writing that they propose to move it to a later meeting or withdraw it.

At the meeting

84. The Chairman will invite the proposer, or one of the councillors, who has given notice of the motion to move the motion. Where these councillors are not available at the meeting, the motion can be moved and seconded by any other councillors.

85. A notice of motion must be moved at the meeting, it must then be seconded. If the motion is not moved and seconded, it will, unless postponed by consent of the Council, be treated as abandoned and may not be moved without fresh notice.

86. Once moved and seconded at the meeting, the councillor proposing the motion will be given up to five minutes in which to present his or her motion.

87. The Chairman will give the relevant cabinet member an opportunity to respond

to the motion giving him or her up to five minutes in which to do so.

88. On considering a notice of motion and subject to paragraphs 88-93 below, the following options shall then be open to the council:

- debate the motion and vote on it
- refer it to an appropriate member body with or without debate
- refer it to the Leader of Council with or without debate

89. The Chairman will move that the motion either be debated on the day or referred to the appropriate member body. This will be seconded by the Vice-Chairman of Council or in his or her absence, another member of the council and put to the vote without discussion. On the question of referring the motion to an appropriate member body, the only amendment the Chairman will accept is to which member body the motion should be referred.

90. If the motion relates to a function exercisable only by the council then the council will debate the motion and on consideration of a report, determine the motion or refer it to a future meeting of the Council.

91. If the motion relates to a function that has been delegated to another member body then the council will vote without debate on whether to refer the motion to that member body.

92. If referred to another member body that member body must consider the motion at its next available meeting. The mover and seconder of the motion will be invited to attend that meeting if they are not already members of that body in order to present their motion but will not be able to vote unless they have voting rights. The member body must report back to the council as soon as practicable by way of the minutes of that meeting.

93. If the notice of motion is referred to another member body following debate at council, a summary of the debate at council together with any recommendation will be taken into account by the member body when considering the motion.

94. If the notice of motion relates to an executive function, the motion will be referred to the Leader of the Council. The Leader will write to the proposers of the motion with a copy to all members of the council, advising them what steps he or she proposes to take.

95. Any decision of council arising from a motion must comply with the principles of decision making as set out in Part 2, paragraph 13.2 of this Constitution.

Motions without notice

96. The following motions may be moved without notice:

Part 4

Last Updated ~~December 2014~~ 14 July 2015

- to appoint a Chairman of the meeting at which the motion is moved
- in relation to the accuracy of the minutes
- to change the order of business in the agenda
- to refer something to an appropriate body or individual
- to appoint a committee or member arising from an item on the summons for the meeting
- to receive reports or adoption of recommendations of committees or officers and any resolutions following from them
- to withdraw a motion
- to amend a motion
- to proceed to the next business
- that the question be now put
- to adjourn a debate
- to adjourn a meeting
- to suspend a particular council procedure rule capable of being suspended
- to exclude the public and press in accordance with the access to information procedure rules
- not to hear further a member named under paragraph 144 or to exclude them from the meeting under paragraph 145
- to give the consent of the council where its consent is required by this constitution.

Rules of debate

No speeches until motion seconded

97. Once the mover has moved a proposal and explained its purpose, the motion must be seconded before any speeches may be made.

Right to require motion in writing

98. Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him/her before it is discussed.

Seconder's speech

99. When seconding a motion or amendment, a member may reserve their speech until later in the debate.

Content and length of speeches

100. Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Chairman.

When a Councillor may speak again

101. A councillor who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- to speak once on an amendment moved by another member
- to move a further amendment if the motion has been amended since he/she last spoke
- if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried)
- in exercise of a right of reply
- on a point of order
- by way of personal explanation.

Amendments to motions

102. An amendment to a motion must be relevant to the motion and will be one of the following:

- to refer the matter to an appropriate body or individual for consideration or reconsideration;
- to leave out words;
- to leave out words and insert or add others or;
- to insert or add words
- as long as the effect of the amendments is not to negate the motion.

103. Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

104. If an amendment is not carried, other amendments to the original motion may be moved.

105. If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

106. After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

Alteration of motion

107. A Councillor may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.

108. A Councillor may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

109. Only alterations which could be made as an amendment may be made.

Withdrawal of motion

110. A Councillor may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Councillor may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

Right of reply

111. The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.

112. If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.

113. The mover of the amendment has no right of reply to the debate on his or her amendment.

Motions which may be moved during debate

114. When a motion is under debate, no other motion may be moved except the following procedural motions:

- to withdraw a motion
- to amend a motion
- to proceed to the next business
- that the question be now put
- to adjourn a debate
- to adjourn a meeting
- to exclude the public and press in accordance with the Access to Information Procedure Rules and
- not to hear further a member named under paragraph 144, or to exclude them from the meeting under paragraph 145.

Closure motions

115. A Councillor may move, without comment, the following motions at the end of a speech of another Councillor:

- to proceed to the next business
- that the question be now put
- to adjourn a debate or
- to adjourn a meeting.

116. If a motion to proceed to next business is seconded and the Chairman thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

117. If a motion that the question be now put is seconded and the Chairman thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.

118. If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

Point of order

119. A Councillor may raise a point of order at any time. The Chairman will hear them immediately. A point of order may only relate to an alleged breach of these council rules of procedure or the law. The Councillor must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Chairman on the matter will be final.

Personal explanation

120. A Councillor may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Councillor which may appear to have been misunderstood in the present debate. The ruling of the Chairman on the admissibility of a personal explanation will be final.

~~State of Wiltshire debate~~

~~Calling of debate~~

~~The Leader will call a state of Wiltshire debate annually on a date and in a form to be agreed with the Chairman.~~

~~Form of debate~~

~~The Leader will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the state of Wiltshire debate.~~

~~Chairing of debate~~

~~The debate will be chaired by the Chairman of the Council.~~

Results of debate

The results of the debate will be:

~~disseminated as widely as possible within the community and to agencies and organisations in Wiltshire~~

~~presented to the Overview and Scrutiny Management Committee meeting considered by the Leader in proposing the budget and policy framework to the council for the coming year.~~

Previous decisions and motions

Motion to rescind a previous decision

121. A motion or amendment to rescind a decision made at a meeting of council within the past six months cannot be moved unless the notice of motion is signed by at least 10 Councillors (or a quarter of the members of a committee).

Motion similar to one previously rejected

122. A motion or amendment in similar terms to one that has been rejected at a meeting of council in the previous six months cannot be moved unless the notice of motion or amendment is signed by at least 10 members (or a quarter of the members of a committee). Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

Voting

Majority

123. Unless this constitution provides otherwise, any matter will be decided by a simple majority of those Councillors voting and present in the room at the time the question was put (Local Government Act 1972, Schedule 12, paragraph 39(1)).

Chairman's casting vote

124. If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote (Local Government Act 1972, Schedule 12, paragraph 39(2)).

Show of hands Affirmation

125. Unless a ballot or recorded vote is ~~demande~~~~d taken~~ under paragraphs ~~128~~ 125 and 129~~126~~, the Chairman will take the vote by ~~show of hands, or if there is no dissent,~~ by the affirmation of the meeting.

Ballots

126. The vote will take place by ballot if 10 members (or a quarter of the members of a committee) present at the meeting demand it or at the Chairman's discretion. The Chairman will announce the numerical result of the ballot immediately the result is known.

Recorded vote

127. With the exception of the following paragraph, if 10 Councillors (or a quarter of the members of a committee) present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be recorded in the minutes. A demand for a recorded vote will override a demand for a ballot.
128. Recorded votes shall be taken on all decisions in respect of setting the authority's budget and determining the level of council tax to be levied. The names for and against the motion or amendment or abstaining from voting on these matters will be recorded into the minutes.

Right to require individual vote to be recorded

129. Where any Councillor requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting (Local Authorities (Standing Orders) Regulations 1993, Schedule 2, paragraph 1(1)).

Voting on appointments

130. If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

Minutes

Signing the minutes

131. The Chairman will sign the minutes of the proceedings at the next suitable meeting (Local Government Act 1972, Schedule 12, paragraph 41(1)). The Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

No requirement to sign minutes of previous meeting at extraordinary meeting

132. Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

Form of minutes

133. Minutes will contain all motions and amendments in the exact form and order the Chairman put them.

Record of Attendance

134. All Councillors present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance (Local Government Act 1972, Schedule 12, paragraph 40).

Exclusion of Public

135. Members of the public and press may be excluded only either in accordance with the Access to Information Rules in Part 5 of this constitution (Local Government Act 1972 s.100A and Local Authorities (Executive Arrangements) (Meetings and Access to Information (England) Regulations 2012 reg 4) (2)) or paragraph 147 (disturbance by public).

Councillors' attendance

136. Subject to paragraph 139, if a member of the council fails throughout a period of six consecutive months from the date of his or her last attendance to attend any meeting of the council, he or she shall, unless the failure was due to some reason approved by the council before the expiry of that period, cease to be a member of the council (Local Government Act 1972 s.85(1)).

137. Attendance as a member at a meeting of any committee, sub-committee, area board, panel or working party of the council, or at a meeting or any joint committee, joint board or other body by whom for the time being any functions of the council are being discharged, or which was appointed to advise the council on any matter relating to the discharge of its functions and attendance as the council's representative on an outside body shall be deemed to be attendance (Local Government Act 1972 s.85(2)).

138. Any person (not being a member of the council) appointed by the council or a committee to serve on a committee, sub-committee or panel who is absent from all meetings of such committee, sub-committee or panel for a continuous period of six months except for some reason approved by the committee, sub-committee or panel before the expiry of that period shall at the end of that period cease to be a member of that committee, sub-committee or panel.

139. If a member of the cabinet fails throughout a period of six consecutive months from the date of his or her last attendance, to attend any meeting of the cabinet, he or she shall, unless the failure was due to some reason approved by the council before the expiry of that period, cease to be a member of the council (Local Government Act 1972 s.85(2A)).

Standing to speak

140. When a Councillor speaks at Full Council he/she must stand and address the meeting through the Chairman. If more than one Councillor stands, the Chairman will ask one to speak and the others must sit. Other Councillors must remain seated whilst a Councillor is speaking unless they wish to make a point of order or a point of personal explanation.

Chairman standing

141. When the Chairman stands during a debate, any Councillor speaking at the time must stop and sit down. The meeting must be silent.

Councillor not to be heard further

142. If a Councillor persistently disregards the ruling of the Chairman by behaving improperly, or offensively, or deliberately obstructs business, the Chairman may move that the Councillor not be heard further. If seconded, the motion will be voted on without discussion.

Councillor to leave the meeting

143. If the Councillor continues to behave improperly after such a motion is carried, the Chairman may move that either the Councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

General disturbance

144. If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks necessary (Public Bodies (Admission to Meetings) Act 1960 s.1(8)).

Disturbance by public

Removal of member of the public

145. If a member of the public interrupts proceedings, or their behavior or attire is deemed by the Chairman to cause offence, the Chairman will warn the person concerned. If they continue to interrupt or continue to cause offence, the Chairman will may order their removal from the meeting room (Local Government Act 1972 s.100A(8)) following consultation with the Monitoring Officer or their designated representative.

Clearance of part of meeting room

146. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared (Local Government Act 1972 s.100A(8)).

Suspension and amendment of Council procedure rules

Suspension

147. All of these Council rules of procedure except paragraphs 131 and 133 may be suspended by motion on notice, or without notice, if at least one half of the whole number of members of the council are present. Suspension can be only for the duration of the meeting (Local Government Act 1972, Schedule 12, paragraph 42).

Amendment

148. Any motion to add to, vary or revoke these Council rules of procedure will,

when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the council.

Part 4C – Guidance on Amendments to Motions

1. The requirements concerning amendments to motions are contained in the Council's Rules of Procedure in Part 4 of the Constitution. Paragraph ~~107~~102 provides:

An amendment to a motion must be relevant to the motion and will either be:

- *to refer the matter to an appropriate body or individual for consideration or reconsideration*
- *to leave out words*
- *to leave out words and insert or add others or*
- *to insert or add words*

as long as the effect of the amendment is not to negate the motion.

2. The Chairman will determine the validity of any proposed amendment under this paragraph, after taking advice from the Monitoring Officer. The Chairman's decision on any proposed amendment is final.
3. In exercising judgment on the validity or otherwise of any proposed amendment, the Chairman will have regard to the following principles:
 - the overriding principle of fairness in the conduct of the Council's business;
 - the amendment is relevant to the motion;
 - the proposed amendment does not negate the motion; this can be secured more appropriately by voting against the original motion.
 - The content of the proposed amendment is proportionate to the original motion in nature and extent;
 - The proposed amendment does not amount to a device to frustrate the purpose of the original motion or to raise a late motion.
4. Councillors are encouraged, where practicable, to seek advice from the Monitoring Officer in connection with any proposed amendment in advance of the meeting at which it is to be moved.

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Councillor-Officer Relations

1. Introduction

Context

1.1 Mutual trust and respect between councillors and officers is at the heart of the council's governance arrangements. An effective partnership between councillors, and officers is a key element of a successful and high performing council.

Purpose of Protocol

1.2 The purpose of this protocol is to:

- outline the essential elements of the relationship between councillors and officers;
- promote the highest standards of conduct;
- clarify roles and responsibilities;
- ensure consistency with the law, codes of conduct and the council's values and practices; and
- identify ways of dealing with concerns by councillors or officers.

1.3 This protocol is for the guidance and assistance of councillors and officers. Any queries about its content or application should be referred to the monitoring officer.

2. Principles

2.1 Councillors (including co-opted members) and officers shall observe this protocol at all times.

2.2 There shall be mutual courtesy and respect between councillors and officers with regard to their respective roles as set out below.

2.3 Councillors and officers shall each carry out their respective responsibilities in the best interests of the council.

2.4 The roles and responsibilities of councillors and officers are distinct yet complementary. Councillors are accountable to the electorate for the performance of the council's statutory functions. Officers are accountable to the council as a whole. Their job is to give advice to councillors (individually and collectively) and to carry out the council's work under the direction of the council.

2.5 This protocol supports the council's codes of conduct for councillors and officers. The council's Code of Conduct for Members of Wiltshire Council is set out in Part 13 of the constitution. The Human Resources Code of Conduct for Officers is set out in Part 16 of the constitution and forms part of an officer's contract of employment.

2.6 Breach of this protocol may result:

- in the case of a councillor / co-opted member, in a complaint under the Code of Conduct for Members;
- in disciplinary action in the case of an officer.

3. The role of councillors

- 3.1 Councillors have a number of specific roles, which are set out in detail in Part 12 of the constitution - Roles and Responsibilities of Councillors
- 3.2 Collectively, councillors are the ultimate policy-makers, determining the core values of the council and approving the council's policy framework, strategic plans and budget.
- 3.3 Councillors represent the community and its constituents, act as community leaders and as the link between them and the council. This includes performing a key role as a member of their local area board.
- 3.4 Some councillors will have additional roles specific to their position as members of the cabinet, or overview and scrutiny or other committees of the council.
- 3.5 Some councillors may be appointed to represent the council on local, regional or national bodies- see further at section 13 below.
- 3.6 Councillors must respect the impartiality of officers.
- 3.7 Councillors must promote the highest standards of conduct and will have regard to the council's Behaviours Framework in carrying out their role.
- 3.8 Councillors act collectively as the employer of officers.
- 3.9 Councillors must seek the advice of the monitoring officer and the chief finance officer if they have any concerns about whether the council is acting outside its statutory powers, maladministration, financial impropriety and probity, or whether any decision is or is likely to be contrary to the budget and policy framework.

4. The role of officers

- 4.1 Officers are employed by the council. They are therefore accountable to the council as a whole - not to individual councillors. There will, however, need to be special relationships between individual councillors and individual officers and these are dealt with specifically under section 6 of this protocol.
- 4.2 Officers are responsible for giving professional advice to members and for implementing lawful decisions of the council.
- 4.3 Officers must act impartially at all times and must not allow their professional judgement and advice to be influenced by their own personal views.
- 4.4 Officers must be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for councillors, the media or other sections of the public.
- 4.5 Officers must act in accordance with the Human Resources Code of Conduct and the Council's Behaviours Framework.

5. Relationship between councillors and officers - general

- 5.1 The relationship between councillors and officers should be characterised by mutual trust and respect.
- 5.2 Close personal familiarity between individual members and officers can harm professional relationships and prove embarrassing to other councillors and officers. Situations should be avoided that could give rise to suspicion and any appearance of improper conduct, or the perception that a councillor and officer treat each other differently from others due to the nature of the personal relationship between them.

5.3 Councillors should not raise matters relating to the conduct or capability of officers either individually or collectively at meetings held in public or in the press. Officers have no means of responding to criticism like this in public. If councillors feel that they have not been treated with proper respect, courtesy or have any concern about the conduct or capability of an officer they should raise the matter with the ~~service director~~relevant director concerned if they are unable to resolve it through direct discussion with the officer – see further at section 15 below.

5.4 Councillors will not publish any material which is derogatory of officers generally, or specific individuals, whether directly or through their agents or political groups.

5.5 What can councillors expect from officers?

- a commitment to the council as a whole and not to individual political groups;
- a working partnership;
- a timely response to enquiries and complaints – see Appendix 1
- objective, professional advice not influenced by political views or preference;
- integrity, support and confidentiality appropriate to the situation;
- being kept up to date on local issues;
- compliance with the Human Resources Code of Conduct.

5.6 What can officers expect from councillors?

- political leadership and direction;
- a working partnership;
- compliance with the Code of Conduct for Members;
- distance from day to day management of the council;
- no improper influence or pressure to gain special treatment for themselves or others;
- recognition of the duty to promote the health, safety and well-being of officers.

6. Relationship between councillors and officers - specific

6.1 Special relationships will exist between certain councillors and officers because of their specific roles. These relationships nevertheless remain subject to the obligations set down in this protocol.

6.2 Members of the cabinet and the corporate leadership team will have a distinct and special relationship. In particular the relationship between the leader and the corporate directors will be key to the success and culture of the council.

6.3 Officers and councillors must ensure that appropriate consultations are undertaken before reports are prepared for decision, either by cabinet or by individual cabinet members under delegated powers.

6.4 Within overview and scrutiny there are two aspects of relationship between councillors and officers:

- the relationship between councillors and officers who support the overview and scrutiny function. Councillors lead the scrutiny function. Officers brief scrutiny members, but the decision to pursue any particular issue rests with councillors.
- officers who are asked to attend scrutiny committees or task groups as a witness or special adviser should be treated with respect. They may be expected to answer questions on the professional advice given to the full council or cabinet in relation to

policies and decisions but must not be expected to give a political view. The arrangements for attendance of cabinet members and senior officers at overview and scrutiny meetings to give account are contained in the overview and scrutiny procedure rules in Part 8 of the constitution.

6.5 Officers may also be asked to speak at a meeting of an area board. Partner organisations such as the police, health and , fire, are also likely to be asked about the provision of local services. In the spirit of partnership working it is important that both officers and the representatives of partner organisations are treated with respect, and from a community perspective it is important that the relationship between councillors, officers and partners is seen to be constructive, with everybody working together and in the same direction.

7. General support to councillors

7.1

Appendix 1 summarises the support and facilities provided for councillors at Wiltshire Council and in their constituencies.

8. Support to specific councillors

8.1 To recognise the full-time nature of the role of leader and cabinet members, PA support will be provided, to include diary management and research support in connection with cabinet business.

8.2 PA support will also be provided to the chairman and vice-chairman of the council in recognition of their civic responsibilities.

9. Support to political groups

9.1 Political groups may request private and confidential briefings on matters of policy and factual evidence which are or may become the subject of discussions by the full council or cabinet or any committee.

9.2 The request should be submitted to the corporate director designated as the liaison officer for the political groups, who will discuss it with the appropriate officer. Attendance must be authorised by a corporate director. ~~If authorised the leaders of all political groups should be notified and a similar briefing offered.~~

9.3 The briefing should not extend beyond providing information and advice.

9.4 For the avoidance of doubt group meetings cannot make decisions on behalf of the council and it is essential that they are not acted upon as such. Nor does such a briefing negate the need to ensure that all necessary advice and information is provided to the decision-making body when the matter is formally considered.

9.5 Requests for briefings may be declined where these are to take place in premises which are not owned or controlled by the council or where persons who are not members of the council will be present.

9.6 Accommodation for use by political groups will be provided together with reasonable photocopying, postage and ICT facilities. Such use must be in connection with council business.

10. Members' access to information

10.1 This part of the protocol should be read in conjunction with the access to information procedure rules in Part 5 of the constitution and any guidance issued by the monitoring officer.

10.2 Councillors are entitled to see copies of any agenda for meetings of the cabinet, and of committees of which they are not appointed members. Councillors' rights to information are subject to legal rules and, if members have a legitimate interest in a matter in their role as a member of the council, officers should provide the relevant information (including confidential information) to them.

10.3 Councillors should seek advice from the monitoring officer in circumstances where they wish to inspect any document or have access to information about a matter:

- in which they may have an interest; or
- where to do so would be in breach of the Data Protection Act 1998;

10.4 If councillors are not receiving, or are having difficulty in obtaining, information which they feel they need or to which they are entitled to carry out their duties as councillors they should contact the monitoring officer for advice.

10.5 Information given to a councillor must only be used for the purpose for which it was requested. Councillors and officers must not disclose information given to them in confidence without the consent of a person authorised to give it, or unless required by law to do so. A councillor must seek the advice of the monitoring officer before disclosing information given in confidence.,

10.6 Councillors will be informed of local issues in accordance with Protocol 1 of the ——— constitution – Briefing and Information for Local Members. When councillors are kept informed on local issues, they are far better equipped to be proactive in handling local issues and in responding to individuals or interest groups on a particular matter. It is the responsibility of each head of service to ensure that all relevant staff are aware of the requirement to keep local councillors informed and that the timing of such information allows members to respond appropriately and contribute to relevant decisions. Local members must also be kept informed about matters affecting their division during the formative stages of policy development, about matters considered by committees of the Council and about any significant operational matters within local Divisions as soon as realistically practical.

10.7 All officers will have regard to the area boards and delegated decisions checklist to ensure local councillors and area boards are involved in decisions on local services. The cabinet paper checklist also includes consultation with local councillors. In ensuring councillors are kept appropriately informed officers should also be mindful of Part 3 of the constitution which covers the scheme of delegation; Part 5 which covers the access to information procedure rules and the Media Relations Protocol. Awareness of this requirement will be supported through relevant training and guidance for officers

Appendix 2 provides a guide on the information that should be provided to councillors and how this information will be communicated.

11. Media relations

11.1 Councillors are referred to the Wiltshire Council Media Relations Protocol at Protocol 7 of the constitution.

12. Use of council resources

12.1 Councillors and officers must comply with the council's policies and requirements concerning the use of its resources, including in particular its E-mail, Internet and Computer Use Policy.

12.2 Councillors must not use the council's resources improperly for political purposes (including party political purposes) and shall have regard to the local authority code of recommended practice on publicity annexed to the Media Relations Protocol . Councillors should seek advice from the monitoring officer where clarification is necessary.

13. Representation on external organisations

13.1 Councillors are referred to Protocol 3 – Guidance to Councillors on Outside Bodies.

13.2 A councillor appointed to represent the council on an external organisation shall take care to establish the legal status of the appointment and the potential liabilities that may be involved before confirming acceptance. Councillors should seek the advice of the monitoring officer if they have any concerns or are unclear about the nature of such appointments.

13.2 Councillors appointed to represent the council on external organisations shall establish relevant council policy on issues arising in those bodies and shall act in accordance with that policy when engaged in discussions and decision-making.

13.3 Where a councillor acts as a representative of the council on another body, the councillor must comply with the council's Code of Conduct for Members.,

14. Access to premises

14.1 If councillors wish to visit council establishments, other than the main area hub offices, they should contact the relevant director or head of the establishment in advance to make the necessary arrangements.

15. How to resolve issues

15.1 Councillors and officers are encouraged to work together and seek to resolve any differences informally, by discussing any concerns at the earliest opportunity.

15.2 If a councillor feels that they have not been treated with proper respect, courtesy or they have any concern about the conduct or capability of an officer, or that an officer has acted in breach of this protocol, they may raise the matter with the individual's ~~service director~~relevant director. If the matter cannot be resolved informally, any such referral will be processed in accordance with the council's employment procedures and policies. The councillor and the officer will be kept informed of progress with the complaint and the action to be taken. An individual councillor does not have the power to discipline any officer.

15.3 If an officer feels that a councillor has acted in breach of this protocol, they should raise the matter with their ~~service director~~relevant director. The ~~service~~

~~director~~relevant director should

discuss the matter informally with the councillor. If the matter is not resolved the officer may refer the issue to the monitoring officer and the corporate director designated as the liaison officer for political groups for consideration and discussion with the appropriate group leader. The officer and councillor will be kept informed throughout.

15.4 In relation to the process in paragraph 15.3 above regard should be had to paragraph 3.1 of the council's arrangements for dealing with complaints under the code of conduct, which requires any complaint to be made within 20 working days of the date on which the complainant became aware of the matter giving rise to the complaint.

15.4 The use of mediation may be considered at any stage as a means of resolving the matter informally.

15.5 If the matter cannot be resolved informally the officer may bring a complaint against the councillor under the Members' Code of Conduct.

Councillor – Officer Relations Support and Facilities Provided for Councillors

Principles

The support to be provided to councillors must be subject to the following caveats:

- Officers are employed by the council and are responsible to the council as a whole
- Officers cannot be required and must not undertake work of a political nature
- Officers must respect the confidentiality of some information that they may be exposed to

Supporting councillors centrally

The Democratic Services team can offer/facilitate support in the following areas:

A. ICT

ICT training will be given as part of the induction programme and following on from that equipment will be issued. This equipment will include a lap top and docking station, the option of a printer and other essentials. A broadband connection, or a monthly allowance to provide the same, will be provided together with the means to gain secure remote access to the Council's Network.

B. Councillor development

Following the councillor induction programme a detailed councillor development programme will be implemented. Councillors will be offered a personal development discussion which will enable them to discuss their training needs and find out about what training and development is available.

C. Allowances

All councillors are entitled to a basic allowance to cover the costs of being a councillor. Expenses can also be claimed for travel and subsistence. Details of allowances and expenses are set out in the Members Allowances scheme within [Part 14 of the Constitution](#).

D. Secretariat and information

- Keeping councillors up-to-date with diary changes
- Booking onto any sessions from the Councillor Development Programme
- All councillors' conference arrangements including booking of places, hotel reservations, train tickets and arrangements for other transport.
- Providing 'Councillor Websites'
- Monitoring and maintaining individual Councillors' registered interests on the council's web-site.
- Councillors' briefings with key information and details of delegated decisions, links to minutes and agenda for forthcoming meetings
- A councillor's intranet page with links to committee dates, planning applications, highways works or training opportunities.

Councillors will also be provided with:

- an identity badge
- a pass card to gain entry to the main offices
- a general retiring lounge known as 'the members' room' (~~arrangements to be finalised~~
~~— as part of the transformation programme~~)
- reasonable stationery requirements, including letterheads, business cards, envelopes, and pre-paid reply envelopes for correspondence with council departments
- car parking whilst attending official meetings. ~~— arrangements under~~
~~— review.~~

E. Accommodation

Each political group will have a group room and access to a docking station for a laptop, printer, telephone and photocopying facilities for use in connection with council business.

There will also be specific accommodation provided for the leader, the cabinet, ~~—~~
~~scrutiny members~~ and the chairman of the council.

F. Political group support

No dedicated support is provided to group leaders but photocopying can be provided in connection with group business at an agreed cost and correspondence/communications can be sent with official council communications.

G. Briefings/seminars

A detailed list of forthcoming seminars will be maintained.

H. Response to Councillor

enquiries e-mails and
telephone calls

- will be acknowledged within two working days of receipt, giving details of an alternative contact if the officer concerned is absent from the office
- a substantive response will be provided within ~~seven~~ ten working days of receipt. If that is not possible an explanation will be given as to the reason for the delay, what action is being taken, and when a response will be sent.

Supporting Councillors locally

The democratic services staff based in ~~the office hubs~~ Trowbridge will, subject to resources being available, support councillors in their community leadership roles. This could include:-

- Assisting councillors in providing a two-way link between the council and the community
- Supporting the representational role of councillors
- Arranging for office facilities to be made available

Councillors will arrange any surgeries they wish to hold for their constituents, using libraries and area hub offices where appropriate

APPENDIX 2 TO PROTOCOL 1

Guide to Information Provision for Councillors

All councillors fulfil many roles:

- championing their area by representing their constituents;
- enabling public involvement and providing community leadership;
- contributing to decision making processes;
- creating effective partnerships and working with them to build strong and cohesive communities;
- fulfilling responsibilities as a “corporate parent” for children and young people in the care of the local authority; and
- representing the council externally.

It is widely recognised that when councillors are kept informed on local issues, they are far better equipped to be proactive in handling local issues and in responding to individuals or interest groups on a particular matter.

Information available to all councillors

A wide range of information is readily available to all councillors through the following sources, including:

- Members Elected wire – regular email
- Councillor briefing notes sent out on specific issues
- Email notification of agenda and delegated decisions
- Electronic subscription services for all council papers
- Electronic subscription services for all council press releases
- Parish council newsletter
- Community Area Joint Strategic Assessments providing facts and figures on the local area

The Access to Information Protocol covers other information provision that can be made available on request so that councillors have the information they need to know to fulfil their roles. Where councillors seek additional statistics on their local area they should have a discussion with the council's research team.

Matters relating to electoral division(s)

Officers should ensure councillors are informed as appropriate on matters relating to their local division. This includes representations on local issues where it appears the councillor has not already been informed, such as speed restrictions; school admissions; petitions and Local Government Ombudsman cases.

Officers should refer to the area boards and delegated decisions checklist to ensure local councillors and area boards are involved in decisions on local services. Consultation of local councillors when relevant also forms part of the checklist for cabinet papers.

Where planning initiatives or informed of changes to service provision by partners, which relate to one or a small number of electoral divisions, officers should inform the local division councillor. This includes circumstances such as:

- Forthcoming local consultations to be carried out by the council;
- Localised issues that may be identified to be subject to scrutiny or review;
- Sale of land and/or property owned by the council;
- Planned demolition of property, extension or renovation;
- Enforcement action: such as action taken by trading standards;
- Schools being put into special measures;
- Awards gained by services or facilities that are specific to a local area;
- Research or statistics on the electoral division.

In most cases an email is an appropriate form of communication, however in other circumstances officers should give consideration to other forms of briefing - such as face to face, online or over the phone.

Officers should rapidly alert local councillors to urgent issues affecting local services or facilities, such as unplanned work to public buildings or roads that has not been previously programmed and notified (in such cases a phone call may be more appropriate than other forms of communication such as email). Similarly, the council may be notified at short notice by partner agencies on changes to services (such as a temporary reduction in police staffing) or on the work of statutory undertakers. It is important to inform local councillors of any changes affecting their electoral division in particular as soon as realistically possible.

Heads of service should ensure that all their members of staff are aware of the requirements within this guidance. Any particular cases of difficulty or uncertainty arising under this guidance should be raised with the Monitoring Officer who will advise how to proceed.

Extract of Part 2 of the Constitution

3. Article 3 – Members of the public and the council

3.1 Rights of members of the public

Members of the public have the following rights. They have further rights relating to access to information details of which appear in the access to information rules in Part 5 of this constitution.

Voting and petitions

Residents on the electoral roll for the area have the right to vote and sign a petition to request a referendum for a mayoral form of governance for Wiltshire Council.

Citizens can petition the council to take specified action(s). Such petitions will be dealt with under the council's Petitions Scheme, which is set out in Part 4 of the constitution.

Information

Members of the public have the right to:

- contact the council by telephone, post, email, fax or in person. An acknowledgement will be sent within 2 working days, and a full response to all written correspondence within 15 working days from the day your correspondence is received. Where legislation dictates otherwise, e.g. Freedom of Information, different timescales may apply. If that is not possible an explanation will be given as to the reason for the delay, what action is being taken, and when a response will be sent.
- contact their local councillor about any matters of concern to them
- view the register of councillors' interests
- obtain a copy of the constitution on payment of a fee or access it on-line or at local libraries
- attend meetings of the council and its committees except where confidential or exempt information is likely to be disclosed
- attend meetings of the cabinet when key decisions are being considered except where confidential or exempt information is likely to be disclosed
- find out from the forward plan what key decisions will be taken by the cabinet and when
- see reports and background papers, and any records of decisions made by the council and the cabinet, except where a document contains confidential and/or exempt information
- inspect the council's accounts and make their views known to the external auditor

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MEDIA RELATIONS

1. Introduction

- 1.1 This protocol will operate along with the Member and Officers' Codes of Conduct, and applies explicitly whenever an individual is acting on behalf of the council.
- 1.2 The provisions of the Local Government Act 1972, the Local Government Act 1986 and the Code of Recommended Practice on Local Authority Publicity 2011 (the Code of Publicity), annexed at Appendix A, govern this protocol. All media and communications work done by the council will comply with these Acts and the Code of Publicity.
- 1.3 The council's approach is based on the key principles set out in the Code, that publicity should:
 - be lawful
 - be cost effective
 - be objective
 - be even-handed
 - be appropriate
 - have regard to equality and diversity
 - be issued with care during periods of heightened sensitivity

A key paragraph of the Code is Paragraph 16, "Any publicity describing the council's policies and aims should be as objective as possible, concentrating on the facts or explanation or both. Local authorities should not use public funds to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy...."

2. Role of the Communications Team

- 2.1 The communications team's key role is to manage and protect the reputation of the council. The team adopts an open and transparent approach to all communication, acknowledging confidentiality and sensitivity. The team provides objective, professional advice to the whole council, including supporting and advising the cabinet and the scrutiny functions. The team is non party political.

Key areas of focus include;

- Communicating and promoting corporate policy and areas of activity in consultation with the leader of the council, cabinet, the relevant Corporate Director and other senior officers. This is likely to include media releases, briefings, publications, events and other communications;

- Communicating and promoting the corporate priorities and the business plan in consultation with the leader of the council, cabinet members, and the corporate leadership team;
- Communicating and promoting agreed service activities in consultation with the leader of the council, cabinet members, and the corporate leadership team;
- Communicate, where appropriate, the role of scrutiny and their recommendations relating to council priorities or services;
- Promote the valuable democratic role of elected members, as appropriate.

3. Political Groups

- 3.1 The communications team will provide information on request to the political groups within the constitution of the council. It will provide professional non-party political advice to members on request within the bounds of the Code of Publicity.
- 3.2 Political groups will be responsible for issuing their own information and party political media releases. Although this is a legitimate part of the democratic process - it is not appropriate to use council resources.
- 3.3 When speaking or issuing information to the media, members should make clear whether they are speaking:
- officially on behalf of Wiltshire Council (if this is the case the communications team should be kept informed and updated);
 - officially on behalf of their particular political group, stating the name of that group; or
 - personally as a local divisional councillor or as a Wiltshire Council councillor, when discussing wider issues.

4. Council Meetings

- 4.7 The communications team will;
- Issue factual information before meetings, as appropriate, in order to highlight key issues and to explain council policies and services, as agreed by the leader and ~~and~~ relevant Corporate Director.
 - Issue press releases and, if appropriate, photographs to update and inform decisions made at council meetings. These may include quotes from the leader of the council, the appropriate cabinet member, or another member – such as the chair of a meeting (such as area boards) - as agreed by the leader and relevant Corporate Director;
 - Respond to all media enquiries before and after the meeting, providing an objective, factual explanation of the issues to promote understanding and awareness of council policies and services in consultation with the leader

and relevant Corporate Director. This will include facilitating interviews and photo opportunities, as appropriate;

- Refer all requests for political comment on council policies and decision to the relevant group leader.

5. Cabinet

5.1 The communications team will:

- Co-ordinate regular cabinet media briefings and other briefings to present papers to the media and give an opportunity for questions and answers, as appropriate;
- Notify group leaders of media briefings and what will be covered;
- Issue media releases pre and post meetings regarding issues for discussion and decisions. These may include quotes from the leader of the council, the appropriate cabinet member, as agreed by the leader and corporate leadership team;
- Respond to any media enquiries either pre or post the meeting - providing factual information. Where council policy is in question, the information will be coordinated in consultation with the appropriate officer and cabinet member in conjunction with the leader;
- Refer all requests for political comments to the appropriate group leader.

6. Scrutiny

6.1 The communications team will support the scrutiny function by:

- Issuing factual information, as appropriate, at the request of the chairman and vice-chairman of a select committee and agreed by both, regarding the focus and outcome of the meeting and reflecting the majority view of the committee;
- Responding to any media enquiries pre or post the meeting by providing a factual explanation of the issue. Where a matter of policy is in question, the team will also consult with the appropriate officer and cabinet member;
- Refer all requests for political comments to the appropriate group leader.

7. Area Boards

7.1 The communications team will in consultation with the relevant Community Area Manager;

- Issue factual information before meetings, as appropriate, in order to highlight key issues as agreed with the Chairman of an Area Board and encourage public engagement and attendance;
- Issue press releases and, if appropriate, photographs to update and inform decisions made at Area Board meetings. These may include quotes from

the chairman of an Area Board, appropriate cabinet member, or other appropriate member;

- Respond to all media enquiries before and after meetings, providing an objective, factual explanation of the issues to promote understanding and awareness of the business of an Area Board in consultation with the Chairman of an Area Board. This will include facilitating interviews and photo opportunities, as appropriate;
- Provide information as requested on the overall operation of Area Boards and on matters considered by an Area Board which have wider geographical implications following consultation with the Leader and corporate leadership team.
- Refer all requests for political comment on decisions made by Area Boards to the relevant group leader.

8. General Media Enquiries

- 8.1 (a) The communications team will manage all media enquiries and provide factual, objective information on the policies and decisions of the council in consultation with the leader of the council, the relevant member of the cabinet or other members, as appropriate, or the relevant senior officer.
- (b) Any requests for political comments will be referred to the appropriate group leader.

9. Press Relations

- 9.1 The communications team will adopt a proactive approach, wherever possible, to provide information and explain policy decisions. The appropriate cabinet member, portfolio holder or senior officer may be requested to speak to the media about such decisions.
- 9.2 Occasionally issues come to the notice of the media which involve staff or members and aspects of their private lives or employment contracts. It is not the council's policy to comment upon such issues and, as such, responses will be factual but respectful of the confidentiality of such issues and the individual's rights under data protection legislation.
- 9.3 All press releases will be written and issued by the communications team in conjunction with members and/or the relevant officers. Links to media releases will be emailed to all members and copies of full media releases will be circulated to the relevant members. Contact details of the relevant Cabinet Member/Portfolio Holder will be included on all press releases, along with those of the nominated representatives of the opposition groups.
- ~~9.4 Audio and video recording and the taking of photographs are not permitted during any meeting of the Cabinet, Council or their committees without the prior consent of the chairman of the meeting, although these are welcomed in principle where appropriate.~~

10 Recording and Webcasting of Meetings

10.1 The council is committed to being open and transparent in the way it conducts its business. The press and members of the public are therefore welcome to film, photograph or record at any meeting that is open to the public and to use social media. The Council has also decided that some public meetings such as Cabinet and Full Council should be the subject of live web transmission ('webcasting'), or recorded for subsequent transmission.

10.2 Guidance on this subject is included at Appendix 1.

11. Use of Social Media

11.1 The council welcomes the use of social media to help the council to communicate effectively with the public; to consult and engage; and to be more transparent and accountable. Equally the council recognises the need to be aware of the responsibilities that come with the use of social media, and to ensure that the highest level of propriety is maintained.

11.2 Guidance on the use of social media **on behalf of the council** is contained in the council's social media and blogging policy, which may be found on the council's intranet at:

http://www.wiltshire.gov.uk/council/howthecouncilworks/plansstrategiespolicies/socialmediapolicy.htm#Social_media_policy_etiquette-Anchor

11.3. Guidance for councillors on the personal use of social media may be found on the councils's intranet at:

[Draft guidance in preparation]

130. Embargoes

130.1 Wherever possible the communications team will avoid embargoed information. On the rare occasion where information is embargoed then agreement will be sought from group leaders on how the information is managed and shared with members.

130.2 If an embargo is unavoidable, it is proposed that agreement is sought from media representatives ahead of the release of the embargoed information regarding its publication.

141. Contacts and Emergency Out of Hours

141.1 The communications mobile number (07747007340) is always available for the media out of hours. The designated media relations officer will determine

whether an immediate response is required, contacting the relevant officer(s) or members as necessary.

141.2 Wiltshire Council has a key role to play in the Emergency Plan for Wiltshire. Arrangements are in place to ensure effective cooperation with the other agencies involved. A media relations officer from one or more of the agencies will be nominated to deal with media enquiries. During an emergency, clear guidance on the identity of media contacts will be issued to officers and members.

Appendix 1

Guidance on the recording and webcasting of meetings

1. Wiltshire Council is committed to being open and transparent in the way it conducts its business. The press and members of the public are therefore welcome to film, photograph or record at any meeting that is open to the public and to use social media such as Twitter, Facebook and blogs. The Council has also decided that some public meetings such as Cabinet and Full Council should be the subject of live web transmission ('webcasting'), or recorded for subsequent transmission.
2. This guidance aims to assist the conduct of webcast meetings and to ensure that in doing so the Council is compliant with its obligations under the Data Protection Act 1998 and the Human Rights Act 1998. It also provides practical information to assist anyone considering recording meetings and anyone speaking at meetings which may be recorded.

General

3. A notice will be included on the agenda and also be displayed on the door and inside the meeting room advising everyone who attends that the meeting may be webcast or recorded and that by attending the meeting they are consenting to the broadcast of their image.
4. The Chairman will make an announcement to attendees at the start of the meeting informing attendees that the meeting may be webcast or recorded. Anyone who remains at the meeting after the Chairman's announcement will be deemed to have consented to the broadcast of their image.
5. The chairman may suspend or terminate the webcast or recording if, after consulting the Monitoring Officer or their designated representative, he or she deems it necessary to ensure the proper conduct of the meeting and, in particular, safeguard the interests of vulnerable persons.
6. Recording must be non intrusive and the Chairman may order the removal of a member of the public from a meeting should that person, having been warned, continue to interrupt proceedings. The Chairman may also call for any part of the meeting room to be cleared in the event of a general disturbance.

[see Paragraphs 146 and 147 of Part 4 of the Constitution – Disturbance by Public]
7. Any person or organisation choosing to record or broadcast any meeting is responsible for any claims or other liability arising from them so doing and by choosing to record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.

Before the Meeting

8. Anyone intending to record a meeting is advised to contact the Communications Team on 01225 713116 for advice and guidance. Reasonable advance notice will enable practical arrangements to be made and any special requirements to be discussed.
9. Flash photography, additional lighting or large equipment will *not* be permitted, unless agreed in advance and it can be accommodated without causing disruption to the proceedings. Requests to use equipment of this nature will be subject to consideration of the constraints of the meeting rooms.

During the Meeting

10. Recording of meetings should:
 - not interfere with the effective conduct of the meeting, nor should it be disruptive or distracting. The Chairman has discretion to suspend or stop recording at any time and to take appropriate action if the Chairman, after taking advice from the Monitoring Officer or their designated representative, considers that they are doing so in a disruptive manner.
 - not seek to 'overview' sensitive information such as close ups of confidential papers or private notes.
 - not obstruct others from observing and participating in the proceedings.
 - cease immediately if and when the meeting agrees to formally exclude the press and public due to business of an exempt or confidential nature.
 - not be edited in a way that could lead to misinterpretation of the proceedings or the comments made, or that ridicules those being recorded.
 - when published or broadcast, recordings should be accompanied by information including when and where the recording was made and the context in which the discussion took place.
 - be overt (i.e. clearly visible to anyone at the meeting).
 - cease, unless continued recording has been explicitly agreed by the Chairman, when the meeting is formally concluded.
11. It should be noted that councillors will be accessing their meeting documentation ie agenda and reports electronically.

Exempt or confidential business

12. No part of any meeting will be webcast after members have passed a resolution excluding the press and public because there is likely to be disclosure of exempt or confidential information. The Democratic Services officer will ensure that recording of the meeting has ceased and will confirm this to the Chairman before any discussion of exempt or confidential matters is commenced.

Practical advice

Speaking at a meeting

13. Firstly and most importantly remember to speak into the microphone each time to ensure that your words can be clearly heard.
14. Try to avoid moving unduly whilst speaking and using expansive hand gestures; because the video stream is highly compressed all movement causes temporary pixilation and leads to a diminution of picture quality. In addition the camera operator will struggle to keep a moving person in shot. For the same reason if giving a presentation please try to stand in the same area rather than walking around the room.
15. When other people near you are speaking please bear in mind that you may still be on camera. Bear in mind that even when there is no audience in the room members of the public are nonetheless watching the meeting.

Microphone noise

16. Microphone noise is an artificial sound that is introduced when an object touches the microphone; speakers should not tap pencils and rings against microphones or touch the cable. When speaking, do not place objects in-between yourself and the microphone as this may distort what you are saying.

Clothing

17. It is advisable to avoid bright colours which tend to cause exposure problems when webcast. Stripes and checked clothes are best avoided as they can cause a strobe effect when webcast, especially when the subject is moving.

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Monitoring Officer Protocol

1. The monitoring officer will receive:

- 1.1. Advance notice of Corporate Leadership Team meetings, copies of all agenda and reports.
- 1.2. Advance notice of meetings whether formal or informal between corporate and ~~service-associate~~ directors and members of the cabinet or committee chairmen where any procedural, vires or other constitutional issues are likely to arise.
- 1.3. Advance notice of all emerging issues of concern including legality, probity, vires and constitutional issues.
- 1.4. Copies of all reports to members.

2. The monitoring officer has the right:

- 2.1. To attend and speak at any Corporate Leadership Team meetings.
- 2.2. To call for any relevant information whether confidential or otherwise and to give that information as appropriate to any body including ~~the Standards Board~~, the Standards Committee, the Audit Commission and the Local Government Ombudsman.
3. This protocol is in addition to any provisions in the council's constitution.

4. The monitoring officer will:

- 4.1. Ensure the ~~head of paid service corporate directors~~ and ~~chief finance officer~~ Associate Director Finance (Section 151 Officer) have up-to-date information regarding emerging issues.
- 4.2. Deal with allegations of misconduct in accordance with the statutory framework for local assessment, review and determination of complaints under the Members' Code of Conduct.
- 4.3. Establish and maintain a register of interests of members and co-opted members of the council and its parish, town and city councils in accordance with section 29 Localism Act 2011.
5. The ~~head of paid service corporate directors~~, ~~chief finance officer~~ Associate Director Finance (Section 151 Officer) and monitoring officer will meet regularly as required to consider and recommend action in connection with current governance issues and other matters of concern regarding probity.
6. In carrying out any investigation (whether under regulations or otherwise) the monitoring officer will have unqualified access to any information held by the council and any employee who can assist in the discharge of his or her functions.
7. The monitoring officer will have control of a budget sufficient to enable him / her to discharge his/her responsibilities.
8. The monitoring officer will be responsible for preparing a training programme for members on the ethical framework subject to the approval of the Standards Committee.
9. The monitoring officer will report to the council from time to time on the constitution and any necessary or desirable changes following consultation in particular with the ~~head of~~

~~paid service corporate directors and chief finance officer.~~ Associate Director Finance (Section 151 Officer)

10. The monitoring officer may defer the making of a formal report under Section 5 Local Government and Housing Act 1989 where another investigative body is involved.
11. The monitoring officer will make a report to the council from time to time as necessary on the staff, accommodation and resources he/she requires to discharge his/her functions.
12. The monitoring officer will appoint at least one deputy and keep them briefed on emerging issues.
13. The monitoring officer's nominated deputy will have all the rights and powers of the monitoring officer when discharging the role of monitoring officer.

Governance Reporting Arrangements

	Governance Area	Executive Responsibility	Non - Executive Lead Committee	Activity – Terms of Reference	Other Interested Committees
1.	Corporate Plan - Performance	Cabinet (Council approves Plan)	Overview and Scrutiny	Review and scrutinise	Audit Standards
2.	Medium Term Financial Strategy (MTFS)	Cabinet (Council approves MTFS)	Overview and Scrutiny	Review and scrutinise	Audit - process and soundness of information
3.	Budget Setting	Cabinet (Council approves budget)	Overview and Scrutiny	Review and scrutinise	Audit - process and soundness of information
4.	Budget Monitoring	Cabinet	Overview and Scrutiny	Review and scrutinise	Audit - process and soundness of information
5.	Annual Statement of Accounts	Cabinet	Audit	Review and approve	Overview and Scrutiny
6.	Financial Management	Cabinet	Audit	Review to ensure arrangements for financial management are adequate and effective	Overview and Scrutiny
7.	Corporate governance, risk management and internal control	Cabinet	Audit	Monitor and review effective development and operation; receive progress reports.	Overview and Scrutiny
8.	Annual Governance Statement (AGS)	Cabinet	Audit	Oversee process, review supporting evidence and approve AGS	Contributions from standards – ethical governance and Overview and Scrutiny
9.	Anti-fraud and Corruption Policy	Cabinet	Audit	Monitor development and implementation	Standards Overview and Scrutiny

10.	Internal Audit	Cabinet	Audit	<ul style="list-style-type: none"> - Approve terms of reference and strategy and annual internal audit plan; - Monitor and review effectiveness of internal audit; - Consider annual report and opinion of Head of Internal Audit, summary on internal audit activity and level of assurance it provides on corporate governance; - Consider specific internal audit reports as requested and monitor implementation of agreed actions. 	Overview and Scrutiny Standards – ethical governance issues
11.	External Audit	Cabinet	Audit	<ul style="list-style-type: none"> - Comment on external audit plan - consider relevant reports and report to those charged with governance; - Comment on scope and depth of external audit work and ensure it gives value for money - Monitor implementation of actions arising from external audit. - Consider issues arising from external audit of accounts 	Overview and Scrutiny Standards – ethical governance issues
12.	Audit and Inspection Letter	Cabinet	a. Overview and Scrutiny b. Audit c. Standards – ethical governance issues		
13.	Constitution	Cabinet (Council approves) Council	Standards	Oversight	Audit financial rules and regulations

					All other committees
14.	Promoting and maintaining high standards of conduct : officers and members	Cabinet	Standards	- Advising and providing training on Code of Conduct; -Granting dispensations; -Dealing with complaints under the Code of Conduct.	Staffing Policy Committee – Officer disciplinary hearings and any recommendations for wider learning
15.	Whistleblowing Policy	Cabinet	Standards	Overview of policy development and implementation	Possible issues for Standards and Overview Scrutiny
16.	Corporate Complaints Handling and Ombudsman Investigations	Cabinet	Standards	- Overview; - Review implementation of recommendations by Ombudsman	Possible issues for Overview and Scrutiny
17.	Partnership Governance	Cabinet	Audit	Review effectiveness of partnership governance arrangements as part of AGS process	Overview and Scrutiny – review partnerships Standards, ethical governance in relation to partnerships
18.	Safeguarding and looked after children	Cabinet	Children’s Select Committee	Ensuring safeguarding responsibilities	Corporate Parenting Panel Safeguarding Children and Young People Panel Safeguarding Children and Young People Task Group
19.	Heath, wellbeing and social care	Cabinet/Health and Wellbeing Board	Health Select Committee	Ensuring health, wellbeing and social care responsibilities	
20.	Policing	Cabinet	Police and Crime Panel	Holding Police and Crime Commissioner to account	Overview and Scrutiny
21.	Local Enterprise Partnership	Cabinet	Joint Strategic Economic Committee	Democratic accountability, LEP governance framework	LEP Joint Scrutiny Task Group

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Wiltshire Council

Council

14 July 2015

Changes to Statutory Dismissal Procedures for Heads of Paid Service, Monitoring Officers and s.151 Finance Officers

Purpose of Report

1. This report is to inform Council of the requirement to amend the Council's standing orders in relation to the Statutory Dismissal Procedures for Heads of Paid Service, Monitoring Officers and s.151 Finance Officers following the coming into force on 11 May 2015 of *the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015*.

Background

2. On 11 May 2015 *the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015* came into force, having been made on 25 March 2015. These regulations introduced changes to statutory dismissal procedures for Heads of Paid Service, Monitoring Officers and S.151 Officers, to be reported at the first ordinary meeting of Council following the regulations coming into force.
3. The Regulations remove the requirement to appoint a Designated Independent Person to investigate and make a binding recommendation on disciplinary action against the listed senior staff. Instead, they provide that the decision must be taken by full council who must consider any advice, views or recommendations from an independent panel, the conclusions of any investigation into the proposed dismissal, and any representations from the officer concerned.
4. The requirement to make these changes has been reported to the Constitution Focus Group on 11 June 2015 and the Standards Committee on 24 June 2015.

Main Considerations

5. The Regulations will require changes to Part 15 of the Constitution - Officer Employment Procedure Rules - as well as contractual changes for affected officers.
6. Council must invite at least two independent persons (appointed under standards legislation) to be members of the panel as detailed in paragraph 3, and invitations must be sent in accordance with the following order of priority:
 - a. an independent person who has been appointed by the council and who is a local government elector;
 - b. any other independent person who has been appointed by the council;and

- c. an independent person who has been appointed by another council or councils.
- 7. The panel must be a committee of the council and, therefore, subject to all legal requirements for committees.
- 8. Legal and Human Resources are considering the arrangements for implementing these requirements, and subject to the recommendation below, will report the final changes once they have been implemented.

Safeguarding Implications

- 9. There are no safeguarding issues arising from this report.

Equalities Impact of the Proposal

- 10. There are no equalities impacts arising from this report.

Risk assessment

- 11. There are no significant risks arising from this report

Financial Implications

- 12. There are no financial implications arising from this report.

Legal Implications

- 13. The recommendations in this report are consistent with the relevant legislation, and there are no legal implications arising from this report

Public Health Impact of the Proposals

- 14. There are no public health impacts arising from this report.

Environmental Impact of the Proposals

- 15. There are no environmental impacts arising from this report.

Proposal

- 16. **That Council delegate authority to the Monitoring Officer to amend the Council's Standing Orders to comply with the *Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015* as detailed above.**

Ian Gibbons, Associate Director, Legal and Governance and Monitoring Officer

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Unpublished reports relied upon in the preparation of this report: None

Wiltshire Council

Council

14 July 2015

Subject: Annual Report on Treasury Management 2014-15

Cabinet member: Councillor Richard Tonge
Finance, Performance, Risk, Procurement and Welfare Reform

Key Decision: No

Executive Summary

In accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) (the accountancy body for the public services) Prudential Code for Capital Finance in Local Authorities 2003 (The Prudential Code), the Council adopted a Treasury Management Strategy (TMS) for 2014-15, including a set of Prudential and Treasury Indicators (PrIs/TrIs) and an Annual Investment Strategy (AIS) at its meeting on 25 February 2014. The Strategy report can be found in the Cabinet meeting on 11 February 2014 agenda in the reports pack at the following [link](#)¹, Item 9, Pages 201 to 283. This report shows how the Council has performed against the strategy.

The treasury strategy was adhered to in 2014-15; the average long term borrowing rate was 3.823%; and the return on short term investments was 0.60%. In November 2014 the Council sold its remaining claim in Landsbanki. The sale means that Wiltshire Council recovered 96% of the amount that was originally deposited. It has recovered £8.5 million (94%) of deposits with Heritable Bank, and we continue to review this position, with any need for write off already having been provided for.

Proposals

Following consideration by Cabinet at its meeting on 16 June 2015, the Council is asked to consider and note:

- a) Prudential Indicators, Treasury Indicators and other treasury management strategies set for 2014-15 against actual positions resulting from actions within the year as detailed in Appendix A; and
- c) investments during the year in the context of the Annual Investment Strategy as detailed in Appendix B.

Reasons for Proposals

To give members an opportunity to consider the performance of the Council against the parameters set out in the approved Treasury Management Strategy for 2014-15.

¹ <http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&MId=7217&Ver=4>

This report is required by the Prudential Code for Capital Finance in Local Authorities and the CIPFA Code of Practice for Treasury Management in the Public Services.

Michael Hudson – Associate Director, Finance

Subject: Annual Report on Treasury Management 2014-15

**Cabinet member: Councillor Richard Tonge
Finance, Performance, Risk, Procurement and Welfare
Reform**

Key Decision: No

1. Background & Purpose of Report

- 1.1 In accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) (the accountancy body for the public services) Prudential Code for Capital Finance in Local Authorities 2003 (The Prudential Code), the Council adopted a Treasury Management Strategy (TMS) for 2014-15, including a set of Prudential and Treasury Indicators (PrIs/TrIs) and an Annual Investment Strategy (AIS) at its meeting on 25 February 2014. The Strategy report in the Cabinet 11 February 2014 agenda reports pack can be found at the following [link](#)², Item 9, Pages 201 to 283.
- 1.2 A quarterly report for the period from 1 April to 31 December 2014 was submitted to Cabinet on 17 March 2015. This report covers the whole financial year ended 31 March 2015.

2. Main Considerations for the Council

- 2.1 This report reviews:
- a) PrIs, TrIs and other treasury management strategies set for 2014-15 against actual positions resulting from actions within the year (see Appendix A); and
 - b) investments during the year in the context of the Annual Investment Strategy (see Appendix B).
- 2.2 There were no opportunities to restructure Public Works Loan Board (PWLB) loans in 2014-15, mainly because of the continuing high level of premiums payable for early repayment, together with the availability of favourable interest rates at the appropriate maturity levels.

² <http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&MId=7217&Ver=4>

Review of Prudential and Treasury Indicators and Treasury Management Strategy for 2014-15

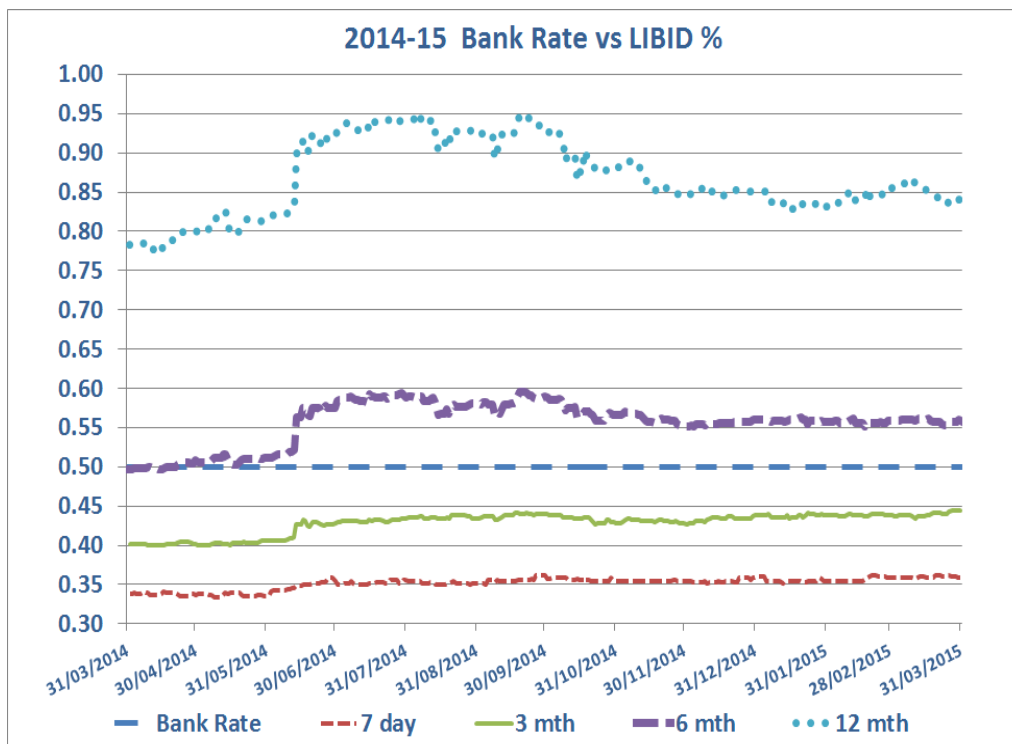
2.3 The detail of the review is given in Appendix A. The Council is asked to note that:

- a) all action has been within the approved Prls and Trls;
- b) as members are aware, the Council has sold its remaining claim in one of the Icelandic banks (Landsbanki), for which sale proceeds of £1.210 million were received. No further repayments have been received during the financial year. Total recoveries since the banks failed in 2008 now stand at approximately £11.4 million.
- c) the average interest rate for long term debt has increased slightly (from 3.787%) to 3.823%, the very minor increase being due to the maturity of two PWLB loans during the year. The amount of loans outstanding has reduced by £12 million between 1 April 2014 and 31 March 2015 as a result of the maturities and the loans have not (currently) been refinanced;
- d) short term cash deficits and surpluses were managed through temporary loans and deposits with a return on short term investments of 0.60% (an increase from 0.50% in 2013-14, reflecting slight increases in the market during the year). This compares with the average market rate, based on the Average 3 Month LIBID Rate for 2014-15 (London Interbank Bid Rate, i.e. the rate at which banks are prepared to borrow from other banks) of 0.43% (0.39% for 2013-14); and
- e) mid/longer term “special tranche rate” investments were placed with Lloyds Banking Group (in May 2014 for nine months, at 0.80% and in November 2014 for 12 months, at 1.00%), taking advantage of favourable (although reduced slightly from previous rates available in 2013-14) rates, whilst ensuring security and liquidity.

Review of Investment Strategy

2.4 This review is detailed in Appendix B. The Council is asked to note that:

- a) the financial year 2014-15 continued the challenging investment environment of previous years, namely low investment returns.
- b) Bank Rate remained at its historic low of 0.5% throughout the year; it has now remained unchanged for six years. Market expectations as to the timing of the start of monetary tightening started the year at quarter one 2015 but then moved back to around quarter three 2016 by the end of the year. Deposit rates remained depressed during the whole of the year, primarily due to the effects of the Funding for Lending Scheme.
- c) as can be seen from the chart below, interest (investment) rates remained relatively low/flat during the financial year, as measured by the London Interbank Bid (LIBID) rate (i.e. the bid rate that banks are willing to pay for deposits in the London interbank market).



d) during the financial year the Council was able to take the opportunity presented by longer term (four to 12 months) investment rates to invest surplus cash balances at optimum rates, whilst maintaining its approved strategy, including security and liquidity and credit rating criteria.

2.5 Change to Treasury Management Strategy 2015-16

Following changes by the rating agencies as a result of 'bail in' regulations, the Associate Director Finance has taken the delegated decision (as agreed/conferred in the Treasury Management Strategy (TMS) presented to Council on 24 February 2015 - TMS 2015/16 Para 11.1 b) of the main report) to make a minor amendment to the Council's Strategy as a result of the changes in the minimum requirements for high credit quality. The amendment will remove the minimum requirement in paragraph 28 in Appendix B of the Main Strategy relating to the support rating, retaining the other additional minimum requirements as in paragraph 28.

3. Safeguarding Implications

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

4. Public Health Implications

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

5. Corporate Procurement Implications

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

6. Equalities Impact of the Proposal

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

7. Environmental and Climate Change Considerations

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

8. Risks Assessment and Financial Implications

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

8.2 Investment counterparty³ risk is controlled by assessing and monitoring the credit risk of borrowers as authorised by the Annual Investment Strategy. Appendix B of this report details action taken in 2014-15.

8.3 At 31 March 2015, the Council's average interest rate in respect of long term debt was 3.823%, which remains relatively low, in comparison with other local authorities.

8.4 It is also considered important to ensure that there is an even spread of loans to avoid the prospect of a number of high value loans maturing in any one year, which may need to be re-financed at a time when interest rates are high. A summary of the present loan maturity profile is shown in Appendix C (i).

8.5 Returns on short term investments have not moved significantly, mainly as a result of the volatility of the market following the 'credit crunch' starting in October 2008 and are likely to continue at near current levels for some time. The costs of borrowing for this Council have remained at similar levels because the loan profile is almost entirely at fixed maturity rates (despite the unexpected change of policy on PWLB lending arrangements in October 2010, when new borrowing rates increased by 0.75% to 0.85%, without an associated increase in early redemption rates). The investment rate of return for the year was 0.60%, against the average borrowing rate of 3.823%.

8.6 The original market expectation at the beginning of 2014-15 was for the first increase in Bank Rate to occur in quarter 1 2015 as the unemployment rate had fallen much faster than expected through the Bank of England's initial forward guidance target of 7%. In May, however, the Bank revised its forward guidance. A combination of very weak pay rises and inflation above the rate of pay rises meant that consumer disposable income was still being eroded and in August the Bank halved its forecast for pay inflation in 2014 from 2.5% to 1.25%.

8.7 Expectations for the first increase in Bank Rate therefore started to recede as growth was still heavily dependent on buoyant consumer demand. During the second half of 2014 financial markets were caught out by a halving of the oil price and the collapse of the peg between the Swiss franc and the euro. Fears also increased considerably that the European Central Bank (ECB) was going to do too little too late to ward off the threat of deflation and recession in the Eurozone. By the end of 2014, it was clear that inflation in the UK was going to

³ A Counterparty is a term most commonly used in the financial services industry to describe a legal entity, unincorporated entity or collection of entities (e.g. lender/borrower) to which an exposure to financial risk might exist.

head towards zero in 2015 and possibly even turn negative. This made it clear that the MPC would have great difficulty in starting to raise Bank Rate in 2015 while inflation was around zero and so market expectations for the first increase receded back to around quarter 3 of 2016.

- 8.8 PWLB rates have fallen during the year, however, they are expected to rise steadily over the next three years as the Bank Rate rises and the UK economy continues to improve.

9. Legal Implications

- 9.1 None have been identified as arising directly from this report.

10. Options Considered

- 10.1 The availability of any longer term investment opportunities, such as those offered by “special tranche rates”, is continually monitored.

- 10.2 Also any options available to provide savings from rescheduling long term borrowing are continually assessed in liaison with our treasury advisers.

11. Conclusion

- 11.1 Council is asked to note the report.

Michael Hudson
Associate Director, Finance

Report Author:

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Background Papers

The following unpublished documents have been relied on in the preparation of this Report: NONE

Appendices

- Appendix A Review of Prudential and Treasury Indicators for 2014-15
Appendix B Review of Investment Strategy for 2014-15
Appendix C Summary of Long Term Loans, Temporary Loans and Deposits for 2014-15

REVIEW OF PRUDENTIAL AND TREASURY INDICATORS FOR 2014-15

1. Where appropriate the figures shown in this report are consistent with the PrI and TrI estimates in the Strategy for the next three years, as reviewed and reported as part of the 2014-15 budget process.

Prudential IndicatorsPrI 1 - Capital Expenditure

2. The table below shows the original and revised estimate of capital expenditure against the actual for the year 2014-15:

	2014-15 Original Estimate £ million	2014-15 Revised Estimate £ million	2014-15 Actual Outturn £ million
General Fund	132.1	120.0	89.8
Housing Revenue Account	10.2	16.0	8.8

3. The actual capital spends have increased from those reported in the December quarterly report because of additional capital expenditure incurred between the end of December 2014 and the end of March 2015.
4. The Capital Programme has been actively managed throughout the year and the revised capital budget (capital outturn position for 2014-15) is £128.0 million. Further breakdown of these figures was presented in the capital outturn report, which was taken to the Cabinet Capital Assets Committee meeting on 16 June 2015.

PrI 2 – Ratio of Financing Costs to Net Revenue Stream

5. PrI 2 expresses the net costs of financing as a percentage of the funding receivable from the Government and council tax payers (General Fund) and rents receivable (HRA). The net cost of financing includes interest and principal repayments for long and short term borrowing, as well as other credit-like arrangements, netted off by interest receivable from cash investments.

	2014-15 Original Estimate	2014-15 Revised Estimate	2014-15 Actual
General Fund	7.1%	6.5%	6.3%
Housing Revenue Account	14.7%	14.9%	14.8%

6. In terms of the General Fund slight differences between budgeted and actual costs led to a minor decrease in actual ratio when compared with the revised estimate. The actual ratio is also slightly lower than the revised estimate and the figure reported in the December 2014 quarterly report, reflecting a higher level of investment income than anticipated.

Prl 3 – Estimate of Incremental Impact of Capital Investment Decisions on the Council Tax

7. This indicator is only relevant during budget setting, as it reflects the impact on the Band D Council Tax, or average weekly housing rents in respect of the HRA, caused by any agreed changes in the capital budget.

Prl 4 – Gross Borrowing and the Capital Financing Requirement

8. Prl 4 measures the so called “Golden Rule” which ensures that borrowing is only for capital purposes. The table below shows the original and revised estimate for 2014-15 compared with the actual position at the year end.

	2014-15 Original Estimate £ million	2014-15 Revised Estimate £ million	2014-15 Actual £ million
CFR – General Fund	438.7	384.0	369.1
CFR – HRA	122.6	122.6	122.6
Gross Borrowing – Gen Fund	305.1	243.1	233.1
Gross Borrowing – HRA	118.8	118.8	118.8
CFR not funded by gross borrowing – Gen Fund	133.6	140.9	136.0
CFR not funded by gross borrowing – HRA	3.8	3.8	3.8

9. The Capital Financing Requirement (CFR) increases whenever capital expenditure is incurred. If resourced immediately (from capital receipts, direct revenue contributions or capital grant/contributions) the CFR will reduce at the same time that the capital expenditure is incurred, with no net increase in CFR.
10. Where capital expenditure is not resourced immediately, there is a net increase in CFR, represented by an underlying need to borrow for capital purposes, whether or not external borrowing actually occurs. The CFR may then reduce over time by future applications of capital receipts, capital grants/contributions or further charges to revenue.
11. This Prl is necessary, because under an integrated treasury management strategy (in accordance with best practice under the CIPFA Code of Practice on Treasury Management in the Public Services), borrowing is not associated with particular items or types of expenditure, whether revenue or capital
12. The difference between actual external (gross) borrowing (£233.1 million) and the CFR (CFR not funded by gross borrowing above) is capital expenditure met by internal borrowing, i.e. funded from the Council’s own funds, such as reserves and balances and working capital (an accounting term for the difference, at a point in time, between what the Council owes and what is owed to it).

13. Internal borrowing is cheaper than external borrowing (see paragraph 8.5 of the main report), however, the ability to borrow internally will depend upon the sufficiency of reserves, balances and working capital. The sufficiency needs to be monitored and projections carried out to indicate where any adverse movements are expected, that could jeopardise the Council's cash flow position, making it necessary to replace internal with external borrowing.

Prl 5 – Compliance with CIPFA Code of Practice for Treasury Management in the Public Services (“The Code”)

In the past year the Council was, and is expected to continue to be, fully compliant with the CIPFA Code of Practice for Treasury Management in the Public Services.

14. This Code of Practice has been complied with during 2014-15.

Treasury Management Indicators within the Prudential Code

Trl 1 – Authorised Limit for External Debt

Authorised Limit	2014-15 £ million	2015-16 £ million	2016-17 £ million	2017-18 £ million
Borrowing – General Fund	471.2	448.2	488.7	492.5
Borrowing – HRA	123.2	123.2	123.2	123.2
Total Borrowing	594.4	571.4	611.9	615.7
Other Long Term Liabilities	0.2	0.2	0.2	0.2
TOTAL	594.6	571.6	612.1	615.9

15. This Authorised Limit was not exceeded at any time during the year, as maximum borrowing was below the (lower) Operational Boundary.

Trl 2 – Operational Boundary for External Debt

Operational Boundary	2014-15 £ million	2015-16 £ million	2016-17 £ million	2017-18 £ million
Borrowing – General Fund	459.7	437.2	476.7	480.5
Borrowing – HRA	123.2	123.2	123.2	123.2
Total Borrowing	582.9	560.4	599.9	603.7
Other Long Term Liabilities	0.2	0.2	0.2	0.2
TOTAL	583.1	560.6	600.1	603.9

16. This Trl is for gross borrowing and was set at a limit that would allow the Council to take its entire financing requirement as loans if this was the most cost effective alternative. The limit on HRA borrowing is capped in 2014-15 at £123.2 million. The limits, which have not been exceeded during the period covered by this report, are set to anticipate expected expenditure. The maximum gross borrowing during the year being £364.0 million (£245.2 million on General Fund and £118.8 on HRA) at the beginning of the financial year up to 31 May 2014. Between 1 June 2014 and 31 March 2015 two fixed rate PWLB loans (totalling £12 million) have matured and not been refinanced.

Trl 3 – External debt

	31/3/14 Actual £ million	31/3/15 Expected £ million	31/3/15 Actual £ million
Borrowing – General Fund	245.2	246.1	233.1
Borrowing – HRA	118.8	118.8	118.8
Total Borrowing	364.0	364.9	351.9
Other Long Term Liabilities	£0.2	0.2	£0.2
TOTAL	364.2	365.1	352.1

17. This Trl shows the gross External Debt outstanding at year end. The actual borrowing figure is outstanding long term borrowing as shown in Appendix C (i). Actual borrowing was less than expected at the end of 2014-15, mainly due to the decision not to refinance maturing loans at this time.
18. There were no additional long term loans taken during the year.

Treasury Management Indicators within the Treasury Management Code

Trl 4a and 4b – Upper Limit on Fixed Interest Rate Exposures and Interest Rate Exposures, respectively

The Council's upper limit for fixed interest rate exposure for the period 2014-15 to 2017-18 is 100% of net outstanding principal sums.

The Council's upper limit for variable interest rate exposure is 47% for 2014-15, 50% for 2015-16, 52% for 2016-17 and 54% for 2017-18 of net outstanding principal sums.

19. All loans and investments are at fixed rates of interest.

Trl 5 – Maturity Structure of Borrowing

Limits on the Maturity Structure of Borrowing	Upper Limit	Lower Limit	Actuals 31/3/15 Next Call Date	Actuals 31/3/15 Contracted Maturity
Maturing Period:				
- under 12 months	15%	0%	20.7%	3.4%
- 12 months and within 24 months	15%	0%	3.4%	3.4%
- 2 years and within 5 years	45%	0%	6.5%	6.5%
- 5 years and within 10 years	75%	0%	11.9%	11.9%
- 10 years and above	100%	0%	57.5%	74.8%

20. In addition to the main maturity indicators it is considered prudent that no more than 15% of long term loans should fall due for repayment within any one financial year. Using CIPFAs guidance notes, it is recommended that treasury

reports show LOBOs at the next call date, however, the Code states that LOBOs should be shown in the accounts disclosure notes when “the counterparty could first require payment”. This would ordinarily be the maturity date (further details are shown in Appendix C(i)).

21. Applying the CIPFA recommendation, for the treasury report, the actual maximum percentage falling due for repayment in any one year is currently 20.7% (£73 million) in 2015-16. This takes it, temporarily, over the 15% and in excess of the upper limit on the maturity structure of borrowing. However, this is not the case if the alternative (contracted maturity date) is applied. Nearly 85% of the £73 million shown as maturing in 2015-16, by the recommended method, relates to LOBO loans. Through call options, the lender has the right to change the interest rate at various points, in which case the Council will repay the loans and consider whether it needs to refinance them. In the current interest rate climate (where interest rates are expected to remain low for some time – Bank Rate is not anticipated to rise until at least quarter 1 2016 and the Bank of England has stated that it expects to raise rates slowly) they are extremely unlikely to be called. The average interest rate on present long-term debt is 3.823%, which continues to be relatively low when compared with other local authority borrowing rates.

Trl 6 – Total Principal Sums invested for periods longer than 364 days

22. This Trl is covered by the Annual Investment Strategy, which is detailed in Appendix B.

Other Treasury Management issues

Short Term Cash Deficits and Surpluses

23. It was agreed, as per the approved Strategy, that temporary loans and deposits would be used to cover short term cash surpluses and deficits that arise during the year. Such borrowing or investments would be made to specific dates at fixed rates, with reference to cash flow requirements. Investments have also been placed in Money Market Funds during the year.
24. Any outstanding temporary loans and/or deposits are summarised in Appendix C (ii).

Icelandic Bank Deposits

25. During 2014-15 the Council received no further repayments from the administrators of Heritable Bank.
26. In terms of Heritable Bank, the Council is in the same position as it was at the end of the previous financial year, a total recovery of around £8.5 million, 94% (of the original investment of £9 million) from the administrators. This may be the last payment, although the final position still remains unconfirmed (by the administrators). Further repayments from the administrators of Heritable Bank are dependent on the outcome of ongoing legal proceedings. At this time the quantum and timing of any repayments are unknown. Further progress reports from the administrators are awaited.

27. In November 2014 the Council sold its remaining claim in Landsbanki. The sale means that Wiltshire Council has recovered 96% of the amount that was originally deposited with LBI in 2008. Wiltshire Council is now no longer a creditor of LBI.
28. The only deposit now treated as outstanding with Icelandic banks is the element remaining in Iceland in an escrow account, pending review of Icelandic capital controls and is shown in Appendix C (ii).
29. The initial investments in Icelandic banks amounted to a total of £12 million and total recoveries since the banks failed in 2008 now stand at approximately £11.4 million. Depending on the outcome in respect of Heritable, as above, this could be the final recoverable amount.

Longer Term Cash Balances

30. The tight monetary conditions have continued through 2014-15 without much upward movement in the deposit rates for all types of investments (short/medium and long term). As a result opportunities for an increased return by longer term investment of the more permanent cash surpluses, such as reserves and balances have been limited.
31. However, there have been continuing opportunities for investment, within the Councils approved Treasury Management Strategy, in (UK 'Government backed') banks which have offered "special tranche rates" for twelve months.
32. Further "special tranche rate" investments were placed with Lloyds Bank for nine months at 0.80% (in May 2014) and 12 months (in November 2014) at 1.00% during the year, further details of the 12 month deposit are shown in Appendix C(ii).

REVIEW OF INVESTMENT STRATEGY FOR 2013-14

1. All investments of surplus cash balances were placed to ensure:
 - a) the security of capital, deposits only being placed with financial institutions which met the **high credit ratings** laid down in the approved Strategy;
 - b) the liquidity of investments, all deposits being placed for fixed periods at fixed rates of interest; and
 - c) all such investments were in sterling and in “Specified Investments”, as prescribed in the DCLG Guidance on Local Government Investments (the “Guidance”).
2. The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.
3. Details of the deposits outstanding at the end of the year, totalling £42.870 million, are shown in Appendix C (ii). These deposits represent the Council’s reserves both long term, such as the PFI and Insurance funds, and short term such as creditors or payments in advance and include the small deposit that remains in Iceland, which is currently held subject to the, awaited, relaxation of currency controls.
4. The opportunity was taken to place a proportion of these deposits in longer term investments for nine and 12 months during the year, taking advantage of higher interest rates available for the longer maturity period. These are shown within general deposits in Appendix C (ii).
5. The Council contracts with a treasury adviser, regularly reviewing credit ratings of potential organisations and their respective country's ratings, together with other 'tools' used to assess the credit quality of institutions such as credit default swaps. The Council uses this information to assess institutions with which it may place deposits or from which it may borrow, including interest rate forecasts for both borrowing and investment, together with setting a 'benchmark' borrowing rate. The Council's investment policy is 'aimed' at the prudent investment of surplus cash balances to optimise returns whilst ensuring the security of capital and liquidity of investments. However, the Council, like any other organisation, can be exposed to financial risk, which is negated as far as possible by the foregoing measures.

SUMMARY OF LONG TERM BORROWING 1 APRIL - 31 MARCH 2015**Loans Raised During the Period**

Date Raised	Lender	Amount (£m)	Type	Interest rate (%)	Maturity date	No. of years
No Loans were raised during the period						
Total		0.000				

Average period to maturity (years) 0.00

Average interest rate (%) 0.00

* Loans taken to restructure ** Loans taken for purchases instead of leasing

Maturity Profile at 31 March 2015

Year	Amount (£m)					% age		Average rate (%)	
	PWLB	Market Loans (LOBO)		Total		Next Call Date	Contracted Maturity	Next Call Date	Contracted Maturity
		Next Call Date	Contracted Maturity	Next Call Date	Contracted Maturity				
(A)	(B)	(C)	(A)+(B)	(A)+(C)					
1 to 5 years	46.825	61.000	-	107.825	46.825	30.6	13.3	3.860	3.192
6 to 15 years	91.123	-	-	91.123	91.123	25.9	25.9	3.139	3.139
16 to 25 years	78.500	-	-	78.500	78.500	22.3	22.3	3.928	3.928
26 to 50 years	74.500	-	45.000	74.500	119.500	21.2	34.0	4.497	4.460
Over 50 years	-	-	16.000	-	16.000	-	4.5	-	4.298
Totals	290.948	61.000	61.000	351.948	351.948	100.0	100.0	3.823	3.823

Average period to maturity (years) 15.13 22.28

CIPFAs Guidance Notes on Treasury Management in the Public Services recommends that the Treasury Management Strategy Reports include LOBO (Lender Option Borrower Option) loans at the earliest date on which the lender can require payment, deemed to be the next 'call date'. At that date the lender may choose to increase the interest rate and the borrower (the Council) may accept the new rate or repay the loan (under the current approved Treasury Management Strategy, the Council would repay the loan). Whether or not the lender chooses to exercise their right to alter the interest rate will depend on market conditions (interest rates). Current market conditions, where interest rates are predicted to remain low for some time, indicate that it is highly unlikely that lenders will call the loans in the immediate future.

The alternative method of determining the maturity profile of LOBO loans, based on contracted maturity dates, is used in the 2014-15 year end outturn.

The table above includes the maturity profiles using both the earliest date on which the lender can require payment and the contracted maturity dates.

SUMMARY OF DEPOSITS 1 APRIL - 31 MARCH 2015**Deposits Outstanding at 31 March 2015**

Borrower	Amount £m	Terms	Interest Rate	Sector Credit Rating at 31/03/2015
DBS Bank Ltd.	8.000	Fixed to 05-May-15	0.65	Orange - 12 Months
Lloyds TSB Bank	5.000	Fixed to 11-Nov-15	1.00	Blue - 12 Months
Nationwide Building Society	7.000	Fixed to 01-Oct-15	0.66	Red - 6 Months
Svenska Handelsbanken AB	0.017	No fixed maturity date	0.45	Orange - 12 Months
BlackRock Money Market Fund	0.021	No fixed maturity date	0.42	AAA
J P Morgan Money Market Fund	0.001	No fixed maturity date	0.42	AAA
Prime Rate Money Market Fund	7.866	No fixed maturity date	0.46	AAA
Goldman Sachs	0.005	No fixed maturity date	0.43	AAA
Ignis Money Market Fund	14.937	No fixed maturity date	0.48	AAA
Landsbanki (Escrow Account)	0.023	Est Recoverable Amount	4.17	N/A
Total	42.870			

Following the sale, in November 2014, of the Council's remaining claim in the winding-up of Landsbanki and the receipt of the last repayment from the administrators of Heritable Bank, the only remaining Icelandic investment now shown as outstanding is the amount (last entry) held in an escrow account in Iceland. The estimated recoverable amounts relating to the Heritable Bank investments are treated as nil, on the basis of current indications, that there may not be any further repayments, a recovery level of 94% having been attained. The last entry reflects the amount paid out in ISK (Icelandic Krona) which is being held in an interest bearing escrow account in Iceland, pending repayment once Icelandic capital controls are eased/come to an end and, as recommended by CIPFA, accounted for as a 'new' investment.

Investments held have decreased by £48.671 million between the end of December 2014 as reported in the previous quarterly report, and the end of March 2015. This is because of changes in cash flows/reversal of timing differences (e.g. decreased receipts/increased payments, particularly those associated with the funding arrangements for Business Rates Retention) and the reduction in cash associated with the £12 million loan maturities (£10 million of which has matured since the previous quarterly report), resulting in a reduction in cash available for investment. The cash position is constantly reviewed to ensure that the Council maintains an appropriate level for cash flow purposes. The timing difference reduced (as expected) as the financial year progressed as shown in the table below.

	Year Ended 31/03/2014 £m	Quarter Ended 30/06/2014 £m	Change £m	Quarter Ended 30/09/2014 £m	Change £m	Quarter Ended 31/12/2014 £m	Change £m	Quarter Ended 31/03/2015 £m	Change £m
Total Deposits Outstanding	76.327	137.719	61.392	105.602	-32.117	91.541	-14.061	42.870	-48.671

Wiltshire Council

Council

14 July 2015

Appointments to the Local Pension Board

Executive Summary

At the Council meeting on 12 May 2015, nominations were approved for the Independent Chairman, 3 Member representatives and 1 Employer representative. This left two Employer representative vacancies outstanding as nominations from Wiltshire Council and Swindon Borough Council were still pending.

This paper proposes two nominations for these vacancies namely, Councillor Newbury for Wiltshire Council and Kirsty Cole for Swindon Borough Council. This will ensure all positions are filled ahead of the Local Pension Board's first meeting on 16 July 2015 and fulfils the Council's statutory obligations under the Public Sector Pension Act (2013) along with the Local Government Pension Scheme (Amendment Governance) Regulations 2015.

The report and minutes of the previous meeting and appointments can be found at <http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=130&MId=8697&Ver=4>

Proposal

To approve the following appointments:

As Employer representatives:

Councillor Christopher Newbury – Wiltshire Council

Kirsty Cole – Swindon Borough Council

Reason for Proposal

To ensure that Wiltshire Council complies with its statutory obligations as administering authority to the Wiltshire Pension Fund.

Carolyn Godfrey
Corporate Director

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1 July 2015

Background Papers - None

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