

**Wiltshire Council
Constitution
Part 3
Responsibility for Functions
Relevant Sections to
Proposed Changes on 21
July 2020**

PART 3

RESPONSIBILITY FOR FUNCTIONS

SECTION B: FUNCTIONS OF COUNCIL, COMMITTEES AND CABINET

1. The Council

The Council will be responsible for the following functions, which it will exercise only in Full Council meetings:

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

- ~~1.1.1 Wiltshire Children and Young People's Plan, as required by the Apprenticeships, Skills, Children and Learning Act 2009;~~
- ~~1.1.2 Joint Strategic Assessment of Crime and Policing, as required by the Crime and Disorder Act 1998;~~
- ~~1.1.31.1.1 Emergency plans and civil contingency plans, as required by the Civil Contingencies Act 2004;~~
- ~~1.1.41.1.2 Local Transport Plan, as required by the Transport Act 2000;~~
- ~~1.1.3 Local Development Framework; Planning and Compulsory Purchase Act 2004~~
- ~~1.1.51.1.4 Local development documents (including supplementary planning documents) which together comprise the Local Development Framework, as required by Planning and Compulsory Purchase Act 2004;~~
- ~~1.1.61.1.5 Youth Justice Plan, as required by the Crime and Disorder Act 1998;~~
- ~~1.1.71.1.6 Corporate Equality Plan, pursuant to the Public Sector Equality Duty under s149 of the Equality Act 2010;~~
- ~~1.1.81.1.7 Homelessness Strategy, as required by the Homelessness Act 2002;~~
- ~~1.1.91.1.8 Housing Renewal Strategy, as required by the Housing Act 2004;~~
- ~~1.1.101.1.9 Licensing Authority Policy Statement, as required by the Licensing Act 2003;~~
- ~~1.1.111.1.10 Gambling Act Statement of Principles, as required by the Gambling Act 2005;~~
- ~~1.1.121.1.11 Pay Policy Statement, as required by the Localism Act 2011;~~
- ~~1.1.13 Child Poverty Strategy, as required by the Child Poverty Act 2010;~~
- ~~1.1.12 Enforcement Policy, as required by the Legislative and Regulatory Reform Act 2006.~~
- ~~1.1.13 Air Quality Strategy; Environment Act 1995~~
- ~~1.1.14 Contaminated Land Strategy; Part 2A Environmental Protection Act 1990~~

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

- ~~1.2.1 Adult Learning Plan;~~
- ~~1.2.2 Customer Access Strategy;~~
- ~~1.2.3 Young Carers' Strategy;~~

- ~~1.2.4 Adult Care Transformation;~~
- ~~1.2.5~~
 - ~~1.2.1 Corporate Asset Investment Strategy and Corporate Property Strategy;~~
 - ~~1.2.2 Corporate Parenting Policy for Looked-After Children and Young People in Wiltshire;~~
- ~~1.2.3 Business Plan;~~
- ~~1.2.4 Treasury Management Policy~~
- ~~1.2.5 Capital Investment Strategy~~
- ~~1.2.7~~
 - ~~1.2.6 Carbon Reduction Strategy~~
- ~~1.2.8 Food Safety, Food Standards and Food Law Enforcement Service Plan, as required by the Food Standards Agency;~~
- ~~1.2.9 Housing Strategy;~~
- ~~1.2.10 Air Quality Strategy, as required by the Environment Act 1995;~~
- ~~1.2.11 Contaminated Land Strategy, as required by Part 2A Environmental Protection Act 1990;~~
- ~~1.2.12 Such other plans and strategies as the Council may include to form part of its policy framework.~~

2.7 Wiltshire Pension Fund Committee

2.7.1 This committee will comprise five Members from the authority and co-opted Members as follows:

- Two voting Members from Swindon Borough Council;
- Two voting Employer Representatives;
- Two non-voting employee representatives, one representing Wiltshire Council employees, and one representing Swindon Borough Council employees.

2.7.2 It will exercise the functions of the Council as administering authority under the Local Government Superannuation Acts and Regulations and deal with all matters relating thereto. The committee will publish meetings attendance records in an Annual Report.

2.7.3 The voting Employer Representatives will serve a four-year fixed term from appointment. On expiry of the four-year term, applications for the position will be sought (from the incumbent and the applicable employer bodies) and an appointment process will be undertaken by the committee should more than one application be received for the role.

[2.7.4 The full terms of reference for the Wiltshire Pension Fund Committee can be found at Protocol 2A.](#)

2.10 **Electoral Review Committee**

Composition

2.10.1 The Committee shall consist of ten members appointed in accordance with the rules on political proportionality.

2.10.2 The Committee shall appoint a chairman and vice-chairman from among its membership.

Responsibilities

2.10.3 To oversee the provision of information required by the Local Government Boundary Commission for England (LGBCE) in carrying out any Electoral Review of Wiltshire, including any consultation arrangements with electors or stakeholders.

2.10.4 To update Full Council on the progress of any Electoral Review.

2.10.5 To make recommendations to Full Council on proposed submissions to the LGBCE relating to:

- The total number of councillors on Wiltshire Council;
- The number and boundaries of electoral divisions within Wiltshire Council;
- The number of councillors to be returned by any electoral division;
- The name of any electoral division.

2.10.6 To provide such further advice and support as may be requested by the Council related to or impacted by any Electoral Review.

2.10.7 To oversee any community governance reviews within the Wiltshire Council area, including contacting all parishes for proposals, setting the scope for any review, its methodology, and its timescales. The Committee will prepare final recommendations for any changes for consideration by Full Council.

2.10.8 The Committee will consider whether it is appropriate to make, and is empowered to suggest for consultation and recommendation, changes to parish areas and parish electoral arrangements, to include:

- The alteration, merging, creation or abolition of parishes;
- The naming of parishes and adoption of alternative styles for new parishes;
- Parish council size, number of councillors to be elected, and warding arrangements;
- Any other electorate arrangements.

2.10.9 Where it would be appropriate to do so the Committee may recommend that as a result of proposed changes a unitary division be amended so that it remains coterminous with that parish. Any such change would need to be agreed by the Local Government Boundary Commission for England if approved by Full Council.

2.10.10 Where it would be appropriate to do so, to make recommendations to Full Council on the composition (Electoral Divisions and Parishes) of Area Boards, following completion of an Electoral Review or Community Governance Review, or another reason. The Committee may undertake such processes as it considers appropriate when preparing its recommendations.

~~2.10.10~~ 2.10.11 To oversee the provision of information required in carrying out Polling District and Polling Place Reviews, including any consultation arrangements with electors or other stakeholders.

~~2.10.11~~ 2.10.12 To make decisions in respect of proposed Polling District and Polling Place Reviews.

~~2.10.12~~ 2.10.13 To receive reports in relation to the operation and delivery of Electoral Services and make recommendations or decisions as appropriate on electoral matters not reserved to Full Council.

7 Local Pension Board

7.1 The purpose of the Board is to assist the Administering Authority in its role as a scheme manager of the Scheme. Such assistance is to:

7.1.1 Secure compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme and;

7.1.2 To ensure the effective and efficient governance and administration of the Scheme.

Composition

7.2 The Board shall consist of 6 voting Members, as follows:

7.2.1 3 Member Representatives; and

7.2.2 3 Employer Representatives.

7.3 There shall be an equal number of Member and Employer Representatives.

7.4 There shall also be an independent chairman who is not entitled to vote.

Quorum

7.5 A meeting is only quorate when at least 50% of both Member and employer representatives are present.

7.6 A meeting that becomes inquorate may continue but any decisions will be non-binding.

Access to Information

7.7 The Local Pension Board is subject to the Access to Information Procedure Rules in Part 5 of this Constitution.

Terms of Reference

7.8 The full terms of reference for the Local Pension Board can be found at Protocol [2B](#).