

# SUMMONS

**Meeting:** Council

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

**Date:** Tuesday 17 October 2023

**Time:** 10.30 am

All Members are summoned to attend a meeting of the Council at the time, location and date listed above.

**Members are reminded to sign the attendance sheet before entering the Council Chamber, and if leaving before the closing of the meeting.**

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Please direct any enquiries on this Agenda to Tara Hunt of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718352 or email [committee@wiltshire.gov.uk](mailto:committee@wiltshire.gov.uk)

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

This Agenda and all the documents referred to within it are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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## **Public Participation**

Please see the agenda items on following pages for details of deadlines for submission of questions and statements for this meeting.

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

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

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

## PART I

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

1 **Apologies**

To receive any apologies for absence.

2 **Minutes of Previous Meeting** (Pages 7 - 30)

To approve as a correct record and sign the minutes of the meeting of Council held on 18 July 2023.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee or Monitoring Officer.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **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 Proper Officer) no later than 5pm on 10 October 2023 in order to be guaranteed of a written response. Questions submitted no later than 5pm on 12 October 2023 may receive a verbal response. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Please note that 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. For details regarding the submission and scope of questions, please consult section 16 of [Part 4 of the Council's Constitution](#). Please contact the officer named above for any further clarification.

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

## **POLICY FRAMEWORK**

- 6 **Corporate Parenting Strategy 2023-2026 and other Corporate Parenting Panel Developments** (*Pages 31 - 66*)

To receive a report from the Corporate Director - People.

- 7 **Update on the Council's Response to the Climate Emergency and revised Environmental Policy** (*Pages 67 - 112*)

To receive a report from the Chief Executive.

Please note that this report is subject to the decision of Cabinet on 10 October 2023. Following Cabinet, the minute of the item and any updates to the report/recommendations will be circulated in a supplement.

## **BUDGET**

- 8 **Capital Programme Additions and Amendments to the Revenue Net Budget** (*Pages 113 - 118*)

To receive a report from the Chief Executive.

## **ITEMS FOR COUNCIL**

- 9 **Community Governance Review 2022/23** (*Pages 119 - 180*)

To consider the Final Recommendations of the Electoral Review Committee.

## **CONSTITUTIONAL UPDATES**

- 10 **Part 12: Code of Conduct** (*Pages 181 - 212*)

To consider a report from the Monitoring Officer.

- 11 **Protocol 12: Wiltshire Police and Crime Panel Arrangements and Procedure Rules** (*Pages 213 - 254*)

To consider a report from the Monitoring Officer.

## **OTHER ITEMS OF BUSINESS**

- 12 **Designation of Statutory Functions** (*Pages 255 - 256*)

To receive a report from the Director HR & OD.

- 13 **S.85 Requests and Membership of Committees** (*Pages 257 - 260*)

To consider any requests from Members in respect of S.85 of the Local Government Act 1972.

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.



14 **Announcements from Cabinet and Committees**

To receive any other appropriate announcements from the Leader, Cabinet Members, or Chairmen of Committees.

15 **Questions from Members of the Council**

Members were required to give notice of any such question in writing to the Proper Officer no later than 5pm nine clear working days before the meeting, 3 October 2023, in order to be guaranteed a written response.

Any question received after 5pm on 3 October 2023 and no later than 5pm four clear working days before the meeting, 10 October 2023, may only receive a verbal response at the meeting. Any questions received after this date will be received at the next meeting.

Questions may be asked without notice if the Chairman determines the matter is urgent.

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

**PART II**

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

None

Terence Herbert  
Chief Executive  
Wiltshire Council  
Bythesea Road  
Trowbridge  
Wiltshire

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### Council

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#### MINUTES OF THE COUNCIL MEETING HELD ON 18 JULY 2023 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

##### Present:

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

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#### 35 Apologies

Apologies for absence were received from Councillors Helen Belcher OBE, Caroline Corbin, Brian Dalton, Sarah Gibson, Nick Holder, Simon Jacobs, Bob Jones MBE, Charles McGrath, Dominic Muns, Dr Nick Murry, Kelvin Nash, Jack Oatley, Andrew Oliver, Ian Thorn, Tim Trimble, Derek Walters, and Philip Whitehead.

In the absence of Councillor Thorn other members of the Liberal Democrat Group would speak on behalf of the group where he, as Group Leader, usually would.

*Note: Councillor Paul Oatway QPM provided apologies in advance of the meeting, though this was not read out during the meeting.*

#### 36 Minutes of Previous Meeting

The minutes of the Meeting held on 16 May 2023 were presented for consideration, and it was,

**Resolved:**

**That the minutes of the meeting held on 16 May 2023 be confirmed and signed as a true and correct record.**

37 **Declarations of Interest**

There were no declarations.

38 **Chairman's Announcements**

Through the Chair there were the following announcements.

1) **Events Attended by the Chairman, Councillor James Sheppard, since 16 May 2023**

- |              |   |
|--------------|---|
| 18 May 2023  | Devizes Town Council AGM and Mayoral Reception, Devizes Town Hall.  |
| 24 May 2023  | Chippenham Town Council Mayor's Investiture Ceremony, Chippenham Town Hall.   |
| 24 June 2023 | Chippenham Town Council Armed Forces Day Flag Raising Ceremony, Chippenham Town Hall.                                       |
| 25 June 2023 | Malmesbury Town Council Choral Evensong, Malmesbury Abbey.  |
| 30 June 2023 | Official opening of Collaborative Innovation Centre, The Lyle Building, Porton Science Park.                                |
| 1 July 2023  | Ludgershall Town Council Freedom of the Town to 26 Engineer Regiment Parade.  |
| 15 July 2023 | Mayor of Amesbury's Celebration Service and Reception, Abbey Church of St. Mary and St. Melor, Amesbury and Antrobus House. |

2) **Events Attended by the Vice-Chairman, Councillor Andrew Davis, since 16 May 2023**

- |              |  |
|--------------|--|
| 17 June 2023 | Chippenham Town Council Pride Flag Raising Ceremony, Chippenham Town Hall.                   |
| 18 June 2023 | Devizes Town Council Mayor's Inaugural Church Service, St. John's Church, Devizes.           |
| 30 June 2023 | Official opening of Collaborative Innovation Centre, The Lyle Building, Porton Science Park. |

2 July 2023 Fovant Badges Drumhead Service, East Farm, Fovant.

9 July 2023 Chippenham Town Council Mayor's Civic Sunday Ceremony, St. Andrew's Church, Chippenham followed by the Civic Awards in The Need.

3) King's Birthday Honours

Dame

Professor Melanie Welham, Whitley For services to Bioscience.

CBE

Major Gen. Nicholas Caplin, Pewsey For services to Veterans and to the Vision Impaired

OBE

Chantal Bryan, Stanton St. Quintin For services to Children and Young People with Special Educational Needs.

Robert Fellows, Highworth For services to Paramedic Education.

Julia Nolan, Stanton Fitzwarren For services to International Climate Diplomacy.

MBE

Claire Bessant, Chicks Grove For services to Cat Welfare.  
Julie Lawrence, Chippenham For Political Service.  
Sally Orange, Fisherton, Salisbury For services to Charity and to Mental Health.

Richard Symonds, Westbury For services to Defence.  
David Tarr, Ashton Keynes For services to Ashton Keynes Primary School and to the community in Ashton Keynes.

BEM

Leslie Welling, Devizes For services to the community in Devizes.

Nigel Linacre, Chippenham For services to water provision in communities in Kenya and other countries in Africa.  
(late New Years Honour)

4) Tisbury By-Election

The Chairman welcomed Councillor Richard Budden to his first meeting of Full Council, following his success in the Tisbury by-election held on 18 June 2023, following the resignation of Councillor Nick Errington.

Councillor Budden briefly addressed the Council.

## 39 **Public Participation**

The Chairman explained the procedure that would be followed for public participation at the meeting in accordance with the constitution. He then permitted those present to make their statements and questions at the start of the meeting rather than waiting until the agenda item to which their statement or question related.

Fourteen public questions were received for the meeting, with responses provided in the agenda supplement.

Statements and questions were then received as follows:

Ian McDonald, Laverstock & Ford Parish Council, made a statement in respect of Item 10 – Wiltshire Local Plan Review.

Celia Beckett, Hilperton Area Action Group, made a statement in respect of Item 10 – Wiltshire Local Plan Review.

Lucie Castleman, Hilperton Area Action Group, asked a supplementary to question P23-18 regarding Item 10 – Wiltshire Local Plan Review. She asked If the council's aim was to maintain transport network performance, then how would the proposed scheme for north-east Hilperton/Trowbridge going to be successful.

Councillor Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, gave reassurance that all due consideration would be given to the impacts from transport, and had been in making assessments on site selections.

Celia Beckett, Hilperton Area Action Group asked a supplementary to question P23-19 regarding Item 10 – Wiltshire Local Plan Review. She asked if the Local Plan were to be agreed could site 677a next to Whaddon Lane, Hilperton, be provided with a substantial buffer alongside hedgerows to help comply with the Trowbridge Bat Mitigation Strategy and reduce impact on rurality and biodiversity.

Councillor Botterill stated that the impact on bats and the Bat Mitigation Strategy requirements would be considered, and that the Local Plan would provide a substantial increase in biodiversity net gain, over and above government proposals.

Colin Gale asked a supplementary in respect of question P23-22 and P23-23 regarding Item 10 – Wiltshire Local Plan Review. He asked for the Local Plan to be amended to remove references to a freight management strategy he stated was not in place.

Councillor Botterill stated he did not think the wording in the Plan was misleading and was satisfied with the current draft.

40 **Petitions**

On receipt of a report, it was,

**Resolved:**

**That Council note the report, the petition received since the last meeting and the action being taken in relation to it, as set out in the Appendix to the report.**

41 **Annual Report of the Corporate Parenting Panel 2022-2023**

The Chairman invited Councillor Laura Mayes, Deputy Leader and Cabinet Member for Children's Services, Education, and Skills, to present the Annual Report of the Corporate Parenting Panel from July 2022 – March 2023.

Councillor Mayes proposed a motion to receive and note both the Annual Reports of the Corporate Parenting Panel and the Child and Youth Voice Team, and to ratify the improvements required to further strengthen Corporate Parenting in Wiltshire. This was seconded by Councillor Peter Hutton, Chairman of the Corporate Parenting Panel.

Details were provided on the number of children in care, unaccompanied asylum seekers, and those young people with experience of being in care who were being supported by the council. The ongoing need for more foster carers was highlighted, along with planned updates to the corporate parenting strategy, the STAR awards for children in care, and commending the work of team in children's services.

The Chairman then allowed Group Leaders to comment on the report and update.

Councillor Richard Clewer, Leader of the Council, provided his endorsement for the report. Councillor Gordon King, Deputy Leader of the Liberal Democrat Group, stated he was confident from the report the council was performing well in supporting the young people, and offered praise to the Cabinet Member and the Corporate Parenting Panel for their work. Councillor Ricky Rogers, Leader of the Labour Group, offered sincere thanks to staff and to the foster parents taking in young people across the county.

The item was then opened up for general debate. A comment was made thanking the Corporate Parenting Panel for taking on board feedback from scrutiny on the contents of the report and noting a report from Oxford Brookes had spoken highly of the provision of care for looked after children in Wiltshire.

At the conclusion of the debate, and with no further comments in summation from the Cabinet Member, it was then,

**Resolved:**

- 1) To receive and note the Annual Report and the work of the Corporate Parenting Panel to date, its functions and impact of its work and to ratify**

**the improvements required to further strengthen Corporate Parenting in Wiltshire.**

- 2) To receive and note the Annual Report of the Child and Youth Voice Team from April 2022 to March 2023, attached as Appendix 1 to the report.**

42 **Treasury Management Outturn Report 2022/23**

The Chairman invited Councillor Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, to present the Treasury Management Outturn Report as detailed in the Summons. Councillor Botterill proposed a motion to note that the contents of the report were in line with the Treasury Management Strategy 2022/23. This was seconded by the Councillor Richard Clewer.

In moving the motion Councillor Botterill stated treasury management was a constant activity, and that those local authorities which had significant financial difficulties did not ask appropriate questions or undertake appropriate scrutiny of their own treasury management. He assured Council that in Wiltshire an approach was taken to challenge and interrogate the figures and details, noting that with interest rates so high a more active approach needed to be taken regarding deposits and loans.

The Chairman then allowed Group Leaders to comment on the report and presentation.

Councillor Richard Clewer, Leader of the Council, noted not all councils adopted as thorough and transparent an approach as Wiltshire, and affirmed the importance of sensible treasury management. Councillor Gavin Grant, on behalf of the Liberal Democrat Group, welcomed the report and endorsed the work of the senior finance officers, with a good permanent team in place which had followed a previous period of a number of interim Directors. Councillor Ricky Rogers, Leader of the Labour Group, stated he was happy to note the report and hoped contract inflation would be less of an issue going forward.

The item was then opened to general debate.

Queries were raised about the strategy for periods of interest rate increases, as well as criticism of slippage within the council's capital programme, with a comment that this showed poor project management and a lack of appropriate investment.

In response other comments raised during debate included highlighting investment in special schools, leisure facilities, and the housing revenue account, and that it was incorrect to characterise a level of slippage within the programme as a failure to invest appropriately.

There were a series of comments in relation to investment and Salisbury City Hall, but the meeting was reminded that the item was in relation to treasury management, borrowing what was needed when it was needed rather than



seeing it as money already held, which was of particular importance when interest rates were so high, and the vital importance of prudence financial management.

At the conclusion of debate Councillor Botterill reiterated the difference between treasury management with capital expenditure. He stated authorities often include lists of capital projects which are not imminent, and a practical approach was always taken.

It was then,

**Resolved:**

**That Council note that the contents of the report are in line with the Treasury Management Strategy 2022/23**

*In accordance with the constitution there was a recorded vote.*

*Votes for the motion (77)*

*Votes against the motion (0)*

*Votes in abstention (3)*

*Details of the vote are attached as an appendix to the minutes.*

**43 Capital Programme Additions**

The Chairman invited Councillor Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, to present the Capital Programme Additions Report. Councillor Botterill proposed a motion to approve additions to the programme as set out in the report. This was seconded by the Councillor Richard Clewer.

In moving the motion Councillor Botterill provided details of proposed housing acquisitions to provide long term solution to several service needs, including housing for refugees and others for whom there was a statutory requirement to house.

The Chairman then allowed Group Leaders to comment on the report and presentation.

Councillor Richard Clewer, Leader of the Council, stated the proposals were a sensible allocation to deliver cost effective projects, and noted the importance of housing people properly. Councillor Gavin Grant, on behalf of the Liberal Democrat Group, stated there had been lots of time in scrutiny looking at these matters, and welcomed it as a positive report. Councillor Ernie Clark, Leader of the Independent Group, endorsed the report, in particular the allocation for Local Highways and Footpath Improvement Groups (LHFIG). Councillor Ricky Rogers, Leader of the Labour Group, sought clarity on how the LHFIG funding would be divided across Area Boards.

The item was then opened to general debate.

Points raised during debate included supporting the investment in housing to address problems such as homelessness, the importance of capital programmes reflecting the possibility of significant delays, and the need for prudent assessment of which properties should be purchased, demonstrating value as well as addressing a problem.

During debate queries were also raised about external grant funding being withdrawn because of developers missing deadlines for Homes England to provide funding relating to the Ashton Park expansion, and the impact on that development, on the possibility of funding being used for compulsory purchasing, funds received by the council to support Ukrainian refugees, and viability assessment of Stone Circle projects.

At the conclusion of debate Councillor Botterill confirmed the additional funding for Area Boards would be according to a formula as they were not equal in scale, noted the LHFIG budget had doubled in 2022, and that compulsory purchase was not a simple or inexpensive process.

It was then,

**Resolved:**

**That Council approve:**

- 1) The addition to the capital programme of £40m, funded through £10m reserves and £30m debt, to enable the Council to acquire housing for long term investment to deliver service solutions.**
- 2) The allocation of £0.800m CIL funding to finance £0.400m per year for 2023/24 and 2024/25 budgets for Local Highways and Footpath Improvement Groups.**

*In accordance with the constitution there was a recorded vote.*

*Votes for the motion (76)*

*Votes against the motion (0)*

*Votes in abstention (2)*

*Details of the vote are attached as an appendix to the minutes.*

44 **Wiltshire Local Plan Review**

The Chairman invited Councillor Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, to present the pre-submission Draft Plan as set out in the Summons and supplementary documentation. Councillor Botterill proposed a motion to endorse the pre-submission draft plan, subject to minor modifications as set out in the agenda supplement, and approve it for Regulation 19 consultation, as well as appropriate delegations to officers to undertake document finalisation and consultation arrangements. This was seconded by the Councillor Richard Clewer.

Councillor Botterill noted that preparing a Local Plan was one of the most important functions of the council. He drew attention to the large reduction in housing coming forward in the plan compared to the previous consultation, with much of the amount on sites already developing or allocated, as this was felt to meet the reasonable need identified. Provision of 40% affordable housing had been included, along with new details to address the council's zero carbon ambitions, with tougher standards for new buildings. There would be allocation of employment spaces in the right areas to go alongside new homes, as a failure to anticipate and provide for future business need would see the council area miss opportunities.

It was emphasised that the Plan process is evidence led, and that a failure to progress and approve a Plan which could be approved by an inspector, would result in many negative consequences for the residents of Wiltshire. It was stated that the Plan complemented the Business Plan, advocated sustainable financial, social and environmental growth, and it was overwhelmingly in the public interest to move on to the next stage of the Plan process, which was known as Regulation 19 consultation.

The Chairman then allowed Group Leaders to comment on the report and presentation.

Councillor Richard Clewer, Leader of the Council, thanked officers for their work in preparing the documents, Members for their robust discussions, and Councillor Botterill for overseeing the preparation. He highlighted the evidenced based approach to selecting sites and developing the Plan policies to shape development in the county, with proposals that new housing be built to zero carbon requirements, 20% biodiversity net gain, cycle routes to connect settlements, affordable housing for villages to meet local need, delivering employment land and meeting demand. He commended the pre-submission Draft Plan to Council.

Councillor Gordon King, Deputy Leader of the Liberal Democrat Group, welcomed the professionalism of the draft Plan, and noted positive aspects such as regarding biodiversity and sustainability. However, he raised concerns around the process in particular relating to site selection for new housing and proposed that rather than moving forward to the Regulation 19 stage, a motion relating to Regulation 18 would be more appropriate to give people further say about what was best for their communities.

Councillor Ernie Clark, Leader of the Independent Group, noted that many refused planning applications were currently being approved on appeal as a result of a lack of five-year housing land supply. He raised concerns that not to move forward to Regulation 19 would exacerbate difficulties and enable developers to further benefit at the expense of communities. He also questioned the depth of evidence on suitability of a selected site beyond the wish of a landowner for its allocation, sought confirmation that any consultation on the pre-submission draft would follow the summer break, and raised issues relating to descriptions of sites around Hilperton and Trowbridge.

Councillor Ricky Rogers, Leader of the Labour Group, noted the historic and ongoing issue of local authorities struggling against national housing targets and resultant allocations. He noted the encouragement of the council for neighbourhood plans in the past, and raised concerns that it appeared the new Plan in effect abandoned those neighbourhood plans.

*A break for lunch was then held from approximately 12:40-13:25.*

On the opening of general debate Councillor Dr Brian Mathew then moved an amendment, seconded by Councillor Gavin Grant, seeking to amend the second part of the Cabinet Member's motion. This was in order to approve the pre-submission Draft Plan for a further Regulation 18 consultation, rather than a Regulation 19 consultation, as follows:

*That the Wiltshire Local Plan Review - Pre-Submission Draft Plan at Appendix 1 (subject to modification in (3) and as detailed in Agenda Supplement 1) be approved for publication in line with Regulation ~~19~~18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), for a period of at least six weeks public consultation.*

Councillor Mathew stated the purpose of the amendment was to ensure that Members and the public were brought up to speed on the process and that it could be ensured the Plan was sound and that best practice was adopted. He considered the process was being rushed, that other authorities had repeated Regulation 18 stage, and to do so would ensure the pre-submission Draft Plan was sound.

Councillor Botterill confirmed he would not accept the amendment within his motion.

The Chairman then allowed Group Leaders to comment on the amendment.

Councillor Clewer stated there had already been two Regulation 18 consultations and there was no benefit to a third, which would have the effect of further delaying the Plan process by another year. He said that the amendment would mean the council would continue to need to demonstrate a five-year housing land supply, which it currently could not, for longer which would result in further speculative developments gaining approval on appeal. It would also delay the targets and aspirations on biodiversity and net zero. He argued the recommendation from officers was very clear that moving to Regulation 19 was the most appropriate action at this time.

Councillor Gordon King urged Members to listen to local councils and communities and support the amendment. He argued that a delay of a year was less problematic than taking forward a flawed Plan, and that it was right to seek further public comments under Regulation 18.

Councillor Clark supported the statement of the Leader and commented that there came a point where the process had to move on, and that moving forward with Regulation 19 would at least see building take place according to a plan

and prevent speculative applications. He could not therefore support the amendment.

Councillor Ricky Rogers stated he would listen carefully to the debate before deciding whether he could support the proposed amendment.

The amendment was then opened up for general debate.

Comments in support of the amendment included that there was significant controversy over many of the sites selected and it was appropriate for the public to have further opportunity to provide comment on those areas. It was argued the process had been delayed several years already and a pause to undertake an additional Regulation 18 stage would not lead to more harm. Some Members considered the process to date had been flawed, with the previous Regulation 18 consultation undertaken during Covid-19 restrictions, and that there were errors within the Plan which needed to be addressed. Concerns were raised that any sites included in the pre-submission Draft Plan would not be able to be removed at a later date no matter the views of communities, and that there had been insufficient engagement with Members in developing the Plan.

Comments in opposition to the amendment included that a failure to progress to the next stage of the process would put more power in the hands of developers to submit speculative developments due to the impact of the lack of a 5-year housing land supply. It was argued that the positive aspects of the Plan such as new provision for schools, nurseries and other aspects of local policies such as affordable housing provision would be delayed if a further Regulation 18 consultation were held, and that towns and villages would lack the protection of even a developing Plan if the amendment were approved.

It was stated the Regulation 19 process included formal consultation and further opportunities for public engagement, and that previous Plan processes showed that it was not the case that all sites within the pre-submission Draft Plan would definitely remain. The level of consultation which had taken place already was highlighted, including with local councils. It was also stated that the Plan was Member led in that policies and direction had been shaped by the priorities on which the Conservative Group had been elected, but that the drafting and formulation quite appropriately was led by officers analysing the evidence which had been collected.

Other comments raised in debate included welcoming the additional commitments to biodiversity and carbon neutral targets, as well as the reduction in overall housing numbers compared to the previous consultation. A comment was made relating to permitted affordable housing for rural sites, and if this could be strengthened further.

In response to queries raised in debate, the Monitoring Officer, Perry Holmes, provided details on the distinction between the Regulation 18 and 19 stages, including clarification on future consultation as part of the latter, and the final opportunity for local communities and Members to engage at a public examination when a planning inspector would receive all evidence and

determine the soundness of a submitted Plan. The Monitoring Officer also stated in response to issues raised in debate that a part of Government's proposed changes to the planning system was that authorities which had undertaken Regulation 19 consultation would only have to demonstrate a four-year housing land supply, however that change had not yet received approval and the timescale for this was not clear.

Following an opportunity for the mover of the amendment to exercise their right of reply, the mover of the original motion, Councillor Botterill, responded to some of the points raised in debate. He stated not moving forward to Regulation 19 would undermine the council's processes, there was no requirement or best practice to repeat Regulation 18, and no advantage to a delay had been made clear, especially considering the numerous known disadvantages of repeating the Regulation 18 stage. He advised that a draft Plan only had any weight in planning terms at the Regulation 19 stage, and it was not the case it could be taken into account if the amendment were approved.

There was then a recorded vote on the amendment as follows:

*Votes for the amendment (23)*

*Votes against the motion (43)*

*Votes in abstention (12)*

*Details of the vote are attached as an appendix to the minutes.*

The amendment was therefore lost, and the meeting returned to debate the original motion.

During that debate Councillor Ian McLennan sought to move an amendment seeking to amend a detail at Paragraph 27 of the report in order to retain previous restrictions on infill development in built-up areas of small villages within the Plan policies, and to remove Policy 30 in relation to Land East of Church Road, Laverstock, a site allocated for 50 dwellings. In accordance with the constitution the Chairman requested details of the amendment be provided in writing, and the meeting was adjourned to enable consideration of the validity of the amendment.

*The meeting was therefore adjourned from approximately 14:40-14:55.*

On resuming the meeting, the Chairman, following advice from and discussion with the Monitoring Officer, stated he had determined the proposed amendment was not a valid amendment under Part 4B of the Constitution. He therefore permitted Councillor McLennan to speak to what had been the intent of his proposed amendment, before returning the meeting to debate on the tabled motion from the Cabinet Member. Councillor McLennan stated he was seeking to prevent predatory development, and that he was deeply concerned that moving to Regulation 19 would prevent any practical opportunity to address the problems with inclusion of specific sites or policies.

Comments in support of the original motion included further supportive comments on the policies relating to carbon neutrality and biodiversity, with specifics relating to sustainable construction and low carbon energy, which included significantly reduced heating demand requirements and details for onsite energy generation. Support was expressed for the increased provision for affordable housing, and details relating to how housing schemes should assist older people to live securely and independently within their communities.

Other comments raised in debate included requesting any consultation be more thorough than previous examples, seeking clarity on what was considered a minor change for purposes of the delegation to officers to finalise the pre-submission Draft Plan documents, and how neighbourhood plans could be refreshed. Policies on conserving and enhancing dark skies were welcomed, though it was raised whether there were potential conflicts with that policy and those relating to renewable energy and on preserving and enhancing landscapes as it related to development considered in the overriding public interest, and whether AONB teams been consulted as part of the Plan development.

At the conclusion of debate Councillor Botterill responded to some of the points raised during debate. He welcomed that many aspects of the Plan were supported across the Chamber. He clarified that the motion authorising minor changes included examples such as clarifications to improve understanding without altering the meaning of the document. In relation to Neighbourhood Plans he noted these were not all strategic or of the same quality, though neighbourhood planning was of significant importance. He confirmed that the consultation would not begin until September 2023, and would be as outward focused as possible. He noted the process had begun in 2017, there had been significant public engagements in 2018 and 2021. He reiterated the consequences of not moving forward with the pre-submission Draft Plan and urged council to support the proposal.

It was then,

**Resolved:**

**That Full Council:**

- 1) Endorses the Wiltshire Local Plan Review - Pre-Submission Draft Plan at Appendix 1 subject to amendment in (3).**
- 2) That the Wiltshire Local Plan Review - Pre-Submission Draft Plan at Appendix 1 (subject to modification in (3) and as detailed in Agenda Supplement 1) be approved for publication in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), for a period of at least six weeks public consultation.**
- 3) Authorises the Director for Planning, in consultation with the Director for Legal and Governance and Cabinet Member for Finance, Development Management and Strategic Planning, to: make any necessary minor**

**changes to the Pre-Submission Draft Plan before it is published; and to enable the finalising of the associated evidence documents for publication alongside the Plan; and to make arrangements for, and undertake statutory consultation.**

*In accordance with the constitution there was a recorded vote.*

*Votes for the motion (58)*

*Votes against the motion (4)*

*Votes in abstention (13)*

*Details of the vote are attached as an appendix to the minutes.*

45 **Announcements from Cabinet and Committees**

There were no announcements from Cabinet or Chairs of Committees.

46 **Membership of Committees and S.85 Requests**

The Chairman introduced the report detailing a request from Councillor Charles McGrath for an extension to the 6-month rule of non-attendance for medical reasons under S.85 of the Local Government Act 1972. He moved that Council grant the request. This was seconded by the Vice-Chairman.

Councillor Richard Clewer, Leader of the Council, provided detail on Councillor McGrath's current medical status, and his continued work even though he could not currently attend committee meetings.

Group Leaders then provided details of changes to membership of committees they wished to request, and these were accepted as part of the substantive motion, along with procedural ratification of changes to the Local Pension Board membership.

There being no debate or further comments, it was then,

**Resolved:**

- 1) **That Council approves the requests for the Member listed below for an extension beyond the six-month period of non-attendance on the grounds of ill health:**

**Councillor Charles McGrath**

- 2) **That such an extension be granted until the end of October 2023, which would allow for any request for a further extension being considered by Council at its meeting on 17 October 2023.**
- 3) **In the event of that meeting either being cancelled or postponed, such an extension to remain in place until after the next available meeting of the Council.**



4) To ratify the appointment of Mr George Simmonds as a Member of the Local Pension Board

5) To make the following changes to membership of committees:

- Councillor Adrian Foster to be made a Substitute for Northern Area Planning;
- Councillor Trevor Carbin to be removed as a Member of Southern Area Planning Committee, and be made a Substitute for Southern Area Planning Committee;
- Councillor Richard Budden to be made a Member of Southern Area Planning Committee;
- Councillor Edward Kirk to be removed as a Member of the Audit and Governance Committee;
- Councillor Howard Greenman to be added as a Member of the Audit and Governance Committee;
- Councillor Laura Mayes to be made a Substitute for the Eastern Area Planning Committee;
- Councillor Bridge Wayman to be made a Substitute for the Western Area Planning Committee;
- Councillor Tamara Reay to be made a Substitute for the Eastern and Western Area Planning Committees, and a Substitute for the Strategic Planning Committee.

#### 47 Questions from Members of the Council

A total of two questions were received from Members, as set out in the agenda supplement, together with written responses.

Councillor Dr Mark McClelland asked a supplementary question in relation to question 23-18, asking the Leader if he agreed arguments to immediately reopen Salisbury City Hall were irresponsible in respect to public safety, insurance and public liability.

Councillor Richard Clewer, Leader of the Council, stated it would be a mistake to listen to demands to reopen a building where there is very clear evidence from officers and surveyors stating it could not be reopened as a live entertainment venue due to risk of damage as a result of acoustic shock.

In response to an attempted intervention the Chairman reminded the meeting that there was no debate on questions.

Councillor Richard Budden asked a supplementary question in relation to question 23-19. He asked if road safety was a priority as stated in the answer, would Local Highway and Footpath Improvement Group (LHFIG) funding increase accordingly.

Councillor Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, responded by stating that in April 2022 the LHFIG budget increased from £250,000 to £500,000, and the substantive schemes pot increased from £150,000 to £250,000. The Executive would continue to review the position moving forward but it was noted there had been substantial increases.

Question P23-21 in relation to the Wiltshire Local Plan from Sonja Kotevska, who had not been able to be present at the meeting, was also received, with the Local Member, Councillor Ernie Clark, on her behalf asking a supplementary question seeking further clarification on potential amendment to references in the Local Plan to Land North of Trowbridge to include reference to Hilperton, the parish in which a listed site was actually located, noting the site was to the east of Hilperton village itself.

Councillor Botterill responded that he would look at the matter further with officers, though there would likely remain reference to both Hilperton and Trowbridge, the wider settlement area.

(Duration of meeting: 10.30 am - 3.30 pm)

The Officers who have produced these minutes are Kieran Elliott, Max Hirst, and Cameron Osborn, of Democratic Services, e-mail [committee@wiltshire.gov.uk](mailto:committee@wiltshire.gov.uk)

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

**Full Council Meeting – 18 July 2023 - Members Attendance**

<b>Councillor Name</b>	<b>Time in (Meeting start – 10:30)</b>	<b>Time Out (Meeting close – 15:30)</b>
Phil Alford	10:30	Meeting close
Liz Alstrom	10:30	14:55
Helen Belcher OBE	Apologies	Apologies
Chuck Berry	10:30	Meeting close
Ian Blair-Pilling	10:30	Meeting close
Nick Botterill	10:30	Meeting close
David Bowler	10:30	Meeting close
Richard Britton	10:30	15:00
Allison Bucknell	10:30	Meeting close
Steve Bucknell	10:30	Meeting close
Clare Cape	10:30	Meeting close
Trevor Carbin	10:30	Meeting close
Daniel Cave	10:30	Meeting close
Mary Champion	10:30	Meeting close
Sam Charleston	10:30	Meeting close
Pauline Church	10:30	Meeting close
Ernie Clark	10:30	Meeting close
Richard Clewer	10:30	Meeting close
Zoë Clewer	10:30	Meeting close
Mark Connolly	10:30	Meeting close
Caroline Corbin	Apologies	Apologies
Kevin Daley	10:30	Meeting close
Brian Dalton	Apologies	Apologies
Jane Davies	10:30	15:10
Andrew Davis	10:30	Meeting close
Matthew Dean	10:30	Meeting close
Dr Monica Devendran	10:30	15:25
Adrian Foster	10:30	Meeting close
Sarah Gibson	Apologies	Apologies
Gavin Grant	10:30	Meeting close
Howard Greenman	10:30	Meeting close
Ross Henning	10:30	Meeting close
Sven Hocking	10:30	Meeting close
Nick Holder	Apologies	Apologies
Ruth Hopkinson	10:30	Meeting close
Jon Hubbard	10:30	Meeting close
Peter Hutton	10:30	Meeting close
Tony Jackson	10:30	Meeting close
Mel Jacob	10:30	Meeting close
Simon Jacobs	Apologies	Apologies
George Jeans	10:30	Meeting close
Bob Jones MBE	Apologies	Apologies
Johnny Kidney	10:30	Meeting close

Carole King	10:30	Meeting close
Gordon King	10:30	Meeting close
Edward Kirk	10:30	Meeting close
Jerry Kunkler	10:30	Meeting close
Jacqui Lay	10:30	Meeting close
Kathryn MacDermid	10:30	14:55
Dr Brian Mathew	10:30	Meeting close
Laura Mayes	10:30	Meeting close
Dr Mark McClelland	10:30	Meeting close
Charles McGrath	Apologies	Apologies
Ian McLennan	10:30	Meeting close
Dominic Muns	Apologies	Apologies
Dr Nick Murry	Apologies	Apologies
Nabil Najjar	10:30	Meeting close
Kelvin Nash	Apologies	Apologies
Christopher Newbury	10:30	13:00
Ashley O'Neill	10:30	Meeting close
Jack Oatley	Apologies	Apologies
Paul Oatway QPM	Apologies	Apologies
Andrew Oliver	Apologies	Apologies
Stewart Palmen	10:30	Meeting close
Bill Parks	10:30	Meeting close
Sam Pearce-Kearney	10:30	Meeting close
Antonio Piazza	10:30	Meeting close
Tony Pickernell	10:30	Meeting close
Horace Prickett	10:30	Meeting close
Nic Puntis	10:30	Meeting close
Tamara Reay	10:30	Meeting close
Pip Ridout	10:30	Meeting close
Rich Rogers	10:30	Meeting close
Ricky Rogers	10:30	Meeting close
Tom Rounds	10:30	Meeting close
Paul Sample JP	10:30	Meeting close
Mike Sankey	10:30	Meeting close
Jonathon Seed	10:30	Meeting close
James Sheppard	10:30	Meeting close
Martin Smith	10:30	Meeting close
Caroline Thomas	10:30	Meeting close
Ian Thorn	Apologies	Apologies
Elizabeth Threlfall	10:30	Meeting close
Jo Trigg	10:30	Meeting close
Tim Trimble	Apologies	Apologies
Tony Trotman	10:30	Meeting close
Mark Verbinnen	10:30	Meeting close
David Vigar	10:30	Meeting close
Iain Wallis	10:30	Meeting close

Derek Walters	Apologies	Apologies
Bridget Wayman	10:30	Meeting close
Stuart Wheeler	10:30	Meeting close
Philip Whitehead	Apologies	Apologies
Suzanne Wickham	10:30	Meeting close
Christopher Williams	10:30	Meeting close
Graham Wright	10:30	15:25
Robert Yuill	10:30	Meeting close

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## Recorded Votes – Council – 18 July 2023

### Item 8 – Treasury Management Strategy Outturn Report 2022/23

**That Council note that the contents of the report are in line with the Treasury Management Strategy 2022/23.**

Vote	Councillors	Count
For	Cllr Phil Alford, Cllr Liz Alstrom, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr David Bowler, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Steve Bucknell, Cllr Richard Budden, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Mary Champion, Cllr Sam Charleston, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Mark Connolly, Cllr Kevin Daley, Cllr Jane Davies, Cllr Dr Monica Devendran, Cllr Adrian Foster, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Ross Henning, Cllr Sven Hocking, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Peter Hutton, Cllr Tony Jackson, Cllr Mel Jacob, Cllr George Jeans, Cllr Johnny Kidney, Cllr Carole King, Cllr Gordon King, Cllr Edward Kirk, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Kathryn Macdermid, Cllr Dr Brian Mathew, Cllr Laura Mayes, Cllr Dr Mark McClelland, Cllr Ian McLennan, Cllr Nabil Najjar, Cllr Christopher Newbury, Cllr Ashley O'Neill, Cllr Stewart Palmen, Cllr Bill Parks, Cllr Sam Pearce-Kearney, Cllr Antonio Piazza, Cllr Tony Pickernell, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Pip Ridout, Cllr Rich Rogers, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Paul Sample JP, Cllr Mike Sankey, Cllr Jonathon Seed, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Elizabeth Threlfall, Cllr Jo Trigg, Cllr Tony Trotman, Cllr Mark Verbinnen, Cllr David Vigar, Cllr Iain Wallis, Cllr Bridget Wayman, Cllr Stuart Wheeler, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill	77
Against	None	0
Abstain	Cllr Andrew Davis, Cllr Matthew Dean and Cllr James Sheppard	3

## Item 9 – Capital Programme Additions

That Council agrees to:

- 1) the addition to the capital programme of £40m, funded through £10m reserves and £30m debt, to enable the Council to acquire housing for long term investment to deliver service solutions.
- 2) the allocation of £0.800m CIL funding to finance £0.400m per year for 2023/24 and 2024/25 budgets for Local Highways and Footpath Improvement Groups.

Vote	Councillors	Count
For	Cllr Phil Alford, Cllr Liz Alstrom, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr David Bowler, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Steve Bucknell, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Mary Champion, Cllr Sam Charleston, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Mark Connolly, Cllr Kevin Daley, Cllr Jane Davies, Cllr Matthew Dean, Cllr Dr Monica Devendran, Cllr Adrian Foster, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Ross Henning, Cllr Sven Hocking, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Peter Hutton, Cllr Tony Jackson, Cllr Mel Jacob, Cllr George Jeans, Cllr Johnny Kidney, Cllr Carole King, Cllr Gordon King, Cllr Edward Kirk, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Kathryn Macdermid, Cllr Dr Brian Mathew, Cllr Laura Mayes, Cllr Dr Mark McClelland, Cllr Ian McLennan, Cllr Nabil Najjar, Cllr Christopher Newbury, Cllr Ashley O'Neill, Cllr Stewart Palmen, Cllr Bill Parks, Cllr Sam Pearce-Kearney, Cllr Antonio Piazza, Cllr Tony Pickernell, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Rich Rogers, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Paul Sample JP, Cllr Mike Sankey, Cllr Jonathon Seed, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Elizabeth Threlfall, Cllr Jo Trigg, Cllr Tony Trotman, Cllr Mark Verbinnen, Cllr David Vigar, Cllr Iain Wallis, Cllr Bridget Wayman, Cllr Stuart Wheeler, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill	76
Against	None	0
Abstain	Cllr Richard Budden and Cllr Andrew Davis	2



## Item 10 – Wiltshire Local Plan Review

### Amendment

#### That Full Council:

- i. **Endorses the Wiltshire Local Plan Review - Pre-Submission Draft Plan at Appendix 1 subject to amendment in (iii).**
- ii. **That the Wiltshire Local Plan Review - Pre-Submission Draft Plan at Appendix 1 (subject to modification in (iii) and as detailed in Agenda Supplement 1) be approved for publication in line with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), for a period of at least six weeks public consultation.**
- iii. **Authorises the Director for Planning, in consultation with the Director for Legal and Governance and Cabinet Member for Finance, Development Management and Strategic Planning, to: make any necessary minor changes to the Pre-Submission Draft Plan before it is published; and to enable the finalising of the associated evidence documents for publication alongside the Plan; and to make arrangements for, and undertake statutory consultation.**

Vote	Councillors	Count
For	Cllr Liz Alstrom, Cllr David Bowler, Cllr Steve Bucknell, Cllr Richard Budden, Cllr Clare Cape, Cllr Sam Charleston, Cllr Adrian Foster, Cllr Gavin Grant, Cllr Ross Henning, Cllr Mel Jacob, Cllr Carole King, Cllr Gordon King, Cllr Edward Kirk, Cllr Kathryn Macdermid, Cllr Dr Brian Mathew, Cllr Ian McLennan, Cllr Stewart Palmen, Cllr Sam Pearce-Kearney, Cllr Ricky Rogers, Cllr Paul Sample JP, Cllr Martin Smith, Cllr Jo Trigg and Cllr David Vigar	23
Against	Cllr Phil Alford, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr Allison Bucknell, Cllr Trevor Carbin, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Mark Connolly, Cllr Kevin Daley, Cllr Jane Davies, Cllr Andrew Davis, Cllr Howard Greenman, Cllr Sven Hocking, Cllr Jon Hubbard, Cllr Johnny Kidney, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Laura Mayes, Cllr Dr Mark McClelland, Cllr Nabil Najjar, Cllr Ashley O'Neill, Cllr Bill Parks, Cllr Antonio Piazza, Cllr Tony Pickernell, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Rich Rogers, Cllr Tom Rounds, Cllr Jonathon Seed, Cllr James Sheppard, Cllr Caroline Thomas, Cllr Mark Verbinnen, Cllr Iain Wallis, Cllr Bridget Wayman, Cllr Stuart Wheeler, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill	43
Abstain	Cllr Richard Britton, Cllr Daniel Cave, Cllr Mary Champion, Cllr Dr Monica Devendran, Cllr Ruth Hopkinson, Cllr Peter Hutton, Cllr Tony Jackson, Cllr George Jeans, Cllr Pip Ridout, Cllr Mike Sankey, Cllr Elizabeth Threlfall and Cllr Tony Trotman	12

## Item 10 – Wiltshire Local Plan Review

### Resolution

#### That Full Council:

- i. **Endorses the Wiltshire Local Plan Review - Pre-Submission Draft Plan at Appendix 1 subject to amendment in (iii).**
- ii. **That the Wiltshire Local Plan Review - Pre-Submission Draft Plan at Appendix 1 (subject to modification in (iii) and as detailed in Agenda Supplement 1) be approved for publication in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), for a period of at least six weeks public consultation.**
- iii. **Authorises the Director for Planning, in consultation with the Director for Legal and Governance and Cabinet Member for Finance, Development Management and Strategic Planning, to: make any necessary minor changes to the Pre-Submission Draft Plan before it is published; and to enable the finalising of the associated evidence documents for publication alongside the Plan; and to make arrangements for, and undertake statutory consultation.**

Vote	Councillors	Count
For	Cllr Phil Alford, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr David Bowler, Cllr Richard Britton, Cllr Allison Bucknell, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Daniel Cave, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Zoë Clewer, Cllr Mark Connolly, Cllr Kevin Daley, Cllr Andrew Davis, Cllr Dr Monica Devendran, Cllr Adrian Foster, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Ross Henning, Cllr Sven Hocking, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Tony Jackson, Cllr George Jeans, Cllr Johnny Kidney, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Dr Brian Mathew, Cllr Laura Mayes, Cllr Dr Mark McClelland, Cllr Nabil Najjar, Cllr Ashley O'Neill, Cllr Bill Parks, Cllr Antonio Piazza, Cllr Tony Pickernell, Cllr Horace Prickett, Cllr Nic Puntis, Cllr Tamara Reay, Cllr Pip Ridout, Cllr Rich Rogers, Cllr Tom Rounds, Cllr Mike Sankey, Cllr Jonathon Seed, Cllr Caroline Thomas, Cllr Elizabeth Threlfall, Cllr Jo Trigg, Cllr Tony Trotman, Cllr Mark Verbinnen, Cllr Iain Wallis, Cllr Bridget Wayman, Cllr Stuart Wheeler, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill	58
Against	Cllr Carole King, Cllr Ian McLennan, Cllr Martin Smith, and Cllr Ricky Rogers	4
Abstain	Cllr Steve Bucknell, Cllr Richard Budden, Cllr Mary Champion, Cllr Sam Charleston, Cllr Peter Hutton, Cllr Mel Jacob, Cllr Gordon King, Cllr Edward Kirk, Cllr Stewart Palmen, Cllr Sam Pearce-Kearney, Cllr Paul Sample JP, Cllr James Sheppard and Cllr David Vigar	13

**Wiltshire Council**

**Full Council**

**17 October 2023**

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## **Corporate Parenting Strategy 2023-2026 and other Corporate Parenting Panel Developments**

### **Executive Summary**

This report seeks to update Full Council on a number of developments/initiatives on behalf of the Corporate Parenting Panel (CPP) and to seek the appropriate approvals:

1. The revised Corporate Parenting Strategy for November 2023 to October 2026 is attached at Appendix 1 for approval. The five Strategic Priorities set out the Panel's focus and ambition to enhance the support for our children looked after and care experienced young people.
2. The National Care Leavers Covenant (CLC) are working with Wiltshire Council to add value to our local offer for our care experienced young people with a view to the Council signing up to the national CLC, for which approval is sought by Council.
3. Officers from the Voice and Participation Service have prepared a poem (attached as Appendix 2) as a response/pledge to our children and young people in care which the CPP have endorsed and recommend to Council that all Councillors as corporate parents pledge their commitment to the poem.
4. That the Council are asked to approve the motion to explore treating Care Experienced as a protected characteristics under the Equalities Act 2010. If approved the CPP will lead on exploring this further and a full paper will be submitted to Council to approve this at a future date.

### **Proposals**

1. That Council approves the revised Corporate Parenting Strategy 2023 – 2026 attached as Appendix 1 to this report.
2. That approval is given for Wiltshire Council to sign up to the National Care Leavers Covenant.
3. That all Councillors as Corporate Parents pledge their commitment to the poem (attached as Appendix 2) to our children and young people in care as recommended by the Corporate Parenting Panel.
4. That the Council commit to the CPP exploring care experienced as a protected characteristic and progress this to put in place policies and programmes which promote better outcomes for care experienced young people and adults, with a full proposal returning to Full Council for approval.

**Reason for Proposals**

All Councillors have responsibilities as a 'corporate parent' for children and young people who we care for. This includes responsibility for ensuring that the voices of children and young people continue to be heard and understood by Members, Officers and all Corporate Parents, whilst ensuring these opinions are fully reflected in practice improvement.

Council are asked to approve the Corporate Parenting Strategy and the Care Leavers Covenant, along with approving further exploration to consider making Care Experienced a protected characteristic to ensure that the commitment and ambition for our children in care and care experienced young people is fully supported.

**Lucy Townsend****Corporate Director – People/Director of Childrens Services**

**Corporate Parenting Strategy 2023-2026 and other Corporate Parenting Panel Developments**

**Purpose of Report**

1. This report seeks endorsement and adoption of the new Corporate Parenting Strategy for 2023-2026 which also highlights the five strategic priorities that the Panel will focus on during this period.
2. The report also seeks to update Council on the following corporate parenting developments:
  - a. The National Care Leavers Covenant (CLC) are working with Wiltshire Council to add value to our local offer for our care experienced young people and adults with a view to the Council signing up to the national CLC, for which approval is sought by Council. The Care Leavers Covenant is a promise made by the private, public or voluntary organisations to provide support for care experienced young people aged 16-25 to support them to live independently and add value to the local offer. The five core outcomes support the five priorities identified within the Corporate Parenting strategy and are as follows:
    - i) Independent living – Care leavers are better prepared to live independently
    - ii) Education, Employment and Training – Care leavers have improved access to opportunities
    - iii) Safety and Security – Care leavers feel safe, secure and stable in their living situation
    - iv) Health - Care leavers have improved access to health and emotional support
    - v) Finance – Care leavers are financially capable and independent

The National Care Leavers Covenant will work with the Corporate Parenting Panel to support the development of this.

- b. Officers from the Voice and Participation Service have prepared a poem (attached as Appendix 2) as a response/pledge to our children and young people looked after which the CPP have endorsed and recommend to Council that all Councillors as corporate parents pledge their commitment to the poem.
- c. That Officers wish for the Council to consider committing to exploring further developing care experience as a protected characteristic and put in place policies and programmes which promote better outcomes for care experienced young people and adults.

It will mean the Council giving experience of care parity of status with the nine protected characteristics that have protected characteristic status under the

Equality Act 2010: in effect treating it as a tenth protected characteristic within Wiltshire. Four local authorities in the South West have already passed motions to treat care experience as a protected characteristic, including Bournemouth, Christchurch and Poole (14 December 2022), Plymouth (27 March 2023) Somerset and Gloucestershire (both on 24 May 2023).

The rationale for a fully inclusive approach is that, as a responsible corporate parent, the Council should recognise the significant challenges that people with care experience may have faced, regardless of their current age or the amount of time they have spent in the care system. The decision to treat care experience as a tenth protected characteristic would further cement the Council's existing strong track record as a corporate parent.

### **Relevance to the Council's Business Plan**

3. The proposals are relevant to the following priorities and objectives in the Council's Business Plan:
  - i) Empowered People – “We get the best start in life”, “we stay active” and “we are safe”.
  - ii) Resilient Society – “We live well together”, and “we ensure decisions are evidence based”.
  - iii) Thriving Economy – “We have the right skills to prosper”.

### **Background**

4. The previous Corporate Parenting Strategy was approved by Full Council on 20 October 2020. The proposed strategy presented today has developed this further to progress our ambition for the next three years. The revised strategy is written in a young person friendly style and ensures that the Council's Corporate Parenting functions support improvements to our services for our young people. The revised strategy clearly sets out the following five strategic priorities, how they will be progressed and what measures there will be to ascertain if/how they are being achieved:
  - i) To feel safe and happy in a stable home and in my local community,
  - ii) To be the best that I can be, to achieve personally and educationally throughout my life and be supported to engage with training and employment opportunities,
  - iii) Ensuring my physical and emotional wellbeing is supported and at a time and place that suits me,
  - iv) To have positive relationships with people who are important to me and for me to be part of my local community where I am trusted, respected, accepted and feel included,
  - v) For my voice to be heard and for it to matter and influence decision making.

### **Main Considerations for the Council**

5. Members of the Children in Care Council were consulted on the revised strategy. On 8 July 2023, Netty Lee (Head of Children in Care and Young People on this date) met with the Children in Care Council to discuss aspects of the revised corporate parenting

strategy, including the promise, the strategic priorities and how they would like to be kept updated as to the progress of the strategic priorities. The young people reported that they had found the previous Dragons Den session really engaging and that they would like to continue with this style of session so that they are able to “challenge” corporate parents and officers on the work that was planned/in progress and completed. In response to this it is planned that the Corporate Parenting Panel will hold two Dragons Den style sessions per year with representatives from the Children in Care Council to provide them the opportunity to review progress of the above strategic priorities.

6. The Children’s Select Committee Standing Task Group scrutinised the revised strategy on 20 September 2023, presented by Head of Service - Netty Lee and Cllr Peter Hutton. Their findings and observations are detailed below:

*In summary, the task group,*

- *Found the document accessible and well-presented.*
- *Welcomed the involvement of the ‘Child in Care Council’ in the development and review of the strategy and noted that the strategy was more child-friendly than previous years.*
- *Were happy with how the ‘Our Promise’ section had been worded.*

7. The Children’s Select Standing Task Group presented their findings verbally at the Children’s Select Committee on 21 September 2023 and the following recommendations were endorsed by the Committee;

- *That any acronyms are explained in the document, possibly using a glossary.*
- *That a reference is made in the strategy to the process for monitoring performance on the strategic priorities and/or include a link in the document to the corporate parenting scorecard.*
- *That the membership of the Corporate Parent Panel includes a place for an independent person with care experience.*

### **Overview and Scrutiny Engagement**

8. In accordance with the agreed overview and scrutiny arrangements - details of the engagement that has taken place with the Council’s Children’s Select Committee/Standing Task Group is highlighted in paragraphs 6 and 7 above.

### **Safeguarding Implications**

9. The revised corporate parenting strategy builds on and strengthens our commitment to children in care and care experienced young people and embedded throughout is the need to ensure that they are safe, secure and well cared for and will be delivered in accordance with Wiltshire Children’s Services Policy and Procedures. The local authority has clear and effective safeguarding procedures in place for children and vulnerable adults. There are no safeguarding implications arising from this report.

### **Public Health Implications**

10. Children Looked After are at particular risk of experiencing inequalities in health outcomes due to their difficult start in life. Within their role as Corporate Parents, Councillors monitor the health and wellbeing support received by our looked after

children to ensure they receive regular holistic assessments of their needs supported by appropriate and accessible service provision. This may include access to a wide range of services including immunisations, emotional wellbeing support or substance misuse services. Public Health are represented at Corporate Parenting Panel.

### **Procurement Implications**

11. There are no procurement implications arising from this report.

### **Equalities Impact of the Proposal**

12. Due regard is had to the Public Sector equalities duties but as this report is for noting there are no specific equalities issues raised by this report. Further detailed consideration will be given should Councillors endorse the proposal to explore making care experienced a protected characteristic.

### **Environmental and Climate Change Considerations**

13. There are no implications arising from this report.

### **Workforce Implications**

14. There are no implications arising from this report.

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

15. The outcomes identified in the proposed Corporate Parenting strategy will not be fully realised.

### **Financial Implications**

16. There are no implications arising from this report.

### **Legal Implications**

17. If the motion to explore making care experienced a protected characteristic is approved, the legal implication will be fully explored within that report when submitted to Council

### **Conclusions**

18. Councillors are asked today to endorse the Corporate Parenting Strategy for 2023-26 which ensures that our ambition is proved to our children looked after and care experienced young people.

### **Lucy Townsend - Corporate Director – People/Director of Childrens Services**

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Report Author: Katrina McJannet (Head of Children in Care and Young People)  
[katrina.mcjannet@wiltshire.gov.uk](mailto:katrina.mcjannet@wiltshire.gov.uk)

Date of report: 2 October 2023



## **Appendices**

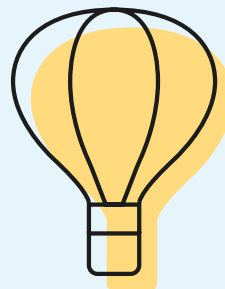
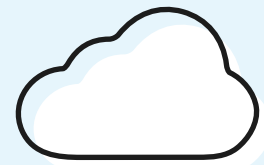
Appendix 1 - Corporate Parenting Strategy 2023-2026

Appendix 2 - Poem as a response from the Corporate Parents to our children and young people in care.

## **Background Papers**

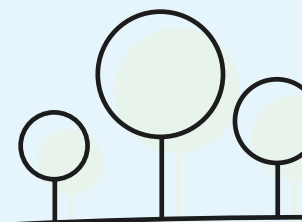
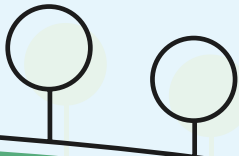
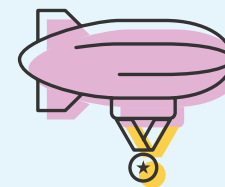
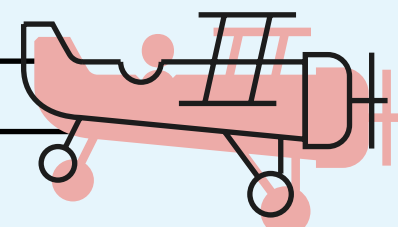
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# Wiltshire Corporate Parenting Strategy 2023-2026

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# Wiltshire's Children in Care Council

Hello and welcome to Wiltshire Council's Corporate Parenting Strategy, which is about what children in care and care experienced young people and adults expect our corporate parents to do and work towards to be good in their role.

The strategy is about us – the children and young people in and leaving Wiltshire Council's care. It's about how we are looked after and how things can be made better for us – not just while we are in care but also afterwards.

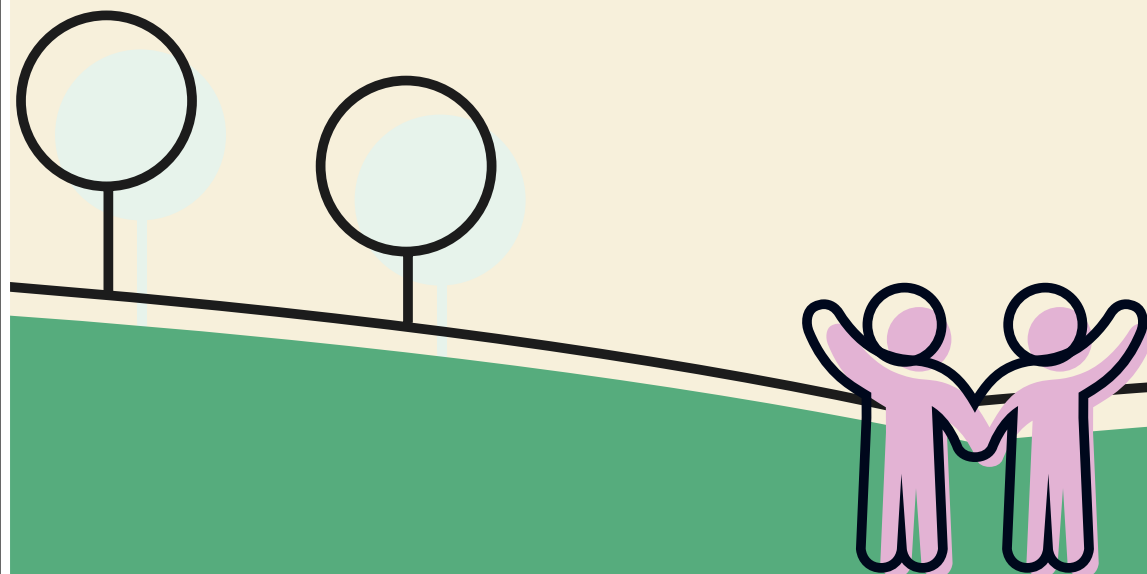
Within the strategy the corporate parents have worked with the Children in Care Council to set out a number of priorities. This is important as it means our views are included within the strategy.

As the Children in Care Council represent the voice of all children in care and care experienced young people and adults, it is really important to us that the strategy works, so that children and young peoples' experience of being in Wiltshire's care is a positive one and builds solid foundations for our future.

We run this programme to benefit all children in care and care experienced young people. As young people, we want our voice to always be heard and we ask that all corporate parents commit to spending time listening to us.

**Children in Care Council members**

August 2023



# Vision

Our children in care, care experienced young people and adults have the right to expect everything from their corporate parents that they would expect from any good parent. We want our children and young people to achieve their dreams, be ambitious and be their best self. We recognise the challenges that young people face in their day to day lives. Children and young people's emotional wellbeing, safety, health and most importantly happiness are our key priorities. We want to continue to improve our services to ensure that children and young people are supported at every step of their journey to independence and beyond.



## Leader of the council



I am very keen to ensure that Wiltshire is a county where everyone can share in its success. Central to this vision is making sure everyone can play their part in supporting Wiltshire's children and making our county the best place to grow up in for a child in the care of this local authority.

I am extremely proud of Wiltshire's children in care and care experienced young people and adults, and I am committed to do all I can to support them to benefit from the many opportunities our great county has to offer. In all we do we want children and young people who have experienced care to feel loved, accepted and safe.

This Corporate Parenting Strategy underpins our commitment to champion Wiltshire's children and young people and to ensure they have every opportunity to live happy and fulfilling lives, and we will continue to build on the structures that have already been established for children in care and care experienced young people and adults and to be the best corporate parents we can be.

**Cllr Richard Clewer**  
Leader of Wiltshire Council

## Cabinet Member for Children's Services, Education and Skills



I am delighted to share this updated Corporate Parenting Strategy for our children in care and care experienced young people and adults. It is so important we listen to young people to ensure our strategy continues to meet their needs. This new strategy demonstrates how their views have shaped decisions that affect them, and I look forward to continuing working with our young people to achieve the objectives.

**Cllr Laura Mayes**  
Cabinet Member for Children's Services, Education and Skills

## Chairman of the Corporate Parenting Panel



As chairman of the Corporate Parenting Panel my role is to ensure all panel members have the detailed information on the children we look after, the opportunity to challenge and scrutinise, work together with officers to improve and enhance the wellbeing of our children ensuring their voice is heard in all sectors both inside and outside of the council and to enable them to explore all opportunities for a positive future.

**Cllr Peter Hutton**  
Chairman of Corporate Parenting Panel

## Chief Executive, Wiltshire Council



One of the most important roles we have in the council is working for you, our children and young people in our care or those who are care experienced. Our business plan clearly states we want you to achieve your educational potential and create opportunities and aspiration about your next steps in education, employment or training.

3  
Page  
I take this commitment extremely seriously having worked as a social worker in children's services. Being a corporate parent is one of the most important things we do. I'm proud of the great work we're already doing in this area but we know there is always more we can do. This document sheds a light on our services and our promise to you, our children and young people in care and those who are care experienced, and is a clear way forward for the next three years.

**Terence Herbert**  
Chief Executive, Wiltshire Council

## Corporate Director of People / Director of Children Services



This strategy maps out exactly how we will work with you, our children and young people in care and those who are care experienced, both now and in the future. This document contains clear promises to ensure we provide the right care and life chances for you. A key part of developing and delivering on our strategy is involving you in decisions that impact on you and hearing about how we can do better. Our promise is to always work hard for you and where we need to do better, we will take on that challenge. I am very pleased to present this strategy to you and look forward to continue working with you to ensure it is delivered and we are the best corporate parents in the country.

**Lucy Townsend**  
Corporate Director of People / Director of Children Services

## Director of Families and Children



Every one of you deserves to have the same opportunities to thrive, to reach for your goals and to feel supported and cared for as part of that. I've many years' experience working in families and children services and I have seen what a difference it makes to have the right support and inspiration to achieve everything you want to achieve. Being a corporate parent is a privileged role and I honour to make decisions for you as I would my own children. This strategy sets out for the next three years how we will deliver these promises and to ensure you will be supported to reach your full potential.

**Jen Salter**  
Director of Families and Children

# Corporate Parenting Panel Members

The aim of this strategy is to ensure that the council Corporate Parenting functions support improvement in services and to ensure the best possible outcomes for children and young people. To achieve this, it is essential that councillors:

- Understand their roles and responsibilities as corporate parents.
- Scrutinise and challenge how the council performs in delivering its services as a corporate parent.
- Engage effectively, with energy, consistency, and confidence with children and young people so that their voice is heard and has influence.
- Support and enable children and young people to challenge where services need to improve.
- Maintain a comprehensive overview of the progress of children in care and for care experienced young people, ensuring they consistently scrutinise the quality, effectiveness and performance of the services that support them.

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# Corporate parenting responsibilities

Services for children in care and care experienced young people need to be coordinated, focused and effective. Responsibility for this rests at a corporate level with councillors who will work with senior officers for the implementation of strategies and services. It is important for all those who provide a service for children in care and care experienced young people work together to ensure a joined up approach.

The corporate parenting principles are about embedding a positive culture in the local authority towards children in care and care experienced young people and their success will depend on the extent to which directors, councillors, heads of service and front line managers champion and promote the understanding of them. (DfE - "Applying corporate parenting principles to looked-after children and care leavers", Statutory Guidance, February 2018).

Councillors and senior officers will promote that children in care, and care experienced young people are part of the council "family".

Councillors and senior officers will demonstrate that they care about what happens to children in care and care experienced young people by taking their corporate parenting role seriously.



# Principles

The government introduced clear corporate parenting principles that require all departments within a local authority including staff, councillors and partner agencies to recognise their role as a corporate parent and encourage them to look at the support and services they provide. The principles are:

- To act in the best interest and promote the physical, mental health and wellbeing of children and young people in our care.
- To encourage children and young people in care to express their views, wishes and feelings.
- To consider the views, wishes and feelings of children and young people in care and those young people that leave care.
- To help children and young people in care and those that leave our care to gain access to, and make the best use of, the services provided by the local authority and its relevant partners.
- To promote high aspirations and seek to secure the best outcomes for children and young people in care and those that leave our care.
- To ensure children and young people in care and those that leave care are safe and have stability in their home lives, relationships, education and/or workplace.
- To prepare children and young people in care for adulthood and independent living when they leave our care.



# Our promise

An effective corporate parent will ensure that our children in care and care experienced young people and adults have at least the same care, nurture, support and life chances as any other child in our society might expect. Where these opportunities are not provided corporate parents will have failed in their primary duty.

Each year the Corporate Parenting Panel will hold two Dragons Den sessions with our Children in Care Council to update them on the progress of our strategic priorities.

We, the corporate parents commit to the following promise for the children and young people in our care.

- To involve you in decisions about a safe/ positive home where you can stay until you are ready to move on from our care.
- To keep you together with your brothers and sisters whenever we can, and to help you stay in close contact with your family if that's what is right for you and is safe to do so.
- To listen to your views, act on them when we can and be honest when we cannot.
- To support you to understand your journey into and through care, understand your history and why decisions have been made. Support you to understand your identity, heritage and have a record of your journey via your life story, photos and letters.
- That your social worker will work hard for you to solve problems.
- To tell you what your rights are and what you are entitled to.
- That you will be involved in decisions taken during your review.
- To involve you in decisions about school and to help you get to school so that your education can continue.
- To arrange transport for you that is reliable and gets you to school, and important meetings, on time.
- To invite you to group activities with other children living in care, and those leaving care, to help you feel more confident.
- Support you in building positive and healthy relationships with peers and work with you and your schools through peps and your annual review to resolve any difficulties (for example, bullying).
- To support you when you need help with school, transitions between schools and preparing for employment and training.
- You have the help you need to develop your skills to gradually look after yourself and are given continued support to negotiate the challenges of adult life.
- You are provided with a good standard of accommodation and housing and that your move to independence is a positive experience.
- That we keep in touch with you on your journey and you know what you are entitled to including the care experienced young peoples' promise and our local offer.
- To support you to achieve your best outcomes.
- To hold an annual star awards to celebrate your achievements.
- You get additional support when you are a young parent.

# We want to know if we are not keeping our promises

We need you to tell us how we are doing at keeping our promises to you. You need to let us know if:

- We are not keeping our promises to you.
- You are unhappy with the support you are given.
- You are not getting the support and help you need.

We need to get better.

Someone who supports you are doing well.

We want you to be able to share your experience with us, both good and bad.

You can always ask to speak someone who can make a difference.

Tell your carer, social worker, independent reviewing officer about how things are for you, and what is good or bad. Tell them if you do not think we are keeping our promises and this person will try and help you sort it out.

You can use **Mind Of My Own App** to share with us.

You can contact Your Voice team and our Children in Care Council to share your views.

Your message and views will be shared with senior leaders in our service and our Corporate Parenting Panel.

It's our job to make sure you are happy, safe and supported and that you feel listened to.

# Partnership working

To deliver on our promises and deliver our ambitions for children in care and those young people that leave our care; as senior officers we will work with a number of partners who report into the Corporate Parenting Operational Group and the Corporate Parenting Panel. Our ambition is to work together across the partnership to deliver on our strategic priorities and ensure there is momentum of pace to deliver change for you.

The Corporate Parenting Operational Group will be chaired by the Head of Service for Children in Care and Young People.

There will be a number of subgroups that feed into the Corporate Parenting Operational group:

Care Leavers Development Group and Unaccompanied Asylum Seeking Children (UASC) Development Group – which are chaired by Katrina McJannet (Head of Service – Children in Care and Young People).

# Priorities for development 2023 - 2026

What our children and young people need:

- To feel safe and happy in a stable home and in my local community. To try and ensure I live in a community that reflects my cultural and religious needs.
- To have positive relationships with people who are important to me and for me to be part of my local community where I am trusted, respected and accepted and feel included.
- For my voice to be heard and for it to matter and influence decision making and drive change.

- To be the best that I can be, to achieve personally, educationally throughout my life and be supported to access training and employment opportunities.
- To have support for as long as I need it and plan my transition to independence with good access to Staying Put, Staying Close and quality supported accommodation and eventually my own home.
- To have additional support when I am a young parent.

Please click the link for updated quarterly data measures stated in the 'How we know we are doing well' performance indicators below.

## Our plan for you

We want all our children and care experienced young people and adults to have the best start in life and be supported to reach their potential and goals. We want the very best for our children in care and we will ensure that the best outcomes for our children are everyone's top priority. We want our children and young people to aspire to lead a successful, fulfilling life.

We want to ensure that you can learn and develop skills and achieve from early childhood throughout your journey through your transition to adulthood and moving to independence and beyond. We want you, our young people, to be supported in every step of your learning from early years learning to school, higher education and that you have access to a range of work experience, training opportunities and apprenticeships and employment opportunities within the family business and the wider Wiltshire community as part of our local offer.

We are responsible for ensuring the local authority carries out its duty to promote the educational and aspirational achievements of you our children in care and care experienced young people. The Chief Executive and the Leader of the Council, the Lead Member for Children's Services, Education and Skills and the Director of Children's Services will ensure that they prioritise and drive a culture of high educational achievement and aspiration within the local authority and with partners.

# Challenges

Wiltshire's children and young people achieve well nationally in comparison with other local authorities. There are still challenges in this being consistent for all children and young people in providing long term, stable loving homes, and achieving well throughout education, training and employment.

We are always looking for creative solutions and innovative approaches to improve the services we provide you, some of these are nationally recognised such as Staying Put and Staying Close.

We have recently secured funding to introduce Mockingbird which is a nationally recognised programme to support retention of foster carers.

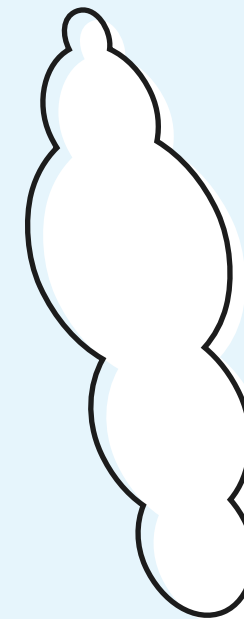
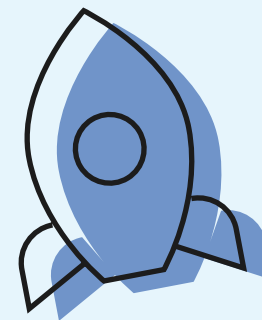
We are also trailblazers for our contextual safeguarding approach for children in care, working with Durham University and with formal recognition from DfE for a fifth category of risk, recognising risks outside of the home (ROTH).

We work closely with our regional adoption agency, Adoption West, to ensure that we are promoting permanence for those children whose permanence plan is adoption.

We were successful in being awarded two bids from the DfE's Children's Home Capital Programme which forms a part of our ambitious Placement Sufficiency Strategy. We will have three children's homes within Wiltshire.

We are exploring additional provision in county for our young people in care including increased provision for our unaccompanied children and young people and supported accommodation and tenancies for our care experienced young people to support them with transitioning to independence.

We as a Corporate Parenting Panel will continue to work hard to ensure our focus is overcoming these challenges so that we can provide the best for you as we believe there is always more we can do.



# Strategic priority

1

## To feel safe and happy in a stable home and in my local community

When children need to come into care, we will do our very best to maintain them in Wiltshire within their family with connected family carers. Where this is not possible, we will provide a range of foster placements within Wiltshire with carers that are trained in DDP (Dyadic Development Psychotherapy) and understand their needs and support them to build trust in their new homes. We will also commission a range of specialist fostering and residential homes for those with more complex needs and we will work with providers to retain a number of these within county. Wherever possible any placement change will be planned and subject to a pre disruption meeting to ensure this is child and young person centred.

We will work hard to achieve long term permanence for the children of Wiltshire.

### Key Challenges

Post Covid there has been a national rise in the number of children coming into care. Whilst Wiltshire's number remain within target, there is increased competition nationally for all independent and residential placements. Recent research also shows that local authority and independent fostering agencies are seeing a reduction in the number of new registrations of carers. We need to ensure that our commissioning services are creative and responsive to the changing complexity of needs. We need to bolster the support we provide to placements to prevent breakdown.

## What we will do

## How do we know we are doing well?

Children and young people will have stable placements

Percentage of children (under 16 years old) looked after for at least two and a half years who have been in the same placement for at least two years

Percentage of children with three or more placements

Subject to their needs children and young people will be placed in Wiltshire

Twice yearly update to CPP as within target range for this KPI

Quarterly reporting post POB

Percentage of children placed 20 miles or over from home

Percentage of children placed in local authority foster placement

Percentage of children placed outside of Wiltshire

Percentage of children placed with connected carers

We will continue to develop our services for those children and young people unaccompanied and seeking asylum

Link to UASC development group

Quarterly updates on National Transfer Scheme, spontaneous arrivals and good news updates

Children and young people will be supported to remain in their extended families

Quarterly reporting post POB

Percentage of children achieving permanence via SGO's and connected carers

Care plans for rehabilitation will be actively considered throughout a child, young person's life

Percentage of placement with parents regs and orders rescinded, twice yearly reporting



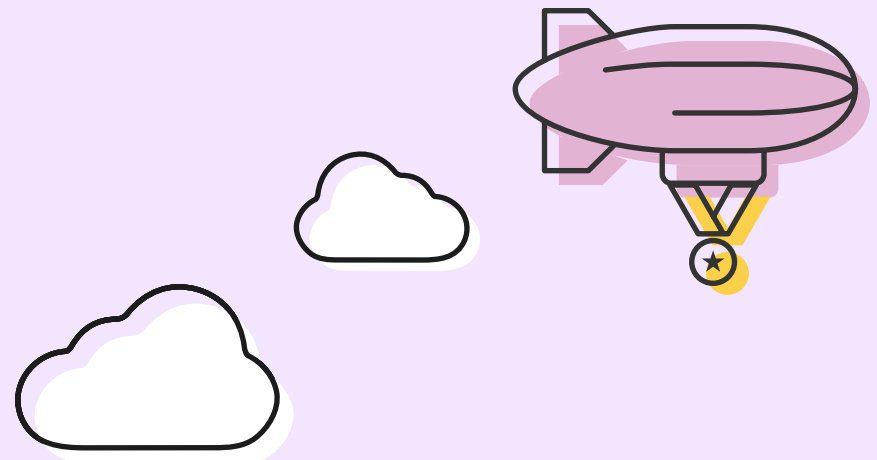
## What we will do

## How do we know we are doing well?

Our young people leaving care will be supported to stay "put" or "close".  Staying Put, Staying Close Project	Percentage of young people staying put	Percentage of young people staying close
Increase the number of foster carers  Twice yearly Mockingbird updates	Number of enquiries to assessment to approval	Number of foster carers recruited and retained
We will provide high quality trauma informed care to support best outcomes for our children and young people	Number of foster carers accessing DDP training	Number of carers progressing in levels of payment for skills
We will have oversight and understand the themes of why our children in care have missing episodes to ensure that they are safe	Twice yearly updates of missing data for CIC	
We will ensure that young people in care and those that have left our care have access to good quality supported accommodation	Link to updates of Care Experienced Development Plan	
We will ensure that young people always have suitable accommodation and are not homeless and that their local connection is lifelong	Twice yearly reporting on those not in suitable accommodation	

### Key Partners for this strategic priority are:

- Social Workers Children in Care and Through Care Teams, Support and Safeguarding Teams, PA Service and UASC Team, Emerald Team, CYPDT
- Virtual School
- IRO's – Quality Outcomes Service
- Kinship and Fostering Service
- Commissioning Service
- Children's Brokerage Service
- Children's Commissioner ICB



# Strategic priority

2

**To be the best that I can be, to achieve personally and educationally throughout my life and be supported to engage with training and employment opportunities.**

As corporate parents and leaders we want the same for you as any parent, for you to have the best start and for you to reach your full potential and be happy and engaged in life. Wiltshire wants the very best for you and we have high aspirations for you.

We want to enable you to engage fully in all aspects of learning from your early year's nursery, primary and secondary schooling and post 16. We want you to have no barriers to education to ensure you can remain engaged at all times and have access to good personal development opportunities, to provide you with the educational outcomes, skills and positive experiences needed to support you through to independence.

We want to provide you with positive relationships that support you to aim high, including college and university. We want you to have the chance to experience work and support you to engage in training, apprenticeships and employment within Wiltshire and beyond. Wiltshire has a strong economy, and we want to build on our links with businesses and employers to ensure our local offer is as good as it can be.

### Key Challenges

Both regionally and nationally, Wiltshire children and young people compare well in good outcomes linked to education, employment and training but we have high aspirations and we want all children in care and care experienced young people to be achieving their goals and aspirations. The corporate parenting panel seeks to improve these areas for you.

## What we will do

Ensure all our children and young people in care will have an up to date, good quality PEP stating how they will be supported to achieve their goals at each key stage

Ensure all our children and young people in care will have their SEND needs clearly identified and addressed in their PEP

All children 15yrs and six months will have an up-to-date Pathway Plan that clearly sets out their goals, what skills they need to learn to reach independence and what support they need to achieve these

All Pathway Plans will evidence and consider a young person's SEND

All Pathway Plans will evidence young people's SEMH (social, emotional and mental health) needs

That we continue to offer apprenticeships to a percentage of vacant hard to fill posts to our care experienced young people

## How do we know we are doing well?

Percentage of children and young people with an up-to-date PEP

Percentage of children and young people with a PEP rated 'Green'

Percentage of children and young people with My Support Plan

Percentage of young people with an up-to-date Pathway Plan

Percentage of young people with a Pathway Plan that encompasses any relevant SEND

Percentage of Strengths and Difficulties Questionnaires

Percentage of apprenticeships offered on a quarterly basis

Percentage of children and young people with an up-to-date EHCP

Outcomes of children and young people with SEND vs non-SEND

Percentage of young people where the final PEP targets are included in the Pathway Plan



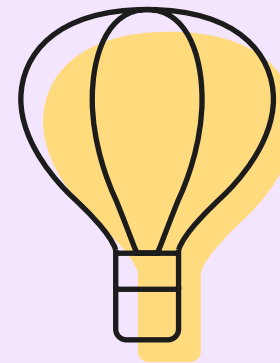
## What we will do

## How do we know we are doing well?

All children and young people have appropriate educational provision	Number on a reduced timetable	Breakdown of reasons for no school place
All children with a reduced timetable or accessing AP have a clear plan that is reviewed regularly	Number Accessing AP	Number with a REP (reduced timetable)
	Number of children not on school roll (including EOTAS)	Number with an ILP (use of AP)
Our children in care are supported to access higher education and care leavers accessing graduate and post graduate courses	Percentage increase of children in care and care leavers in higher education	Percentage of care leavers in university, graduate and post graduate
Our children in care and care experienced young people are offered work experience opportunities within the council	Percentage offered/engaging in work experience	
Our care experienced young people are proactively supported to access higher education and/or employment. Our care leavers NEET Panel will proactively support all those NEET	Percentage children in care and care leavers in EET 16 - 18yrs	Percentage young people EET 21- 25yrs
	Percentage young people EET 19 - 21yrs	Twice yearly update from Care Leavers NEET Panel
That all care experienced young people know of our local offer	Percentage of young people provided work experience, apprenticeships, employment	
That we sign the Care Leavers Covenant to build on our local offer		

## Key Partners for this strategic priority are:

- Virtual School
- SEND
- School Effectiveness
- Education and Skills
- Participation and Skills Team
- Schools
- IRO's - Quality Outcomes Service
- Social Workers Children in Care and Through Care Teams, Support and Safeguarding Teams, PA's Service and UASC Team
- Kinship and Fostering Service
- Care Leavers Covenant



# Strategic priority

3

## Ensuring my physical and emotional wellbeing is supported and at a time and place that suits me

We want all our children and young people to be happy, healthy and safe. We want them to be supported to be in their best physical health and have their emotional wellbeing needs met in a timely way to support their resilience so that they learn the skills they need to be successful independent adults who achieve their ambitions. We want them to be safe in their home and community and online, protected from harm and exploitation. We want our children and young people to have a clear understanding of their personal journey into care and why decisions have been made and to have the opportunity to engage in Life Story work. We want their emotional needs to be met in a timely way with access to services to improve their wellbeing and mental health.

## Key Challenges

Research evidence shows that care experienced young people are sadly over-represented in mental health services, school exclusions, poor housing and poor health outcomes and the youth justice and prison system.

We know that children and young people who are in our care who have been exposed to adverse childhood experiences and its resulting trauma, can have lasting impact on their physical, emotional and mental health. When in care, disrupted attachments, frequent moves and instability can add to their experiences and impact on their outcomes. For our disabled children and young people, they can face additional challenges in not being able to live within their home due to their complex care and health needs. These vulnerabilities can continue into adulthood where our young people may not have learnt the emotional coping and life skills they need to thrive. Care experienced young

people face increased challenges in accessing services, appropriate accommodation and isolation in their communities due to strained family links. For some of our young people who have travelled to the country on their own, they have few family ties and face additional challenges adjusting to a new

language and culture. Their sense of belonging is best supported by being with other young people they have travelled with and by being close to others who share their culture and or religion.

## What we will do

## How do we know we are doing well?

All children and young people have IHAs and RHAs undertaken as per statutory guidance

Quarterly reporting of IHA and RHA timeliness into POB and CPP

All children and young people in care have access to dental, optical services

Percentage annual dental check

Percentage optical checks

Those needing support with their emotional wellbeing and mental health are supported via local CAMHS services

Twice yearly reporting from In Reach with outcomes for our children in care

All our care experienced young people have access to their health information, health passport

Percentage of care experienced young people who have been given their health passport

Our young people have a clear pathway for transitional safeguarding into adult services, mental health, learning disability and autism services for all our young people

Twice yearly update from transitional safeguarding lead to CPP

## What we will do

For care experienced young people on low incomes to have access to prepaid prescriptions, dental services

Our care experienced young people have access to our Emotional Wellbeing workers.

Emotional Wellbeing workers are trained in understanding the needs of our UASC young people.

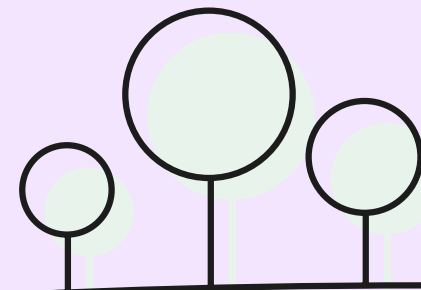
## How do we know we are doing well?

Care Leavers Development Plan shared quarterly with CPP

Quarterly updates on referrals and outcomes to CPP

## Key partners for this strategic priority are:

- Designated doctor
- Designated nurse
- CAMHS In Reach
- Children's Commissioning Lead ICB
- Adult services, Adult mental health, LDAS
- Wiltshire Commissioning
- Children in Care teams, Senior PAs



# Strategic priority

4

## To have positive relationships with people who are important to me and for me to be part of my local community where I am trusted, respected, accepted and feel included

We know that children and young people achieve the best outcomes when they are able to trust and build strong relationships with others and those relationships stay with them through to adulthood. We want all of our children and young people in care to have the opportunity to build long lasting, trusting relationship with those people most important to them, their family, carers, significant others, social workers and IROs. We want these relationships to endure into their adult lives so that that our young people do not experience isolation and loneliness. We are commissioning Lifelong Links to ensure relationships are built and maintained with family networks.

For some children and young people, it can be a challenge to build new relationships, sometimes they need the opportunity to build these outside of their immediate circle and existing relationships, with someone independent. We want to widen our offer of Independent Visiting for our children in care and the take up of Grandmentoring for our care leavers. We want a one council offer for volunteering for our children in care and care experienced young people.

We want our children and young people to be accepted and have a sense of belonging to their community and engage with extracurricular activities to support their integration. We want young people's voices and views to be included in the shaping of all of our services.

### Key Challenges

Many of our children entering care are from disadvantaged

backgrounds who may not have had the opportunity to engage in their communities in a positive way.

Research tells us that the benefits of enjoying activities outside of formal education are key in our children's development, building confidence, self-esteem and reducing isolation. Achieving outside of the classroom can also boost educational attainment and lead to children

developing their own aspirations and future success.

Access to leisure services and social groups can be hard to access for our young people who may have anxiety and lack confidence. We also hear from our older children in care and care experienced young people that with increased independence there can often be increased anxiety and isolation.

### What we will do

### How do we know we are doing well?

Activities outside of school will be a key focus in all annual reviews for children in foster care, connected carers and residential care.

Placement Plan audits

Social activities to be a clear focus in all Pathway Plans to reduce social isolation

Placement Plan audits

That the Independent Visitor Scheme is offered to all children and young people as part of their review

IV annual report to CPP includes feedback from children and young people

Work with our provider to increase the offer of matches for Grandmentoring

Six monthly reporting to CPP

## What we will do

## How do we know we are doing well?

A One Council wide volunteer list offering support with hobbies and befriending to be devised

Six monthly reporting

That we support and encourage (where safe) our children and young people to have relationships with their family and relatives

Six monthly reporting of Project into CPP

Project within fostering Stronger Families Team to promote links with families that endure (Lifelong Links)

Build relationships with local leisure facilities and the voluntary sector to increase our local offer to our care experienced young people. A task and finish group to be appointed

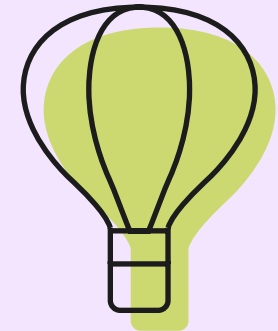
Report progress of local offer into CPP

We provide opportunities for our children and young people in care and care experienced to meet up and have fun

Schedule of activities  
Voice Team

## Key partners for this strategic priority are:

- One Council
- IRO's – Quality Outcomes Service
- Voice Team
- Social Workers Children in Care and Through Care Teams, Support and Safeguarding Teams, PA's Service and UASC Team
- Virtual School
- Independent Visitor Scheme
- Grandmentoring
- Voluntary Sector Forum



# Strategic priority

5

## For my voice to be heard and for it to matter and influence decision making and drive change

We will always support and encourage children, young people and care experienced adults to share their voice, wishes and feelings. We will work in partnership with them and consult them on their views when decisions are made that affect them and have a say in how our services are delivered and shaped to meet their needs. We will meet with them regularly to hear their views and get to know them during activities and celebration events.

### Key challenges

We have an established Children in Care Council with new members, but we want to widen its membership and ensure it is fully inclusive of our UASC and those with SEND and disabilities and reaches more

of our children in care and care experienced young people.

We want to further develop how we capture voice in all that we do and ensure that it drives change in delivery of our services.

We want to work with more care experienced young people and adults and those who have gone on to have their own children to ensure that services meet their needs through to independence and that this shapes practice and policy.

We want to provide a range of tools to capture their voice and build on the success of Mind of My Own app.

We want our Voice Team to build on its success and develop a range of engagement methods to promote voice and participation.

## What we will do

## How do we know we are doing well?

Our Children in Care Council's voice is heard at each Corporate Parenting Panel either in person, video or written views

CPP members and officers will develop relationships with our CIC, care experienced via activities and celebration events

We will celebrate the successes of our children and young people at each CPP

We will routinely gather the voice wishes and feelings of our children and young people, care experienced young people and adults

Our children in care and care experienced young people will work with our Voice Team and take part in the recruitment, training of our elected members and families and children's workforce

Updates to CPP  
Christmas Event

Success stories continue to be standard on the agenda

Percentage of use of Mind of My Own App

Voice Team updates to CPP

Star Awards  
Scheduled activities

Bright Spots survey

**Key partners for this strategic priority are:**

- Care Leavers Council
- Voice Team
- Social Workers Children in Care and Through Care Teams, Support and Safeguarding Teams, PA's Service and UASC Team
- Virtual School
- IRO's – Quality Outcomes Service
- CAMHS In Reach
- Designated nurse

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## Councillors' corporate parenting responsibilities

All councillors are corporate parents and can promote their responsibilities in a number of ways.

The Families and Children's Service and its appointed officers will support members in this task by providing training sessions as part of the induction for all councillors.



# How to be an effective corporate parent

- Ensure you always ask yourself “would this be good enough for my child”.
- Ensure that you support them in having a voice, that it is heard and considered in all our local policies and service design and delivery .
- Ensure you know about our children and young people in care in Wiltshire and placed outside of county. Know about the national and local picture and how this affects them.
- Ensure that you consider their needs across the wider council business.
- Ensure they are updated about changes that affect them and include their views.
- You are confident in communicating with children in care, care experienced young people and adults via a range of media and through service leads.
- Ensure you are familiar with “Our Promise” and constructively challenge whether the council is delivering.
- You actively question how all elements of council business may impact on our children and young people and you join the dots between the wider council agenda linking the needs of our children and young people.
- You consider how your area boards understand and meet the needs of our children and young people in care and our care experienced young people and adults.

# Councillors’ corporate parenting panel responsibilities

The panel will appoint a chairperson and vice chair on an annual basis.

To ensure strategic oversight and momentum to improve services we have set out five strategic priorities that will be the focus for services and our partners over the next three years.

To ensure effectiveness, critical challenge and momentum, all members will be assigned a priority theme alongside a lead council officer. This means that you will meet with our Children in Care Council to share updates on the progress of your priority, gain their views and consider how these will be fed into the strategic priority.

The councillor will provide support and challenge on progress and support the operational lead in promoting the priority across wider council forums, committees and community events.

The councillor will receive updates from the operational lead as agreed and prior to reports being represented to the Corporate Parenting Panel.

## Quorum

The quorum of the Corporate Parenting Panel will be 50% (4) councillors. Where the meeting is not quorate, the chairperson will adjourn the meeting.

## Frequency of meetings

The Corporate Parenting Panel will meet a minimum of five times a year.

## Reporting

The panel will report its work through the Wiltshire Council Children’s Select Committee. Following each meeting the panel clerk will send a copy of the panel minutes and action log to the Chairman of Children’s Select Committee. On an annual basis the panel chairperson will prepare a report for the chairperson of the Children’s Select Committee, addressing progress against each of the five strategic priorities.

In addition to this the chairperson of the Corporate Parenting Panel will present an annual report to Full Council which will be shared with the Children’s Select Committee prior to submission.



# List of annual and six monthly reports for CPP:

January	March	June	September	November
Annual Virtual School report	Six monthly UASC report from the working group	Annual Child and Youth Voice Team report	Virtual School Preliminary Examinations Results	Annual Adoption Service report
Annual Health of Children Looked After report		Annual Motiv8/Connect (Substance Misuse) Service	Annual Fostering report	CAMHS In Reach Annual Report
		Annual Independent Reviewing Officers report	Annual Wiltshire Independent Visitor Scheme report	Six monthly Care Experienced Development Group update
		Draft annual report of CP Panel for Full Council	Annual report on Grand mentors Scheme	

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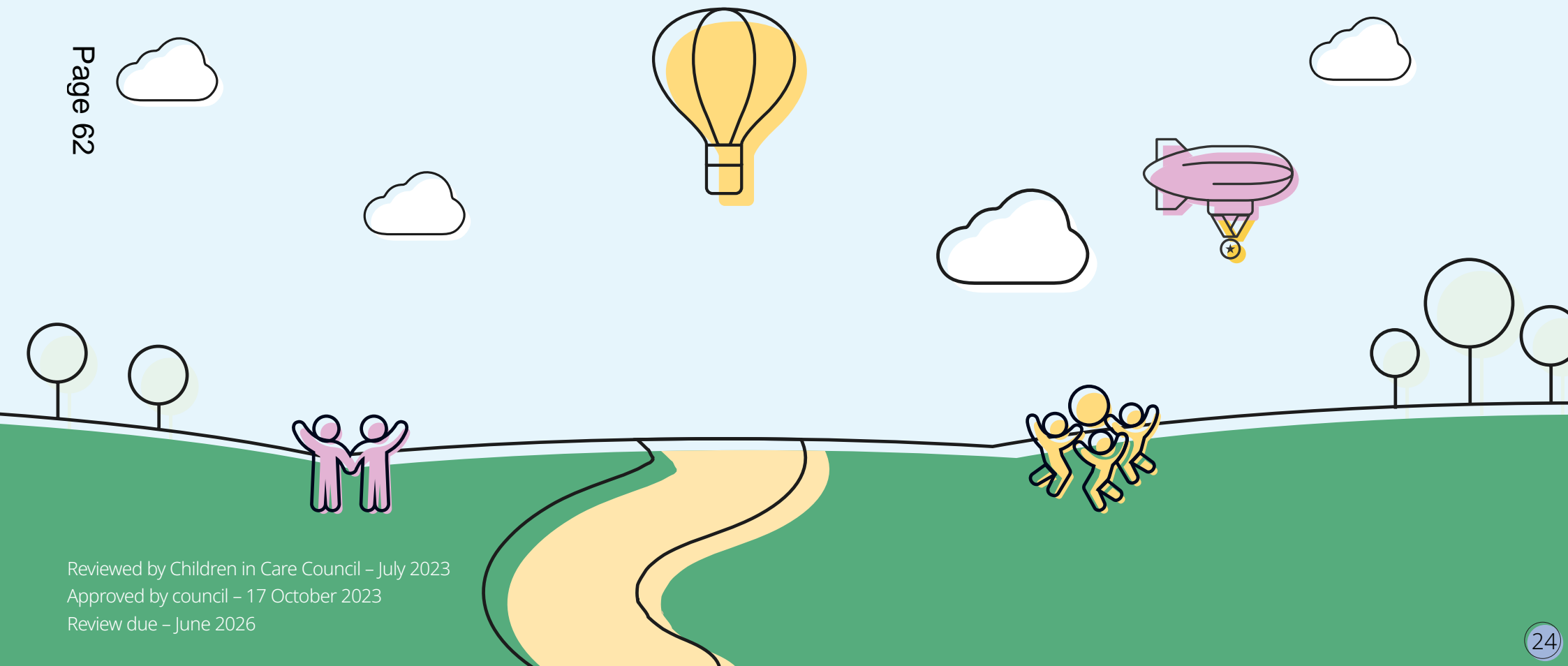
## Terms of reference

The Corporate Parenting Panel will;

- Make a commitment to prioritising the needs of children looked after children and care experienced young people and their carers and ensure that all departments within the council prioritise the needs of this group.
- Receive reports from the Children in Care Council and act on their views.
- Provide clear strategic and political direction in relation to corporate parenting.
- Show ambition and aspirations for all our children in care and care experienced young people and adults.
- Ensure that all councillors and Wiltshire Council departments are fulfilling their roles and responsibilities as corporate parents proactively. This may involve, for example, the Corporate Parenting Panel organising specific education and training events for all members to ensure they are equipped with the knowledge and skills to be corporate parents.

- Investigate on behalf of all councillors, ways in which the role of corporate parenting can be improved, using examples of research and effective practice from other local authorities.
- Listen to the views of children, young people and their carers to involve them in the assessment and development of services.
- Engage with children and young people who are looked after, or have left care, by inviting them to act as advisers to the panel.
- Monitor the performance, quality and outcomes of the council's services in relation to children and young people in public care and identify any areas for improvement.
- Scrutinise key performance indicators in relation to children and young people in the care of Wiltshire Council.
- Meet with government inspectors, where appropriate, for their input into inspections.
- Participate as members of the adoption and fostering panels.
- Agree a work plan, review progress, membership of the panel and attainment of its role and terms of reference and report to the Cabinet and Children's Services Select Committee as appropriate, and in any case to the Full Council annually.

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# Corporate Parenting Panel acronym list

<b>AP</b>	Alternative Provision A place that provides education for children who can't go to a mainstream school	<b>IV</b>	Independent Visitor A volunteer who visits and befriends a child or young person living in care
<b>ASYE DM</b>	ASYE Development Manager Experienced social workers who support and mentor ASYE's	<b>KPI</b>	Key Performance Indicators Those indicators deemed to be essential to enhance performance
<b>CAMHS</b>	Child and Adolescent Mental Health Services	<b>NEET</b>	Not in Education, Employment or Training (and EET – in Education, Employment or Training)
<b>CiC</b>	Children in Care	<b>PA</b>	Personal Adviser working with care experienced children and young people (care leavers)
<b>CiCC</b>	Children in Care Council	<b>PEP</b>	Personal Education Plan
<b>CiN</b>	Children in Need	<b>POB</b>	Performance and Outcomes Board (Meets six weekly)
<b>CLA</b>	Children Looked After	<b>POG</b>	Performance and Outcomes Group Service level regular meetings that scrutinise performance and report by exception to POB
<b>CPP</b>	Corporate Parenting Panel	<b>RHA</b>	Review Health Assessment
<b>CYPDT</b>	Children and Young People with Disabilities Team	<b>ROTH</b>	Risk Outside the Home
<b>DDP</b>	Dyadic Developmental Psychotherapy	<b>SEHM</b>	Social, Emotional and Mental Health
<b>DfE</b>	Department for Education	<b>SEN</b>	Special Educational Needs
<b>EET</b>	In Education, Employment or Training	<b>SEND</b>	Special Educational Needs and Disability
<b>EOTAS</b>	Education other than at School	<b>SGO</b>	Special Guardianship Order
<b>EHC Plan</b>	Education, Health and Care Plan	<b>UASC</b>	Unaccompanied Asylum Seeking Children
<b>ICB</b>	Integrated Care Board Replaced Clinical Commissioning Groups (CCGs) from July 2022		
<b>ILP</b>	Individual Learning Plan		
<b>IHA</b>	Initial Health Assessment		
<b>IRO</b>	Independent Reviewing Officer Chairs all statutory reviews of looked after children		

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**Poem as a response from the Corporate Parents to our children and young people in care**

Appendix 2

In the realm of care, where dreams unfold,  
We heard your voices, precious and bold.  
You shared your concerns, your hopes, your fears,  
And together, we've journeyed through the years.

You spoke of mental health, a vital need,  
For care experienced adults, we take the lead.  
Embracing your feedback, we've forged a way,  
Enhancing emotional support day by day.

Dedicated practitioners now lend their hand,  
Guiding you through challenges, where you may stand.  
Isolation fades as connections ignite,  
We stand by your side, shining a guiding light.

Understanding your journey, your history untold,  
We seek to reveal the stories yet to unfold.  
Our Personal Advisors lend their aid,  
Unlocking the knowledge that was once barricaded.

"Latter life letters" take shape in this quest,  
To provide you with insight and context, the best.  
For in comprehending your life's profound scope,  
You'll find strength and understanding, we hope.

To know you better, we've sought to engage,  
Building relationships on an equal stage.  
In the selection process, your voice is heard,  
Shaping the team that embraces every word.

Engaging with leaders, your questions arise,  
Unveiling motivations, dreams, and ties.  
Open dialogue empowers your will,  
To influence decisions, to shape and fulfil.

Our staff, too, are guided to communicate,  
With child-friendly methods, their skills elevate.  
Relationship based practice is the key,  
Unlocking connection and empathy.

Transitioning from care can bring uncertainty,  
For those in residential placements, we see.  
The Staying Close Pilot, our guiding light,  
Supporting your steps, through day and night.

With tailored assistance, we pave the way,

Preparing for adulthood, a brighter display.  
Empowering you to embrace your fate,  
With confidence, resilience, and dreams innate.

Work experience beckons, employment in sight,  
We've opened our doors to your shining light.  
The Voice Ambassadors now take their stand,  
Co-producing services, hand in hand.

Your lived experience, a gift we embrace,  
Guiding our work with refinement and grace.  
Together we build a workforce diverse,  
Making a difference, with voices immersed.

As corporate parents, our commitment is clear,  
To be the best we can, we hold you dear.  
With hearts united, we journey anew,  
Transforming lives, with love and breakthrough.

So let us move forward, hand in hand,  
With hope in our hearts, we'll conquer and expand.  
Together, we'll create a brighter tomorrow,  
As corporate parents, erasing sorrow.

Author: Joe Sutton on behalf of Wiltshire's corporate parents

**Wiltshire Council**

**Cabinet**

**10 October 2023**

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**Subject: Update on the Council's response to the Climate Emergency and revised Environment Policy**

**Cabinet Member: Councillor Nick Holder - Cabinet Member for Environment and Climate Change**

**Key Decision: Key**

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## **Executive Summary**

At its meeting held on 26 February 2019 Full Council resolved to acknowledge that 'there is a climate emergency and to seek to make the county of Wiltshire carbon neutral by 2030'. Cabinet subsequently committed to make the council carbon neutral by 2030. This report demonstrates that the council is on track to become carbon neutral by 2030.

A commitment was made to provide six-monthly progress updates on actions the council is taking to tackle the climate emergency in Wiltshire. This is the eighth progress report to Cabinet. Significant progress is reported against each of the seven Climate Strategy delivery themes and Appendix 2 sets out trends against key performance indicators (KPIs).

One year on from publishing the climate delivery plans, the KPIs show that the council is currently on track to meet its commitment to be carbon neutral by 2030, despite a post-pandemic rebound in emissions last financial year. This is due to tackling emissions from heating and powering buildings as this is the council's largest area of emissions.

Data for Wiltshire-wide emissions is reported nationally with a two-year lag, so it is not yet clear whether a similar trend will be seen, but existing data shows that county emissions are not reducing in line with our targets (based on our independent report on pathways to carbon neutrality). Transport is still the largest source of emissions in Wiltshire and not reducing significantly. It is a challenging area, but some good strides are being made, for example the Demand Responsive Transport service in Pewsey Vale.

Wiltshire Council continues to show leadership through tackling greenhouse emissions and mitigating other environmental impacts of its own operations. The proposed Environmental Policy (Appendix 1) sets out how the council does this.

It is a noteworthy achievement that the amount of renewable energy produced on the council estate has trebled in the last year from 550,000 kWh in 2021-22 to 1,745,060 kWh in 2022-23. This helps the council to be more self-sufficient in terms of electricity, reduces the council's energy bill and adds more renewables into the electricity system.

Although the council cannot influence all of the greenhouse emissions across the county, we publish KPIs to show the state of Wiltshire's progress, and continue to work with partner organisations to deliver the climate strategy.

This report demonstrates where the council is taking action to address or influence county-wide emissions. This includes working with regional and national organisations, and lobbying government for supportive policies and initiatives.

### **Proposals**

#### That Cabinet Notes:

- 1) the actions taken in response to the climate emergency following the last update in May 2023, and notes the progress made against key indicators as well as areas of limited progress.

#### That Cabinet recommends that Full Council:

- 2) approves the updated Environmental Policy in Appendix 1 and adds it to Paragraph 1.2 of Part 3B of the Constitution for inclusion as part of the Policy Framework.
- 3) that future climate updates are received annually at its October meeting.

### **Reason for Proposals**

- 1) To provide Cabinet with an update on actions taken in response to the climate emergency.
- 2) To ensure the council's Environmental Policy is up to date and has sufficient weight.
- 3) Moving to annual reporting would be in line with the annual publication of greenhouse gas data, mirror the reporting frequency of other local authorities and reduce the administrative burden on the climate team, enabling them to concentrate on project delivery.

**Parvis Khansari**  
**Corporate Director, Place**



## Wiltshire Council

### Cabinet

10 October 2023

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**Subject:** Update on the Council's response to the Climate Emergency and revised Environment Policy

**Cabinet Member:** Councillor Nick Holder - Cabinet Member for Environment and Climate Change

**Key Decision:** Yes

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#### Purpose of Report

1. To provide the eighth progress update on actions taken in response to the climate emergency, update the council's Environmental Policy and propose moving to an annual reporting cycle.

#### Relevance to the Council's Business Plan

2. The programme of work to seek to make the county of Wiltshire carbon neutral by 2030 will contribute to all four business plan priorities (2022-32) of:
  - i) Empowered People
  - ii) Resilient Society
  - iii) Thriving Economy
  - iv) Sustainable Environment

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

3. The update on the actions taken in response to the climate emergency is structured against the seven delivery themes of the climate strategy. In addition, **Appendix 2** provides an overview of the Key Performance Indicators that track the outcomes relating to the climate strategy delivery plans.

#### Background

4. The council's Environmental Policy summarises how Wiltshire Council will continue to lead by example to minimise the impact of our own operations and supply chains on the environment whilst encouraging others to do the same. It provides a framework for setting and summarising the council's environmental objectives and targets to improve our environmental performance, all in one place. The policy was last updated in 2015 as a delegated Cabinet member decision. It is not currently included on the council's policy framework.
5. At its meeting held on 26 February 2019 Council debated the following notices of motion:
  - 12b) Acknowledging a Climate Emergency and Proposing the Way Forward;
  - 12c) Environment and Global Warming.

6. The council resolved to acknowledge that there is a climate emergency and to seek to make the county of Wiltshire carbon neutral by 2030 – recognizing that the council only has direct control over 0.5% of carbon emissions in Wiltshire but can use its democratic mandate and other levers of influence to have an impact on wider emissions. Cabinet has also pledged to make Wiltshire Council carbon neutral by 2030.
7. The [minutes](#) of the meeting are available online (see pages 21 to 24). As part of this motion, the council resolved that Cabinet should report to Full Council on a six-monthly basis regarding the actions the council is taking and will take to address the climate emergency. The seventh report was presented to Cabinet in May 2023.
8. A Global Warming and Climate Emergency Task Group was established by Environment Select Committee in 2019 to develop recommendations to seek to achieve the target of making the county of Wiltshire carbon neutral by 2030. The task group developed two reports and recommendations covering energy, transport and air quality (see Environment Select Committee papers for [13 January 2021](#)) and planning (see Environment Select Committee papers for [3 March 2021](#)).
9. In November 2021 the Task Group updated its name to the Climate Emergency Task Group and agreed its revised objectives as:
  - To help shape and influence the development of Wiltshire Council's programme (in all relevant areas) for meeting its objective of making Wiltshire Council carbon neutral and seeking to make the county of Wiltshire carbon neutral by 2030 (excluding the geographical area administered by Swindon Borough Council).
  - To scrutinise the delivery of this objective through the Climate Strategy (2022-2027) and its delivery plans, as well as key plans, policies and programmes, such as the Local Plan, Local Transport Plan and Green and Blue Infrastructure Strategy. Including the way in which the Council is measuring progress and how it is performing and reporting against baselines.
  - To provide recommendations on other aspects of decarbonising the county including partnership working and community-led approaches as well as acting as a national role model.
10. The Wiltshire Climate Strategy was approved by Council in February 2022. It sets out a framework for the council's climate programme under seven delivery themes. Page 18 of the strategy document commits us to developing delivery plans with more detail on actions and targets under the areas of focus in the strategy. These were [published](#) in September 2022.

### **Main Considerations for the Council**

11. An updated Environmental Policy for the council is set out at **Appendix 1**. This can be included as part of the council's policy framework, alongside other non-statutory plans

and strategies such as our climate strategy. This contributes to action C1.3 of the Carbon Neutral Council Plan 2022-24.

12. The review process involved updating the policy against the priorities of our Business Plan and drawing on good practice from other councils (eg Devon County Council and South Gloucestershire Council) as well as online guides to gauge content and format. Heads of Service from relevant parts of the council were involved in the review process.

13. The policy can be used to:

- a. show the council's leadership and approach to mitigating the environmental impacts of its operations;
- b. provide a guideline for suppliers to respond to through the procurement process;
- c. provide a guideline for environmental implications to be considered, and included in Cabinet reports;
- d. implement an environmental management standard;
- e. encourage One Council working, by providing a basis for relevant service areas to be proactive in delivering the objectives outlined in the policy.

14. The proposed Environmental Policy replaces the immediate need to develop a Buildings Policy, which the council committed to in delivery plan action C4.3. The Environmental Policy states that the council will aim for new builds, refurbishments and maintenance to be as close to net zero in operation as possible, and encourage retrofit, and make sure council buildings are resilient to the impacts of climate change.

### **Overall progress on the climate strategy delivery plans**

15. In October 2022 the Climate Strategy Delivery Plan 2022-2024 and the Carbon Neutral Council Plan 2022-2024 were agreed and [published](#). These plans set out the immediate actions to help deliver the Wiltshire Climate Strategy 2022-2027. This report updates the council on the progress being made in response to the climate emergency, structured against the seven delivery themes of the climate strategy. Updates will state the delivery plan action reference number where applicable.

16. Different from previous reports, this report now also provides an overview of performance against the key performance indicators (KPIs) that were set out in the above delivery plans. The council has set targets for as many of the indicators as possible. This overview is provided in **Appendix 2**.

17. One year on from publishing the delivery plans some milestones and indicators have needed to be reviewed, and this is made clear in **Appendix 2**. Importantly, the KPIs show that the council is currently on track to be carbon neutral by 2030, despite a post-pandemic rebound in emissions last financial year. County-wide we saw the same post-pandemic rebound, however due to the national emissions inventory reporting intervals we do not yet have data to show whether the whole of Wiltshire's emissions have also subsequently decreased.

18. The baseline for county-wide emissions has been changed to 2020 (from 2014), to mirror the pathway to carbon neutral mapped out by consultants Anthesis in 2022. From 2020 we are also able to track not just carbon dioxide (CO<sub>2</sub>) but the additional greenhouse gases methane (CH<sub>4</sub>) and nitrogen dioxide (NO<sub>2</sub>), as data for these is now included in the national data set provided by the government Department of Energy Security and Net Zero, DESNZ.
19. The council is delivering against most of the 200+ actions and milestones set out in the delivery plans. In the year since the delivery plans were drafted, restructures and reprioritisation of work programmes means that a small number need to be delayed, or others no longer align clearly to the council's service delivery. Where a key action is delayed this is noted below in the relevant section.
20. A key cross-cutting action (X4.1) is to develop a strategy for offsetting greenhouse gas emissions that cannot be avoided or reduced. This was scheduled to be produced by the end of 2023, and initial work on options has been carried out by consultants Anthesis and staff working groups to inform the strategy. Offsetting residual emissions is a last resort once all possible emissions have been reduced, therefore the climate team is prioritising other deliverables such as developing home retrofit projects, commenting on planning applications and inputting to policy development, and revising the Adaptation Plan. The Offsetting Strategy is still important, as there is a need to plan for offsetting due the long timeframes involved, and the strategy will now be delivered by the end of 2024.

**Delivery theme: Carbon Neutral Council**

21. The council publishes an [annual report on the greenhouse gas \(GHG\) emissions](#) arising from its own estate and operations as requested by government and as set out in our Carbon Neutral Council Plan 2022-24 (action C6.2). The emissions included arise from council owned or controlled estate or buildings, council operational fleet, streetlights, business travel, waste generated by the council through its operations, leased vehicles, schools purchasing energy through our energy contract and outsourced waste collection vehicle emissions. The figures exclude full emissions data from schools and academies, social housing and all other outsourced operations.
22. The council's commitment is to be carbon neutral in its own operations (Scopes 1 & 2) by 2030. In 2014-15 Scope 1 & 2 emissions were 23,758 tonnes of CO<sub>2</sub> equivalent and in 2022/23 were 3,568 tCO<sub>2e</sub>. This means that council emissions have been reduced below the target for 2022/23 (3750t) ensuring that the council is aligned to the pathway to carbon neutral set out in 2022.
23. The council's GHG emissions fluctuate from year to year due to acquisition and divestment of buildings, change of use of buildings, seasonal weather conditions which affect the need for heating and cooling buildings, and improvements to energy efficiency made during the year. The council is engaged in a range of work to deliver savings in emissions and costs. Examples include rationalisation and improvement of the council's property portfolio, investment in energy efficiency measures within the

remaining estate such as lighting and heating equipment upgrades, investment in appropriate renewable energy technologies and the replacement of street lighting units with LED lights which use considerably less energy. Specific actions are set out in the Carbon Neutral Council Plan 2022-24.

24. The council is currently installing solar canopies on the car park at Five Rivers Leisure Centre in Salisbury. It is estimated that works will complete by the end of December. The total installed capacity of the solar canopies will be 248 kW and they will reduce electricity bought from the grid to power the leisure centre by more than 10%. Alongside the canopies we are also piloting a solar EV charging unit called a Papilio unit. This will provide 12 charging stations for EVs, powered from solar panels that are incorporated into the roof of the unit. This will be piloted at the site for 3 years.
25. We are planning to roll this approach out to other suitable sites, where building electrical demand and car park layout are suitable, and are in the process of assessing other leisure centres at present.
26. The Energy Team's continued work on property decarbonisation as well as increasing renewable energy generation really stands us in good stead to meet our carbon neutral target and be as self-sufficient as possible in electricity. The amount of renewable energy produced on the council estate trebled in the last year from 550,000 kWh in 2021-22 to 1,745,060 kWh in 2022-23. Electricity consumption was 18,203,879 kWh in 2022-23 so demand reduction and efficiency is also a big part of the work.
27. Wiltshire Council has teamed up with Tusker to make it more affordable for employees to buy an electric car. With the scheme, part of employees' gross salary is exchanged for a non-cash benefit, in this case a fully insured and maintained brand new electric or plug-in hybrid car. The salary is exchanged before income tax and NI are deducted for a fully inclusive package with fleet and manufacturer discounts. The car scheme includes all routine servicing and wear-and-tear maintenance, fully comprehensive motor insurance, annual Road Fund License, European breakdown cover, a home charging point with standard installation, replacement tyres and even lifestyle protections (T8.1).
28. Wiltshire Council's local highways maintenance contractor Milestone has announced the deployment of Hydrogenated Vegetable Oil fuel for their fleet operating from the Chippenham Depot. Hydrogenated Vegetable Oil (HVO) is a biofuel derived from plant based oils. It produces less CO<sub>2</sub> (and other tailpipe emissions such as NO<sub>x</sub>, particulates, and carbon monoxide) when combusted than fossil fuels such as diesel. Switching the Chippenham fleet from diesel to HVO will save 150 tonnes of CO<sub>2</sub>e per year, which is a 90% reduction compared to using diesel. Milestone has sourced GD+ HVO, which is made from waste plant materials. It is certified by the International Sustainability and Carbon Certification (ISCC) and the Renewable Fuels Assurance Scheme (RFAS). (C5.3, C7, G2.1)

29. The council is continuing to roll out carbon literacy training and to date 105 officers have been trained (C2.1). The course is accredited by the Carbon Literacy Project and involves a full day's training plus an assessment, as well as making two work-based pledges relevant to each officer's role to support the council's climate objectives.

#### Public engagement

30. A statutory consultation ran from July to September for the Air Quality Action Plan. As well as transport contributing over a third of all carbon emissions in Wiltshire, it also releases harmful gases that affect the quality of the air. Wiltshire Council monitors air quality across the county to assess the levels of harmful gases in the local environment. This monitoring has shown that the air quality in Wiltshire is very good but in a few heavily trafficked areas, levels of nitrogen dioxide are too high.

31. Nitrogen dioxide is a product of combustion and in Wiltshire's case the high levels are being caused by emissions from motor vehicles. The biggest contributors are diesel cars. Air Quality Management Areas (AQMAs) have been declared around Wiltshire where the nitrogen dioxide levels are excessive. The council is required by law to produce an action plan detailing the measures that will be used to reduce levels of nitrogen dioxide in these locations. By tackling nitrogen dioxide, through measures to reduce pollution from transport, carbon dioxide will also be reduced. This is linked to actions set out under the climate strategy 'transport' delivery theme (e.g. T2, T3, T4, T5, T21, T22).

32. The council produced a summary of its [Air Quality Action Plan](#) alongside a more detailed plan to help inform people how it plans to ensure the quality of the air the local population breathes is safe. The plan contains a list of proposed actions and measures that the council will take to improve air quality, more specifically the reduction in levels of nitrogen dioxide in eight areas in the county where levels have been found to be excessive. The Air Quality Action Plan was consulted on at the same time as the draft Air Quality Supplementary Planning Document (SPD). The consultation concluded at the beginning of September and responses will be reviewed and any final changes made to the documents before Cabinet and Full Council approval.

33. The theme of this year's libraries week (2-7 October 2023) is "Go green at the library", contributing to the climate delivery plan action X1.4 to continue to engage residents. There will be themed story times and rhyme times as well as displays in Salisbury and our town libraries covering:

- a. the work we have done to decarbonise our libraries
- b. waste and recycling
- c. Tree Wardens and planting

34. As part of a national pilot being run by the Carbon Literacy Project, carbon literacy training is going to be offered to Wiltshire community groups via the Engagement and Partnerships Team. The team are in the process of finalising the details of the first session which will take place in Autumn 2023 (X1.4)



### Adaptation and Resilience

35. Work is progressing on the Salisbury River Park, the council's flagship climate adaptation project. This contributes to delivery plan actions X5, T16, NE1 and NE3. The latest newsletter is available [here](#) and includes a photograph of an otter visiting the site. See also paragraph 50.
36. Over the next few months, the council's [Climate Change Adaptation Plan](#) is being reviewed (X5). Originally scheduled to be updated by December 2023, staff capacity has meant that work has been delayed. In the meantime national guidance and a toolkit have been published meaning that our approach and timeline has altered. New adaptation actions will be co-developed with various council teams that will increase the resilience of service areas to future climate impacts. An update will now be delivered by Summer 2024.

### **Delivery theme: Transport**

#### Electric vehicle charging infrastructure

37. The UK Government carried out a [consultation](#) in Spring 2023 on the final proposals for a world leading zero emission vehicle (ZEV) mandate, helping to accelerate the UK's transition to net zero. Local authorities have a vital role to play in ensuring the future charging network continues to grow to support electric vehicle (EV) uptake.
38. The Local EV Infrastructure (LEVI) Fund will help local authorities in England significantly scale up the delivery of local charge points, enabling more residents, especially those without off-street parking, to switch to EVs. Wiltshire Council was allocated £393,600 capability funding in August 2023 which is available across financial years 2023/24 and 2024/25. The council has also been provisionally allocated up to £3,889,000 capital funding which will be delivered in two tranches and is available in either financial year 2023/24 or 2024/25. As a critical enabler, capability funding will ensure local authorities have dedicated staff to undertake the planning and delivery of charging infrastructure, while capital funding will support chargepoint purchase and installation costs. This contributes to delivery plan area of focus T4 and KPI T3.
39. The next steps involve advertising in Autumn 2023 for a new team dedicated to EVs. This team will develop the overarching EV strategy for the council as well as the specific element funded via LEVI – the focus of which is on street parking for those who don't have any off-street options at their homes.
40. Since the previous report in May 2023 the council has been [replacing and installing new EV chargepoints](#). In addition, the council's offer of funding for town and parish councils to explore installing EV chargepoints has resulted in the maximum 35 applications and feasibility studies being carried out for the locations selected. This will significantly increase the number of electric vehicle chargepoints that are available to the public, and encourage uptake of electric vehicles (T4, C5.2).

### Public transport

41. Wiltshire Council is launching five new Wiltshire Connect bus services and several revised services in the Pewsey Vale. The new services will launch in phases over the coming months and include both on-demand and semi-flexible buses, which can pick up and drop off passengers where they want to go, when they want to get there (T7).
42. On-demand services allow passengers to book the bus from a stop of their choosing in the service area to their destination at a time to suit them, either by booking through a smartphone app or by phone. Semi-flexible services are halfway between a standard timetabled bus service and an on-demand bus, in that they follow a timetable, but can take detours and have some flexibility to pick up and drop off people who have booked in advance.
43. The services are being funded for 4 years by a £1.2m grant from the Government's Rural Mobility Fund following a successful bid by the council. All the services are being run by Salisbury Reds but will feature the green Wiltshire Connect branding. The smartphone app has been developed by loki. The council has also worked in partnership with Great Western Railway to highlight the improved connectivity with Wiltshire Connect and the rail network at Bedwyn and Pewsey.
44. Wiltshire Connect buses will cost £2 for adults for all journeys until 31 October, and then £2-£2.50 for adults from 1 November 2023 to 30 November 2024, depending on the length of the journey. Following that, the standard fares for all journeys will be £2 or £3 for adults. Children and young people aged under 21 pay a half fare of £1 or £1.50, depending on the length of the journey. Ten journey tickets are also available for both adults and young people at a reduced rate.

### Active travel

45. Wiltshire Council partnered with Sustrans to create an active travel toolkit for secondary schools to raise awareness of climate change, air quality, and the impact of transport. The self-led resource includes workshops that schools can use to promote walking, cycling and other forms of sustainable travel. The toolkit is available online on the [Right Choice website](#), and information and links shared with school business managers. (Delivery Plan action T13)
46. In June 2023 the council submitted an application to UK100 for their 'Local Power in Action' programme which offered four local authorities the opportunity for bespoke support and knowledge sharing to accelerate progress towards their net zero goals. The council was not successful in this bid, however it is still committed to the bid's theme, which was to reinvigorate interest in developing school travel plans in order to deliver its climate and health ambitions. The council would like to see all schools in Wiltshire having an adopted travel plan, and without the UK100 support, seeks to start working on this using existing resources, whilst looking for additional funding. (Action X3 & T13, KPI X5)



47. In June/July people in Wiltshire were asked for their views on [cycling and walking plans](#) in Chippenham, Devizes and Trowbridge. The three Local Cycling and Walking Infrastructure Plans (LCWIPs) set out proposals for cycling and walking networks in each town, and highlight how these networks will be improved and connected to make it easier and safer to walk and cycle in the towns. The aim of the LCWIPs is to deliver infrastructure that will enable and encourage more trips to be made on foot or by bike, and help to improve air quality, reduce traffic congestion and cut carbon emissions. (Action T3, KPI T5)
48. They will also be used to inform the planning process where relevant, and future funding from the Department for Transport for active travel schemes will be linked to the walking and cycling schemes in each published plan. The council has already consulted on the draft county-wide Wiltshire LCWIPs and a Salisbury LCWIP. By the end of 2025 the council intends to develop LCWIPs for Amesbury, Bradford on Avon, Calne, Corsham, Malmesbury, Marlborough, Melksham, Royal Wootton Bassett, Tidworth, Warminster and Westbury.
49. Wiltshire Council has been awarded £978,000 from Active Travel England's Active Travel Fund 4 (ATF4) to create three new cycling and walking routes in the county. The three schemes are a pedestrian footbridge as part of the Salisbury River Park project; a cycling link between Devizes Road, Hilperton, and the A361/Elizabeth Way Roundabout; and an Amesbury to Larkhill cycle link. (Action T14)
50. In Salisbury, the pedestrian footbridge, which will cost £458,000, will link the coach park to Central car park, and will be completed by April 2024 as part of the first phase of the project. The Hilperton scheme, which costs £320,000, will link to the existing shared use paths and head along Trowbridge Road, with the existing footway widened to create a shared use path for both pedestrians and cyclists. It is expected to be completed in 2024. The £200,000 for the Amesbury to Larkhill cycle link will fund the development and design of a scheme along Countess Road. These three schemes are part of a wider list of priority schemes identified by the council. The council will now seek alternative funding sources for the other priority schemes.
51. Salisbury River Park is still on track to complete in April 2024 and will bring 650m of new and improved cycling routes, 1,600m of new and improved footpaths, 600 new trees, 2ha of habitat created and biodiversity improved, and increased resilience to climate change.
52. Construction work for Salisbury Fisherton Gateway commenced at the end of July and is expected to be completed in summer 2024. The improvement works include widening pavements, introducing new street lighting, enhancing landscaping, improving street furniture and wayfinding, and introducing continuous footpaths at junctions to enhance pedestrian priority. We will also be providing cycle parking and six street trees.

53. Salisbury Station Forecourt design work concluded in August and has been submitted to Network Rail for the final round of approvals. The earliest construction start is anticipated to be early 2024. The scheme will improve access for pedestrians and cyclists into and around the forecourt, as well as provide a new bus interchange and passive provision for EV charging meaning that the underlying infrastructure is in place to allow simple installation of charging points in the future (Action T12).

**Delivery Theme: Housing and the Built Environment**  
**Retrofit**

54. A bid for Home Upgrade Grant (phase 2) was completed at the start of this year (actions B6 & B7) which resulted in the Department for Energy Security and Net Zero awarding Wiltshire Council £3.623m in April to improve the energy efficiency of between 175 and 210 owner-occupied homes in Wiltshire, subject to household income levels. Eligible properties are those which are not connected to mains gas, have an EPC band D-G and where energy efficiency measures specified within the funding can be delivered within the cost caps and modelling confirms an improvement in the EPC band is achievable.
55. A team has been established to deliver this project, funded by the grant, and posts recruited to during Q1.
56. The project data analytics have been completed to map the eligible households in Wiltshire and to understand the energy measures required. This information has informed the procurement strategy, specifications and communications approach. A fabric first approach will be taken, and the local data analysis demonstrates that common measures include cavity wall insulation, loft insulation, ventilation, smart measures such as heating controls and low carbon heating technologies. There is limited funding for solar panels, double glazed windows and external wall insulation.
57. Procurement planning has started, and we are engaging with potential suppliers. Marketing and customer engagement is due to start during October and retrofits are expected to start taking place during the autumn and through to March 2025.
58. A bid was submitted to the Innovate UK Fast Followers programme to look at the systemic barriers to net zero progress (B5, B6, B7). The bid built on the council's experience with energy efficiency retrofit for low income households, extending out to 'self-funding' residents. It aimed to learn from experience so far, especially in relation to engaging with the electricity network operator on grid capacity, which is a key barrier to retrofit at scale, and to achieving net zero goals across the board. In addition, building up the supply side in terms of installers and skills for retrofit is another challenging area the project aimed to work on. The bid was not successful, however as mentioned above similar themes regarding supply are incorporated in the HUG2 project mentioned above, and the council continues to engage with Scottish and Southern Electricity Networks to understand grid capacity constraints and plan for future development and net zero measures.

59. The council home retrofit programme (B1) continues to deliver and the process of retrofitting properties to reduce their onsite carbon emissions and has so far installed 243 measures, including ASHP, Solar Panels, wall and loft and floor insulation, upgraded hot water cylinders and high heat retention storage heaters. However, whole-house retrofits have not been possible while the programme has experienced contractual issues. The contracts have now been re-tendered and the measures that have been delivered will stand us in good stead to progress towards the targets set out in the delivery plan (see Appendix 2 for more detail).

#### Local Plan Review

60. The spatial planning team has worked very hard to produce the Wiltshire Council Local Plan Pre-Submission Draft 2020-2038, dated July 2023, which has now been approved by Cabinet and Full council to proceed to public consultation. This round of public consultation will be the opportunity for all interested parties to have their say on the document and its policies/proposals. The climate team has worked alongside colleagues to formulate the new policies designed to ensure new developments during the plan period will support the transition to net zero. These include a brand new overarching Addressing Climate Change policy designed to be far reaching to address many of the themes that go to the heart of tackling climate change; an updated sustainable construction policy requiring new build residential to achieve zero carbon in operation; an updated renewable energy policy that goes beyond standalone renewables to also address integrated technologies on existing buildings; and a further new policy to require Embodied Carbon Assessments for major developments. These all sit within the wider planning policies, many of which relate to important climate mitigation and adaptation measures. This contributes to the 'Homes and Built Environment' delivery theme, and B3 in particular.

#### Design Guide

61. The climate team has continued to work in collaboration with the council's urban design team on the Wiltshire Residential Design Guide. The final draft is being prepared, following public consultation which included a consultation webinar and drop-in session. Due to considerable interest, the consultation period was extended to 14 August 2023. All comments received during the consultation period are being taken into account and the document changed where necessary in response. Subject to adoption, the document, that contains 'Sustainability and Climate Resilience' as one of its three golden themes, will be a material consideration in future planning decisions by Wiltshire Council. (T5.3, NE1.2).

#### Climate change and development management

62. The climate team has also been ramping up its activity within the development management service, seeking to drive up awareness of climate change with applicants and other stakeholders utilising existing policy and guidance hooks at local and national levels. Input has focused on major development, renewable energy schemes, and the council's own applications. Between November 2022 and July 2023 (inclusive) the climate team responded to over 100 planning/pre-

planning consultations. This has resulted in many developers being supported and encouraged to improve their schemes in relation to climate change impacts. Moreover, it is an important communication tool to publicly raise awareness of how our existing and future built environments will need to evolve to address climate change. The positive impact is exemplified by the climate team supporting Wiltshire College (Lackham campus) proposals for roof mounted solar panels, enabling the planning team to balance the positive climate action and associated co-benefits with heritage implications (B9.2).

#### Neighbourhood Planning

63. The climate team has worked positively and constructively with neighbourhood planning groups through the formal public consultation process. This stream of planning policy is another opportunity to increase the awareness of climate change and help communities take positive climate action through planning for climate mitigation through to climate resilience. The climate team has commented on six draft neighbourhood plans so far in 2023 (B9.2).

#### New social housing

64. Housing association Magna, Wiltshire Council and Dorset-based manufacturer Rollalong joined forces last year to tackle the housing crisis using modular building methods. They have pledged to build nearly 1,000 new affordable homes by 2026. Magna and Wiltshire Council have now taken another step towards that goal by placing orders for Rollalong to manufacture 109 new, modular homes for five sites across two counties.
65. Of these 109, Wiltshire Council will create 83 new affordable homes across three sites within the county. Rollalong uses precision engineering techniques to manufacture high-quality modern homes as modules in its factory near Wimborne Minster. These are then transported, fully fitted with kitchens, bathrooms and electrics, to sites where they will become attractive, energy efficient homes. Modular manufacturing has potential to deliver much-needed new homes faster and more sustainably than traditional brick housebuilding.
66. Overall, the process generates less waste and has a lower carbon footprint. It also creates less disruption to local people, with fewer deliveries to site over a shorter time. The partners' latest range of modular house types are built to be 'net zero in use', in line with the Government's proposed Future Homes Standard, which will require new homes built from 2025 to produce 75-80% less carbon.
67. The all-electric homes will be heated by air-source heat pumps, with a thermally efficient fabric retaining warmth and helping residents keep their energy bills lower. The homes can be tailored to the local, often rural setting, with a range of house types and finishes influenced by customer feedback. The partners also have the only modular approach in the UK accredited by the National House-Building Council (NHBC) able to 'step and stagger' terraces of houses so that they have more visual variety.

68. In addition to the low carbon modular building, there are other ways that the council's new build social housing programme is contributing to the council's carbon neutral goal. Part L building regulations mean that no new gas systems are put into new units, and energy efficiency requirements mean that new builds are likely to be at least EPC B (See Figure 8 in Appendix 2). Where the council is building on council land, the council is more able to influence that the buildings are designed to be net zero carbon in operation. (B2)

**Delivery theme: Natural Environment**

69. Wiltshire Council is one of 48 individual local authorities who has benefitted in receiving allocations from a £14 million funding pot from the Department for Environment, Food and Rural Affairs enabling us to work with our local communities to develop a tailored nature recovery strategy for the area (NE1.3).

70. The council will be responsible for preparing a Local Nature Recovery Strategy for Wiltshire and Swindon, under section 105 of the Environment Act 2021. With the best ways to support nature recovery depending on local geography, Local Nature Recovery Strategies will help communities map out the action needed in their area to restore nature working closely with local stakeholders, from farmers to school children. When put together they will be a key way of meeting our England-wide nature recovery targets. The council now has a new nature recovery officer who will be engaging with key stakeholders and the community over the next 12 months with a view to having a Local Nature Recovery Strategy in place in late Autumn 2024.

71. Following a successful bid for almost £300,000 from a Government fund, the council is relaunching the national Tree Warden scheme in the county. The Tree Warden Scheme is a national initiative led by the Tree Council, and the council is looking to recruit volunteer Tree Wardens in each Wiltshire town and parish area as well as across the Borough of Swindon. Tree Wardens will work with Wiltshire Council Woodland Officers and act as local tree champions who help plant, promote and protect trees in appropriate locations in their local area. (NE3.2)

72. Projects that Tree Wardens can be involved in could include:

- Arranging local tree planting days
- Watering and caring for local trees
- Working with the local authorities and community groups to plant and care for street trees
- Rejuvenating local woodlands
- Raising funds and finding land for tree planting projects
- Going into local schools to talk about the value of trees

More information about the Wiltshire tree warden scheme can be found at [www.wiltshire.gov.uk/trees-and-woodland-in-wiltshire](http://www.wiltshire.gov.uk/trees-and-woodland-in-wiltshire).



73. The funding for Wiltshire Council and Swindon Borough Council will also be used to help deliver tree planting targets over the next two years that will see planting of 111ha of trees in the 2023-24 and a further 222ha in 2024-25. Four Woodland Officers have been recruited and are working to deliver these targets. The majority of these will be delivered through community and private landowner initiatives, working with partners such as the Woodland Trust, and Forestry Commission to develop bids for funding.
74. The delivery plan action NE4.2 milestone was to produce a Tree and Woodland Planting Strategy by 2023. With the woodland planting team being established only in early Summer 2023, and the need to focus on setting up Tree Wardens and planting during the winter 2023/24, the Tree and Woodland Strategy timeline will be shifted to 2024.

**Delivery theme: Energy**

75. Wiltshire Council and Swindon Borough Council are working with iChoosr, independent experts in group-buying, to run a second Solar Together scheme, following the success of the first scheme in 2022 (E8.1).
76. The first round of the scheme launched in May 2022, and resulted in 1,047 installations across Wiltshire and Swindon consisting of almost 9,900 solar panels and over 800 storage batteries to a total of 705 households. The total installations are estimated to deliver over 18,500 tonnes of carbon reduction over 25 years. This equates to roughly 10,000 cars off roads for a year.
77. After a competitive bidding process managed by Solar Together, Scheme 2 launched on 5 June 2023, where people could register for free by 11 August 2023, and were then be sent their recommended provider and costs, with no obligation to proceed with the installation. 691 customers have accepted their recommendation so far which is lower than the equivalent stage on Scheme 1. Due to the timing of Scheme 1 (beginning in June 2022) coinciding with the increase in cost of energy and the announcement of zero VAT on solar panels in April 2022, it attracted a much higher level of interest than anticipated. However, it is expected that there will be a lower drop out rate in Scheme 2.
78. To register, residents must either own their own house or have permission from the landlord to install solar panels. Small and medium-sized enterprises (non-domestic) and Commonhold Associations meeting this requirement can also participate.
79. The initiative offers solar panels with optional battery storage and electrical vehicle (EV) charge points, as well as offering battery storage for those who have already invested in solar panels and are looking to get more from the renewable energy they generate and increase their independence from the grid. People can also select whether they would like to discuss options to divert solar energy to power the immersion heater in their hot water tank if they have one.

80. Solar Together operates on a group-buying approach, with the core principle that coming together as a group provides enhanced buying power and allows the approved providers to offer a better price than individual homeowners might get from entering the market alone. Please see **Appendix 3** for further details regarding Scheme 1.

**Delivery theme: Green economy**

81. Wiltshire Council launched a new £1.35m grants scheme called Invest in Wiltshire to encourage businesses in the county to improve and expand their enterprises. The grants must be used by businesses by March 2025 to improve productivity by buying new equipment, machinery or digital infrastructure; or improving premises and creating workspaces. All applications must show that they will create new jobs or better paid, more skilled jobs; and they must also help the business to decarbonise, for example, by reducing carbon-based energy usage or becoming more energy efficient (G3). The total funding available for Invest in Wiltshire grants is £1.35m. The funding has been provided with £350,000 through the Government's UK Shared Prosperity Fund (UKSPF) and £750,000 via the Rural Prosperity Fund.

**Delivery theme: Waste**

82. The council's Climate Strategy and Household Waste Management Strategy both contain clear commitments for the council to reduce the amount of waste sent to landfill and ensure that waste is managed in accordance with the nationally recognised waste hierarchy (eg, prevention, preparing for reuse, recycling, other recovery, disposal). Carbon emissions are associated with transportation of waste, as well as the waste process itself, and following waste hierarchy also aligns with the carbon hierarchy i.e. by increasing recycling and composting, and reducing waste going to landfill, GHG emissions will also be reduced (as 'Resources and Waste' delivery plan actions, and KPIs R1, R2 and R3).

83. In 2022/23, Wiltshire landfilled 15.6% of the total household waste collected (32,515 tonnes). During the same period, 40% (83,451 tonnes) was sent for recycling, composting or reuse, and a further 44.4% (92,585 tonnes) was diverted from landfill using waste treatment and energy from waste facilities.

84. The council and its contractors have worked to ensure that 98% of the waste collected for recycling, composting or reuse was managed within the UK. This reduces the carbon impact of waste haulage as this material did not need to be exported from the UK.

85. New rules enforced by the Environment Agency from 1 January 2023 mean that councils need to ensure all Waste Upholstered Domestic Seating is collected, stored and transported separately from other wastes, and must be disposed of by incineration rather than sent to landfill. The fabric and padding used in many upholstered seating items are treated with flame retardant chemicals. These are now known to contain Persistent Organic Pollutants (POPs) which can be harmful to human health if these enter the wider environment.

86. In Wiltshire, these items are typically collected through the household recycling centre network, kerbside collections of large household items and clearance of fly tipping. Between January and July 2023, a total of 948 tonnes of POPs waste has been collected and sent to energy from waste facilities instead of landfill, saving 403 tonnes of CO<sub>2</sub>e.

### **Overview and Scrutiny Engagement**

87. The Climate Emergency Task Group has been involved in the development of the Climate Strategy and delivery plans as well as scrutinising key pieces of work. The Task Group will be meeting to discuss this report on 9 October 2023.

### **Safeguarding Implications**

88. The impacts of climate change are amplifying safeguarding issues and falling heavily on vulnerable people both globally and in the UK.

89. Evidence suggests that vulnerable demographic groups experience disproportionate effects on their health outcomes from climate related impacts.

90. This includes young children, babies and older people who are particularly affected by extremes in temperature and the disruption caused by severe weather such as flooding<sup>1</sup>. People with physical or mental health problems have a lower ability to act due to physical constraints or a lower awareness of their circumstances. People with low personal mobility or living in areas with lower accessibility of services tend to have less ability to respond and recover because it may take them longer to help themselves or to seek and receive help from others.

### **Public Health Implications**

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

### **Procurement Implications**

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

### **Equalities Impact of the Proposal**

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

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



## **Environmental and Climate Change Considerations**

94. This report sets out the council's response to environmental and climate change considerations following the acknowledgement of a climate emergency and agreement by Full Council to seek to make the county of Wiltshire carbon neutral by 2030.

## **Workforce Implications**

95. Replacement of our fleet with electric vehicles where possible and encouraging staff to use the new bikes being provided for short journeys will require changes to ways of working. We have also started rolling out carbon literacy training to staff.

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

96. If Cabinet and Council continue to receive updates twice a year, there will be less capacity for project delivery as compiling this report requires considerable time and effort from the climate team and other key delivery teams across the council. Other councils and organisations produce an annual rather than six monthly report.

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

97. Reducing the frequency of these reports may be perceived as a negative step by those who are keen to hold the council to account in its progress to tackle the climate emergency. This will be mitigated by continuing to issue press releases to announce key progress and listing them on the council's climate emergency [webpage](#). Climate projects will also continue to be communicated via social media.

## **Financial Implications**

98. In response to the climate and ecological emergency and the resolution made by Council to seek to make the county of Wiltshire carbon neutral, a Sustainable Environment is a key principle of the Council's Business Plan.
99. As part of the Budget Setting process, Revenue and Capital budgets have been updated to deliver against this objective, this includes continued investment, new investment and savings and covers the programmes listed in the report above.
100. To date spend that contributes to delivering against the carbon reduction programme totals £32.966m Capital and £1.809m Revenue. Investment has been committed for 2023/24 and future years totalling £70.334m Capital and £8.263m Revenue. In addition, grant bids have been successful for a further £0.295m and will be added to the relevant programme in due course. The tables below provide detail at programme level.

**Table 1 – Capital Programmes**

<b>CAPITAL</b>	<b>Previous Years Spend £'m</b>	<b>2023/24 Budget £'m</b>	<b>Future Years Budget £'m</b>	<b>Total £'m</b>
HRA - Housing Energy Efficiency Programme	0.868	6.105	45.652	<b>52.625</b>
LED Programme	12.998	-	-	<b>12.998</b>
Salisbury River Park Scheme	6.178	0.900	-	<b>7.078</b>
Fleet - Carbon Neutral Fleet / Electric Vehicles	0.288	2.179	0.200	<b>2.667</b>
Local Authority Treescape Fund - BOA	0.035	0.035	0.026	<b>0.096</b>
Property Carbon Reduction Programme	3.636	2.064	4.700	<b>10.400</b>
Park & Ride Solar Panel Canopies	0.006	0.450	3.044	<b>3.500</b>
				-
Public Sector Decarbonisation Scheme Projects	5.181	0.024	-	<b>5.205</b>
Passenger Transport RTPi	0.341	0.354	-	<b>0.695</b>
Active Travel Fund	3.435	0.978	-	<b>4.413</b>
Home Upgrade Grant 2	-	1.780	1.843	<b>3.623</b>
<b>Total Capital</b>	<b>32.966</b>	<b>14.869</b>	<b>55.465</b>	<b>103.300</b>
Grant	21.649	2.817	1.869	<b>26.335</b>
S106/CIL	-	0.500	-	<b>0.500</b>
Borrowing	10.449	5.447	7.944	<b>23.840</b>
HRA	0.868	6.105	45.652	<b>52.625</b>
<b>Total Financing</b>	<b>32.966</b>	<b>14.869</b>	<b>55.465</b>	<b>103.300</b>

**Table 2 – Revenue Programmes**

<b>REVENUE</b>	<b>Previous Years Spend £'m</b>	<b>2023/24 Budget £'m</b>	<b>Future Years Budget £'m</b>	<b>Total £'m</b>
National Bus Strategy	0.127	0.179	-	<b>0.306</b>
Better Bus Fund - Bus Service Enhancements	0.053	0.619	-	<b>0.672</b>
Rural Mobility Grant	0.123	1.082	-	<b>1.205</b>
COMF - Warm & Safe Wiltshire	0.500	-	-	<b>0.500</b>
Public Health - Warm & Safe Advice Service	-	0.085	0.170	<b>0.255</b>
Additional Investment in Gully Emptying	-	0.333	0.667	<b>1.000</b>
Climate Change and Sustainable Living Book Collection	0.002	-	-	<b>0.002</b>
Trowbridge Bat Mitigation Strategy	0.097	0.687	1.566	<b>2.350</b>
Salisbury Plain SAC (Stone Curlew)	-	0.070	0.150	<b>0.220</b>
New Forest Recreation Management Project	-	0.189	0.561	<b>0.750</b>
River Avon Special Area Conservation	0.123	0.727	-	<b>0.850</b>
Dedicated Climate team	0.753	0.322	0.706	<b>1.781</b>
Solar Together Grant	0.031	0.031	0.119	<b>0.181</b>
<b>Total Revenue</b>	<b>1.809</b>	<b>4.324</b>	<b>3.939</b>	<b>10.072</b>
Grant	0.836	1.996	0.289	<b>3.121</b>
S106/CIL	0.220	1.673	2.277	<b>4.170</b>
Revenue Budget	0.753	0.655	1.373	<b>2.781</b>
<b>Total Financing</b>	<b>1.809</b>	<b>4.324</b>	<b>3.939</b>	<b>10.072</b>

**Table 3 – Successful Grant Bids**

<b>Bids</b>	<b>Total £'m</b>
Woodland Creation Accelerator Fund (Revenue)	<b>0.295</b>
<b>Total Bids</b>	<b>0.295</b>
Grant	<b>0.295</b>
<b>Total Financing</b>	<b>0.295</b>

101. The Pathways reports by Anthesis consultants published in May 2022 set out anticipated costs and benefits to the council and to the Wiltshire economy of delivering carbon neutrality. As detailed, this will require additional investment over and above the current commitments shown above. The emerging Fleet Strategy which seeks to deliver a carbon neutral position for 2030 for all council vehicles will require further capital investment in vehicles and infrastructure to achieve its objective.

## **Legal Implications**

102. There are no legal implications arising from this report. The council will be responsible for preparing a Local Nature Recovery Strategy for Swindon and Wiltshire, under section 105 of the Environment Act 2021.

## **Options Considered**

103. The council could continue to use the current Environmental Policy from 2015, however it is now out of date and no longer reflects best practice. The council could also choose not to add it to its Policy Framework, however doing this will give it weight and ensure the involvement of Full Council in any future updates.
104. These updates could continue to be provided to Cabinet and Council twice a year, however the resource implications of doing this are not negligible and detract from the time available to deliver climate projects.

## **Conclusions**

105. Since Full Council resolved to acknowledge that there is a climate emergency and to seek to make the county of Wiltshire carbon neutral by 2030, a number of areas of work have been progressed and continue to progress as set out in this report.
106. The council is currently aligned with its pathway to carbon neutral. Wiltshire-wide emissions are largely not within the control of the council but the council is focussing on areas it can have an influence and impact, and reporting progress to provide leadership and a basis for partnership working.
107. A revised Environmental Policy is proposed for adoption, in order to provide a basis for the council to mitigate its impact on the environment and to show leadership to its partners and suppliers.

## **Sarah Valdus, Director - Environment**

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20 September 2023

## **Appendices**

Appendix 1 - Environmental Policy 2023-25  
Appendix 2 - Key performance indicators and data  
Appendix 3 - Solar Together report, scheme 1 (2022-23)

## **Background Papers**

None

## Appendix 1: Environmental Policy 2023-2025

This Environmental Policy draws on existing strategies to summarise how Wiltshire Council will minimise the impact of our own operations and outlines how we anticipate all services will deliver against our environmental standards. The policy sets out how our expectations for partners and suppliers to work with us to minimise environmental impacts.

Wiltshire Council is a unitary authority located in the South West of England and has responsibility for a wide range of activities including planning, waste management, highways, and social care. This policy sets out how we will manage the environmental impacts associated with our services, ensuring that as a minimum we conform to all applicable laws, regulations, codes of practice, and corporate standards. Demonstrated by the priorities of our [Business Plan](#), Wiltshire Council understands its responsibility in responding to the global climate and ecological emergencies. We aim to be [carbon neutral by 2030](#) in our Scope 1 and 2 emissions and to continue to understand and reduce our Scope 3 emissions.

Relevant strategies which have informed this document include: [Green and Blue Infrastructure strategy](#), [Climate Strategy](#) and [Delivery Plans](#), [Air Quality Strategy](#), [Waste Management Strategy](#), emerging [Local Plan](#), [Wiltshire Design Guide](#), emerging [Tree and Woodland Strategy](#), and [Local Transport Plan](#). Performance against these will be monitored through internal audit, corporate and service delivery plans, and regular updates to Council.

### **What we are going to deliver:**

**Circular Economy and Waste** - Promote and implement waste management strategies and services aimed at working towards a circular economy and achieving zero avoidable waste in accordance with the council's adopted Household Waste Management Strategy, with a focus on waste reduction and consuming less by managing demand (e.g., single-use plastics) and using our resources more efficiently. Encourage and enable staff and suppliers to reuse and repurpose resources, and 'design-out waste'. Design and create services and systems with the concept of creating building blocks that can be re-used in other areas. Correctly use, store, and dispose of wastes (including wastewater) and hazardous materials.

**Transport** – Reduce emissions and the impact of fleet vehicles and staff travel on the environment by developing and promoting a range of sustainable, clean, and low-carbon transport options, flexible working practices, route optimization, and telemetry.

**Water** - Ensure effective monitoring, risk assessments, and sustainable practices are put in place to manage water usage, improve efficiency, and safeguard water quality.

**Biodiversity and Natural Environment** - Halt the loss of and increase biodiversity, key habitats, and tackle nutrient pollution of water courses, by only using pesticides if absolutely necessary where practical alternatives are not available. Plan our mowing and highways maintenance regimes to enhance green and blue infrastructures, allowing regeneration of soil, biodiversity, and habitats. Support the council's carbon neutral ambitions by using nature-based

carbon capture solutions where possible (e.g., woodland planting or creation of green spaces). Aim to increase planting and management for biodiversity on council sites.

**Built & Historic Environment** – Ensure the council's new buildings, developments, refurbishments, and ongoing maintenance are as close to operational net-zero carbon as possible and encourage retrofit of existing council buildings. Incorporate measures to adapt to the impacts of climate change in our buildings and their surrounding environments. Conserve and enhance the quality and distinctiveness of historic and cultural interests. Encourage the use of active travel and provision of green spaces to improve both physical and mental wellbeing of staff, residents, and visitors.

**Energy** - Reduce our energy demand, consumption, and greenhouse gas emissions. Increase energy efficiency and the use of low carbon technologies. Increase renewable energy generation, continue to use electricity from the green tariff, and continue to explore the use of other green energy supplies. Apply a robust energy management system, linked with the [Carbon Neutral Council Plan](#).

**Air Quality and Air Pollution** – Conserve and enhance air quality by leading local Air Quality Management work with a range of partners, as well as reducing air pollution through the transition to clean fuels to heat and power the council's buildings and fleet.

**Communication and Embedding Environmental Issues and Opportunities** - Raise awareness of environmental issues amongst staff, elected members, and the public through the provision of information and training. Use carbon literacy training to enable communities, councillors, and staff to learn about climate change causes, solutions, and consequences (e.g., flood risk, droughts) and make sure it is integrated into council services and wider activities in the community. Showcase what the council is doing, in order to lead by example on managing our environmental impacts. All proposals to Cabinet and Council include consideration of impacts on the environment and any necessary mitigation.

**Commissioning and Procurement** – Work with services, suppliers, external partners, and communities to ensure that the principles of sustainable development, economic, social value, and environmental well-being and impacts, are integrated into the commissioning and procurement of goods and services. Encourage our contractors to demonstrate their shared commitment to the delivery of our environmental objectives.

## Appendix 2: Progress on Climate Delivery Plans.

August 2023

### 1. Overview of Key Performance Indicators

The Climate Strategy Delivery Plan (2022-2024) and the Carbon Neutral Council Plan (2022-2024) are monitored by reporting on specific actions and milestones that contribute to delivery of the Climate Strategy (2022-2027), as well as Key Performance Indicators (KPIs) that are listed at the end of each plan.

In addition to the indicators listed we have now defined targets for most of the indicators in the delivery plans. These reflect the most ambitious scenario shown in the 'Pathways to carbon neutral' [reports](#) completed by Anthesis consultants in 2022.

As stated in the Climate Strategy Delivery Plan, the list of KPIs will be kept under review and developed over time. Indeed it has been necessary to review some of the indicators due to availability of data.

Few of the county-wide measures (marked with an asterisk) are within the control of Wiltshire Council; most depend mainly on others. However, we feel it is important to keep reporting all metrics as they show how the county as a whole is progressing towards net zero, and can form a basis for work with and by organisations operating within Wiltshire.

We have changed the baseline for county-wide emissions to 2020, to mirror the pathway to carbon neutral mapped out by consultants Anthesis in 2022. From 2020 we are also able to track not just carbon dioxide (CO<sub>2</sub>) but the additional greenhouse gases methane (CH<sub>4</sub>) and nitrogen dioxide (NO<sub>2</sub>), as data for these is now included in the national data set provided by government (DESNZ, formerly BEIS data). These three greenhouse gases account for 97% of greenhouse gas emissions in the UK. Wiltshire-wide emissions data comes from the [UK local authority and regional greenhouse gas statistics](#) (Department for Energy Security and Net Zero).

Because this is the first time we are reporting on some of these KPIs, data is not available for previous years. In these cases we will use the current year as a baseline and look at the trends going forward.

Importantly, the KPIs show that the council is currently on track to be carbon neutral by 2030 in relation to the council's direct emissions (Scope 1 and 2), returning to a decreasing trend, despite a post-pandemic increase in emissions last financial year. Please see the council's [annual greenhouse gas emissions report](#) for more information. County-wide we saw the same post-pandemic increase, however due to the national emissions inventory reporting intervals we do not yet have data to show whether Wiltshire's emissions have also decreased, though this is expected.

The following section sets out the key performance indicators in table form.

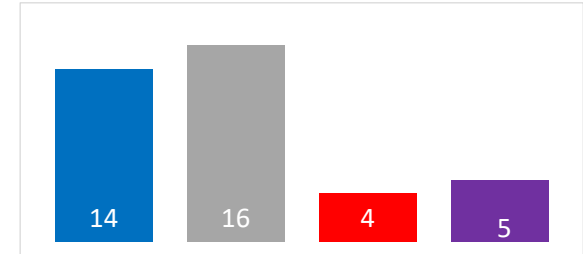


**Table 1. Wiltshire Council Climate KPI Scorecard - 2022/23**

Of the 39 indicators on this scorecard 13 (33%) were ranked as positive and 20 were ranked as stable or no data.

Arrows show the direction of travel in the most recent reporting period. Blue is an improving change, red a worsening change. Grey is positive, but limited or not quite on target. Purple shows data not available yet.

Red text indicates a change or addition since the Delivery Plans were published in Oct 2022



Measure description	Target	Previous two quarters or years	Latest position	Latest report	Frequency	Direction of Travel	Trend	Comment
<b>Carbon Neutral Council Plan</b>								
<b>C1. * Wiltshire Council's carbon footprint, (Annual GHG return t CO2e)</b>	3750t for 2022/23 (overall target carbon neutral by 2030)	4401	5275	<b>3568</b>	Mar-23	Annual		Despite the rebound in emissions due to post-lockdown activity in 2021/22 we are now back on track for our emissions reduction pathway. The targets have been set to be in line with the pathway to carbon neutral (Anthesis report 2022). See Figures 1 and 2.
<b>C2. Carbon intensity of pension funds investments, as reported in line with the Task Force on Climate-related Financial Disclosure (Weighted Average Carbon Intensity across WPF portfolios in tCO2e / m£)</b>	Decreasing. Carbon neutral by 2050	153	144	<b>191</b>	Dec-21	Annual		Wiltshire Pension Fund reports annually and tracks carbon intensity. Recent increase is due to a move to two new portfolios which are initially higher carbon intensity but will support transition to low carbon economy over time.
<b>C4. * Number of EV charge points at council sites</b>	20% annual increase year on year	76	76	<b>90</b>	Aug-23	Annual		The council has been replacing and adding new chargepoints at council sites. This has resulted in an 18.5% increase, which brings us close to target.
<b>C5. * Renewable energy generated on the council estate (kWh)</b>	Council to be as self-sufficient as possible in terms of electricity consumption and generation	450,135	550,000	<b>1,745,060</b>	Mar-23	Annual		The council has increased renewables generation on its sites (primarily through rooftop PV and heat pumps), to decrease costs and emissions. We produced 9.7% of the electricity we consumed in 2022/23. For more info see Figure 3.
<b>C7. * Tonnes CO2e saved through energy efficiency and renewable energy projects on the council estate</b>	TBD	-74	-330	<b>955</b>	Mar-23	Annual		This indicator tracks the carbon saved through the council's Property Carbon Reduction Programme. Significant emissions and cost savings are being made, and keeping the council on its carbon reduction pathway.



Measure description	Target	Previous two quarters or years		Latest position	Latest report	Frequency	Direction of Travel	Trend	Comment
<b>C8. * Number of staff completing carbon literacy training</b>	Bronze carbon literacy award by July 2023; Silver carbon literacy award by end 2025 (15% staff, 750, certified carbon literate)	N/A	N/A	<b>105</b>	Aug-23	Quarterly		Long term data not available	Training started Jul-22. Capacity and availability of staff to run the training, and new software being introduced to the council, could delay delivery. Target has been amended to be more realistic, based on experience since programme started.
<b>C9a. * Energy consumption (kWh) of gas used in corporate buildings</b>	TBD.	19,419,716	23,498,757	<b>18,203,879</b>	Aug-23	Annual			Gas usage is decreasing with the drive to electrify heating of council buildings, whereby low carbon electricity from renewable energy can be used.
<b>C9b. * Energy consumption (kWh) of electricity used in corporate buildings</b>	TBD.	11,221,079	19,285,323	<b>18,930,706</b>	Aug-23	Annual			Overall we should be aiming to decrease electricity demand. However, electricity use is likely to go up due to heating moving from gas and onto electricity. This shows the importance of remaining on a green electricity tariff with zero emissions.

**Cross-cutting indicators**

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<b>X1. Total territorial GHG emissions for Wiltshire in kt CO<sub>2</sub>e.</b> Figures now include CH <sub>4</sub> , NO <sub>2</sub> & CO <sub>2</sub>	2880kt for 2021; 2550kt for 2022	3367	2961	<b>3226</b>	2021	Yearly with 2 year time lag			The long-term trend of the county's emissions (X1), and the component elements (X2, X3 and X4), is that GHG emissions are decreasing. However, the most recent data for emissions until end of 2021 shows the rebound effect as the county recovered from Covid related lockdowns. 2019 is a more meaningful comparator than 2020.
<b>X2. Total transport GHG emissions for Wiltshire in kt CO<sub>2</sub>e (territorial).</b> Figures now include CH <sub>4</sub> , NO <sub>2</sub> & CO <sub>2</sub>	1054kt for 2021; 933 kt for 2022 (based on transport emissions as % of total)	1,317	1055	<b>1180</b>	2021	Yearly with 2 year time lag			Going forward we will adjust the baseline to 2020 and introduce interim targets, which reflect the Anthesis pathway to carbon neutrality. Additional greenhouse gases are included in the new national data set from 2020, whereas previously only carbon dioxide was reported. <b>Please see Figures 4 and 5.</b>
<b>X3. Total homes GHG emissions for Wiltshire in kt CO<sub>2</sub>e (territorial).</b> Figures now include CH <sub>4</sub> , NO <sub>2</sub> & CO <sub>2</sub>	643 kt for 2021; 569 kt for 2022 (based on homes emissions as % of total)	716	698	<b>720</b>	2021	Yearly with 2 year time lag			Targets mirror the Pathways to Carbon Neutral 'high ambition' curve.

Measure description	Target	Previous two quarters or years		Latest position	Latest report	Frequency	Direction of Travel	Trend	Comment
<b>X4. Total Industry, commercial and agriculture GHG emissions for Wiltshire in kt CO<sub>2</sub>e (territorial).</b> Figures now include CH <sub>4</sub> , NO <sub>2</sub> & CO <sub>2</sub>	1190 kt in 2021; 1054 kt for 2022 (based on emissions as % of total)	1,350	1259	<b>1333</b>	2021	Yearly with 2 year time lag			
<b>X8. Website and social media engagement in response to climate campaigns (Total click-throughs on climate-related posts)</b>	Consistent level of engagement in relation to posts and press releases	N/A	2,500	<b>2,401clicks</b>	Mar-23	Yearly		Long term trend data not available	Social media campaign was carried out during 2021-22 (#WiltsCanDoThis) and data shows this was successful. The most popular posts were related to composting, and home energy efficiency measures including Solar Together. #LetsSortIt campaign started in Feb 2023 to help improve recycling and has been very successful. Climate-specific messaging will be re-invigorated to provide constant ideas, info and support.
<b>Reach (reflects times a post is read)</b>		N/A	149.8k	<b>115.5k</b>	Mar-23				
<b>Engagement rate (reactions to a post in relation to views)</b>		N/A	1.36%	<b>1.28%</b>	Mar-23				


### Transport Delivery Theme


<b>T1. Number of passenger trips on both the commercial and supported bus network</b>	7,905,000 (trips per annum, by Q4 22/23)	N/A	6,490,975	<b>7,354,680</b>	Mar-23	Yearly		Long term trend data not available	Bus trips are increasing, in line with national trends.
<b>T2. Air quality: number of annual exceedance of NO<sub>2</sub> (nitrogen dioxide) over 40 µg/m<sup>3</sup> target in Air Quality Management Areas (AQMA)</b>	No exceedances (NO <sub>2</sub> remains below 40 µg/m <sup>3</sup> ) and aiming to revoke AQMAs	3	5	<b>2</b>	Dec-22	Yearly		Long term trend data not available	DEFRA require 3 years data 10% below the 40ug/m <sup>3</sup> objective or 5 years below the objective, in order to revoke an air quality management area. Emerging Air Quality supplementary planning document (SPD) will help to manage pollution, particularly from traffic.
<b>T3. Total number of EV charge point locations in Wiltshire</b> (all publicly available charging points including those owned by the council)	Increasing in line with SW average (48 per 100,000 population for April 2023);	147 total; 29 per 100,000	179 total; 36 per 100,000	<b>210 total; 41 per 100,000</b>	Apr-23	Yearly			The number is increasing, however the previous good progress is falling behind South West benchmark. During 2023, the council's EV charging infrastructure plan will lead to 70 new chargepoints. <b>For more information see Figure 6</b>
<b>T4. * Cycle Training: Number of children and adults trained through Bikeability</b>	TBD	1047 (COVID)	3251	<b>3195</b>	Aug-23	Yearly		Long term trend data not available	Government encourages us to increase to 80% of school children participating in Bikeability in 2023/24. In 2022/23 we achieved 55% of Y6 and capacity will be an issue.


Measure description	Target	Previous two quarters or years	Latest position	Latest report	Frequency	Direction of Travel	Trend	Comment
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<b>T5. * Local Cycling and Walking Plans (LCWIPs) produced (cumulative total)</b>	16 produced by 2025	N/A	2	<b>5</b>	Aug-23	Yearly		Long term trend data not available The latest three LCWIPs have been out for consultation and responses are being considered. All LCWIPs can be viewed online.
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**Homes and the Built Environment Delivery Theme**

<b>B1. Number of households contacting the Warm and Safe service</b>	Proposed target: To continue to offer a service to low income households on saving energy and money. Numbers are for information only, to show interest and need for the service.	1510	2191	<b>2146</b>	Mar-23	Yearly		Long term trend data not available We are aiming to continue to offer a service to low income households on saving energy and money. Since 2020 the Warm and Safe service has helped 5847 households with their queries on energy efficiency and bills.
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<b>B2. * Council homes retrofitted for energy efficiency/renewable energy (cumulative total)</b>	500 homes per year. 10 year programme to retrofit all council homes to EPC B by 2030	N/A	57 (at Feb 22 update)	<b>90</b>	Oct-22	Annual		Long term trend data not available The programme has experienced contractual issues and reduced staff capacity, with main maintenance contracts being re-tendered. Despite no full house retrofits being delivered in recent months, the programme has continued to deliver measures such as insulation, heating / hot water and PV, which will stand us in good stead to progress towards our target. The milestone / target of 500 homes per year will need to be reviewed in light of delivery rate to date.
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<b>B3. * Number of new zero carbon council homes delivered</b>	296 by 2025/26	N/A	N/A	<b>Construction scheduled, but none completed to date</b>	Aug-23	Annual		Long term trend data not available In addition to 296 planned zero carbon homes, further council homes are being built and acquired from the market. All new build council homes will be at least EPC B. Where the council has control, the aim is for council homes to be designed as zero carbon in operation.
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<b>B4. EPCs certificates rated A to C / all EPCs registered that year (rolling 3 year average) for all dwellings in Wiltshire (%)</b>	Increasing, and above SW benchmark (48%)	48 (2018-2021)	49 (2019-2022)	<b>52 (2020-2023)</b>	Mar-22	Yearly		We use a three year rolling average to show a longer term trend, as EPC ratings can fluctuate over the shorter term. The increasing percentage of EPCs rated A, B & C show the trend that energy efficiency is increasing. The target for Energy Performance Certificates at levels A-C increases over time in line with the South West benchmark at any snapshot in time. This year the South West is at 48%. See Figure 7.
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Measure description	Target	Previous two quarters or years	Latest position	Latest report	Frequency	Direction of Travel	Trend	Comment
<b>B5a: Energy efficiency of new dwellings: EPC B and above in Wiltshire.</b> (% total EPCs registered that year)	Increasing, and above SW benchmark (84%)	90      88	<b>88</b>	Mar-22	Yearly			New dwellings are likely to be EPC B and above, due to the requirements of building regulations.
<b>B5b: Space heating demand for new homes in Wiltshire per dwelling (kWh/m2/year)</b>	Decreasing, and below SW benchmark (92)	89      92	<b>91</b>	Mar-22	Yearly			A comparison of this indicator for new dwellings, with B6b for existing dwellings, shows the significant improvement in new dwellings in relation to the lower amount of energy needed to heat them. See Figure 10.
<b>B6a: Energy efficiency of existing dwellings: EPC C and above in Wiltshire.</b> (% of total EPCs registered that year)	Increasing, and above SW benchmark (45%)	40      43	<b>48</b>	Mar-22	Yearly			Improving trend, and in line with the South West average. See Figure 9 for more info.
<b>B6b: Space heating demand for existing homes in Wiltshire per dwelling (kWh/m2/year)</b>	Decreasing, and below SW benchmark (254)	264      270	<b>249</b>	Mar-22	Yearly			A small decrease in the energy needed to heat existing homes may show that energy efficiency measures are being retrofitted. However, this data is not for all homes, only for those that have an EPC. See Figure 10.



Measure description	Target	Previous two quarters or years	Latest position	Latest report	Frequency	Direction of Travel	Trend	Comment
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**Natural Environment, Food and Farming Delivery Theme**

<b>NE1: Tree canopy cover as a percentage of total land area of Wiltshire: Trees within woodland (%) and Trees outside woodland (TOW) (%)</b>	Increase total tree cover from 14% to 17% by 2045	N/A	N/A	<b>14%</b> <b>(9%Woodland; 5% TOW)</b>	2019 (baseline)	Yearly	 N/A	Long term trend data not available	National tree coverage target has been set through the Environment Act. This is a long term target so data will not be available regularly. Instead the council will monitor trees and hectares planted – indicator NE2 has been added to track this.
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<b>NE2: Hectares of trees planted in Wiltshire. (Includes woodland (0.5ha or more); trees outside woodland (individual trees or areas &lt;0.5ha; hedgerows))</b>	Plant 422ha or 675,000 trees per year on average in the period 2022-2045. 111 Ha during winter season 2023/24. 222 Ha during winter season 2024/25	N/A	N/A	<b>0 recorded to date</b>	Aug-23	Yearly	Not yet monitored	Long term data not available	GAPS team will be tracking hectares of planting, hedgerows, and individual trees. Data not yet available. Team has been set up, recruiting Tree Wardens and setting up monitoring system.
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**Energy Delivery Theme**

<b>E1a: Renewable energy capacity in Wiltshire (MW): installed capacity</b>	Minimum 978MW by 2027, 1197 by 2030 (from Anthesis pathways report)	578	579	<b>583</b>	Dec-21	Yearly with 2 year time lag			Renewable energy is steadily increasing, with at least 583 MW installed capacity. Additional capacity is in the pipeline, which we can see from the planning applications data, however sometimes these are not built for a long time. <b>See Figure 11 for more info</b>
<b>E1b: Renewable energy capacity in Wiltshire: capacity with planning permissions (appeal granted, Planning permission granted or Under Construction) (MW elec – snapshot at time of report)</b>	For information only	N/A	N/A	<b>662</b>	Aug-23	Yearly snapshot	No target - for info only	Long term data not available	
<b>E1c: Renewable energy capacity: awaiting planning determination (MW – snapshot at time of report)</b>	For information only	N/A	N/A	<b>367</b>	Aug-23	Yearly snapshot	No target - for info only	Long term data not available	

Measure description	Target	Previous two quarters or years	Latest position	Latest report	Frequency	Direction of Travel	Trend	Comment
<b>E2. Annual renewable energy generation - Wiltshire (MWh)</b>	For information only	608,745	620,216	<b>573,248</b>	Dec-21	Yearly with 2 year time lag	 	Total renewable generation in 2020 contributed 31% of our electricity consumption, and 6% of our total energy consumption. <b>See Figure 12 for more info</b>
<b>E3. Number of solar panel, battery and EV charger installations through the Solar Together scheme</b>	750 installations per scheme	N/A	N/A	<b>Total 705 households. 631 solar; 74 battery; 99 EV chargepoints</b>	Aug-23	only reported when there is an active scheme	 N/A	Solar Together Scheme 1 complete and achieved over 700 installations, almost hitting our target of 750 installations. Estimated carbon reduction of over 18,500 tonnes of over 25 years. For more information see <b>Appendix 3</b> .

Measure description	Target	Previous two quarters or years	Latest position	Latest report	Frequency	Direction of Travel	Trend	Comment
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**Green Economy Delivery Theme**

**G1. Emissions from Wiltshire Council's key suppliers in CO2e**

Target not yet defined

Data not yet available, however the council is working with key suppliers who have a baseline and will be reporting carbon intensity of their contracts.

**Resources and Waste Delivery Theme**

**R1. Amount of household waste (kg of waste produced per household)**

880kg at end of March 2024 (Q4)

966.9      970.6

**915.6**

Mar-23

Annual



The long term trend is that household waste has been reducing in Wiltshire since 2017.

**R2a. Proportion of household waste managed, by destination: Recycled or composted (%) ('recycling rate')**

45% or above

42.3      42.2

**40**

Annual



The recycling rate is decreasing, and in contrast more waste is being processed through energy from waste (landfill diversion) while landfill stays roughly level but above the desired target. The 'Let's sort it' campaign has been raising awareness about sorting recyclables and reducing contamination in order to increase recycling rates.

**R2b. Proportion of household waste managed by: Landfill diversion (%)**

Above 42%

41.5      39.1

**44.4**

Annual



**R2c. Proportion of household waste managed by: Landfill (%)**

Below 13%

16.3      18.7

**15.6**

Annual



**R3. Impact of waste management services on GHG emissions** (carbon and methane emissions from waste management services, including fleet in t CO2e)

TBD. Currently establishing baseline and monitoring.

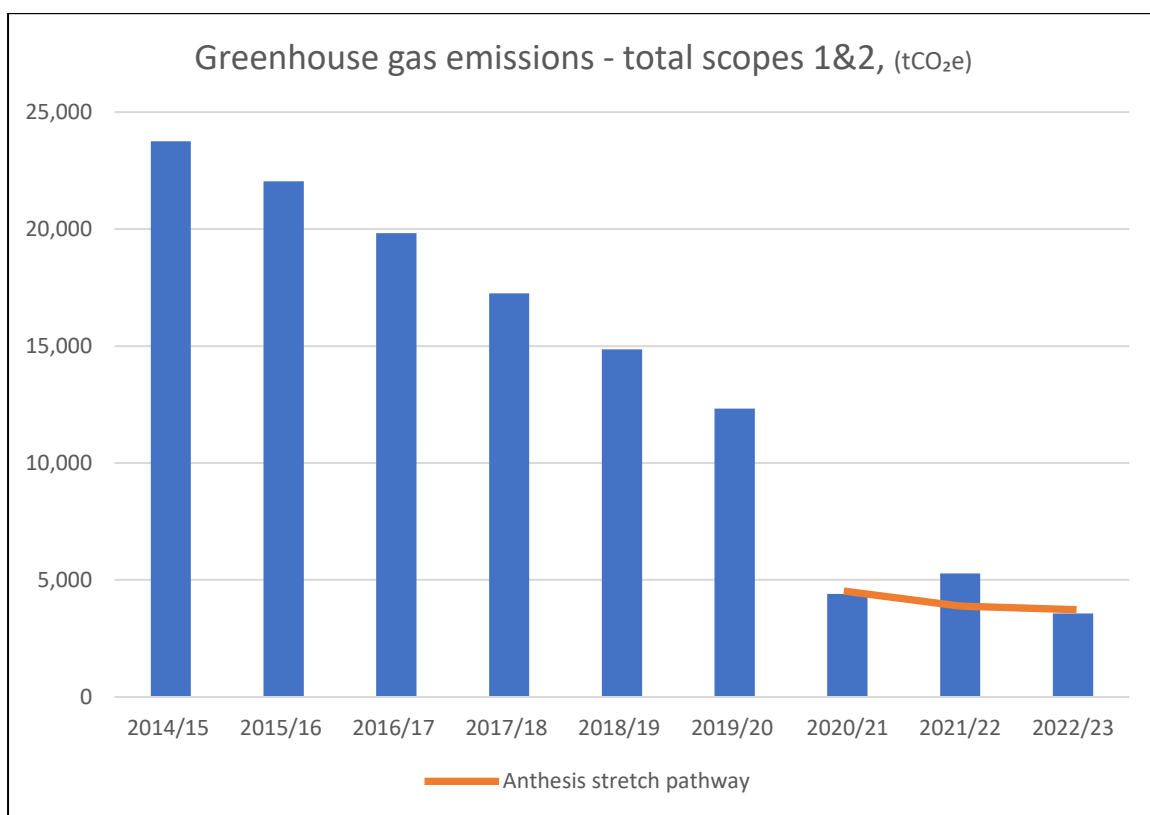
A great deal of analysis has been done to establish a baseline. Analysis is ongoing to understand emissions from the entire process of household waste management and define the indicator and target. Emissions from household waste management services do not neatly fit into the council's Scope 1, 2 and 3 emissions and are therefore best tracked separately.

## 2. Further information on key trends

### 2.1 Carbon neutral council.

This indicator tracks greenhouse gas (GHG) emissions from the council's operations. The target of carbon neutral relates to Scopes 1 and 2 only, which are the direct emissions. For more information and a breakdown of what is included please see the [Annual GHG Emissions Report](#).

The target for the council's emissions to be 3750 tonnes CO<sub>2</sub>e by 2022/23 has been achieved and puts us back on track in relation to our pathway to carbon neutral, as assessed in 2022 by consultants Anthesis.



**Figure 1. C1 – Wiltshire Council emissions**



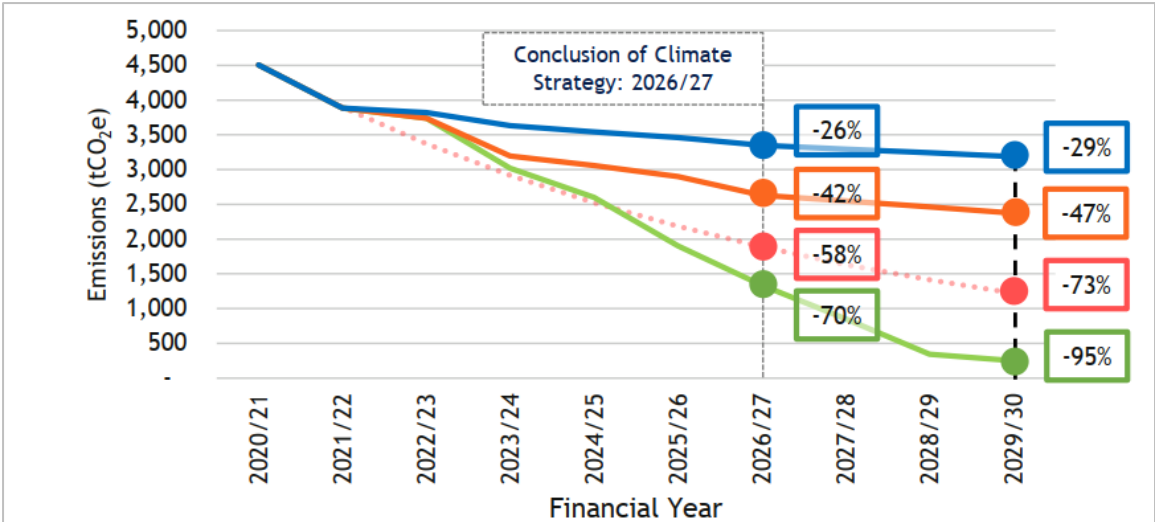


Figure b: Emissions reduction pathways for Wiltshire council

- Business-as-usual (BAU):** Buildings: Assumes the council delivers only projects that are currently in delivery stages (as at the end of 2022) or have been completed since the 2020/21 baseline. Transport: Assumes the council replaces all “smaller” vehicles with electric vehicles (EV).
- Pipeline:** Buildings: Assumes the council delivers projects that are currently in delivery as well as those that are in planning, fundraising and application stages. Transport: Assumes the council replaces all “small” and “medium” vehicles with EV, with HGVs on biofuels.
- Stretch:** Buildings: Assumes the council successfully delivers all pipeline projects as well as the longlist of potential projects identified in Phase 1 of the Corporate Carbon Reduction Programme and additional behaviour change and heating technology retrofits. Transport: Assumes all vehicles replaced by EV.
- Paris-aligned carbon budget:** Annual reduction rate for area-wide carbon budget, applied to council’s own emissions.

Figure 2. Pathways to carbon neutral for Wiltshire Council.

2.2 Renewable Energy

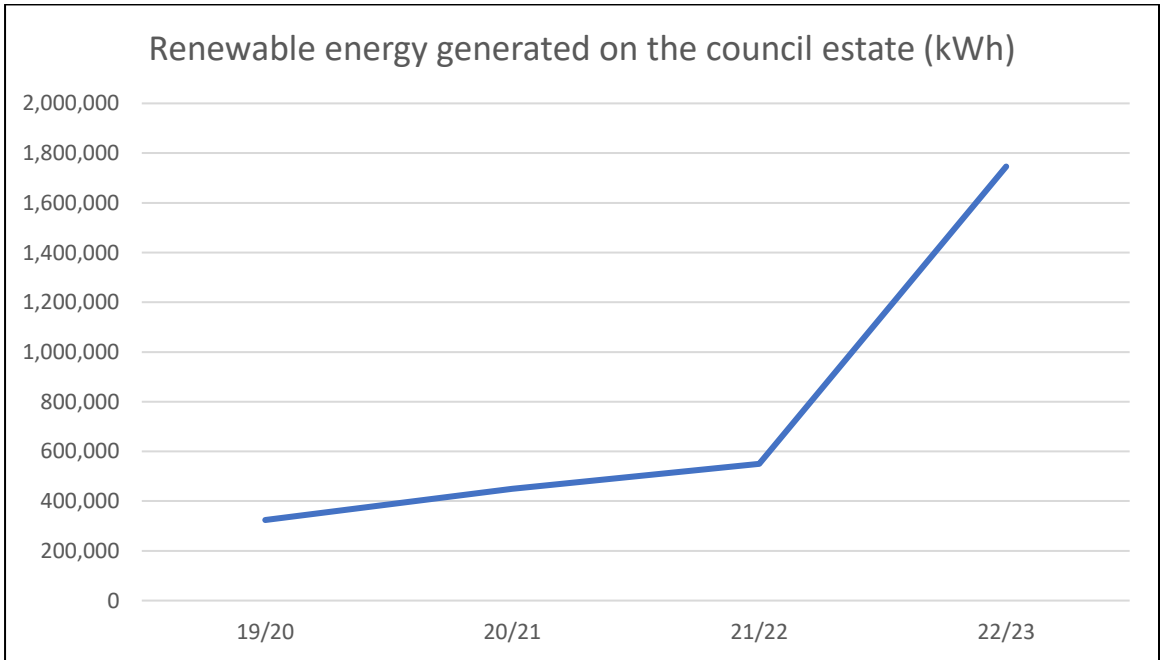


Figure 3. C5 - Renewable energy generated on the council estate

The council has worked hard to increase renewables generation on its sites (primarily through rooftop PV and heat pumps), to decrease costs and emissions

Total electricity consumption by the council was 18,203,879 kWh in 2022-23, so we produced 9.7% of the electricity we consumed. The electricity that we buy is from renewables so is counted as zero carbon emissions

### 2.3 Wiltshire emissions.

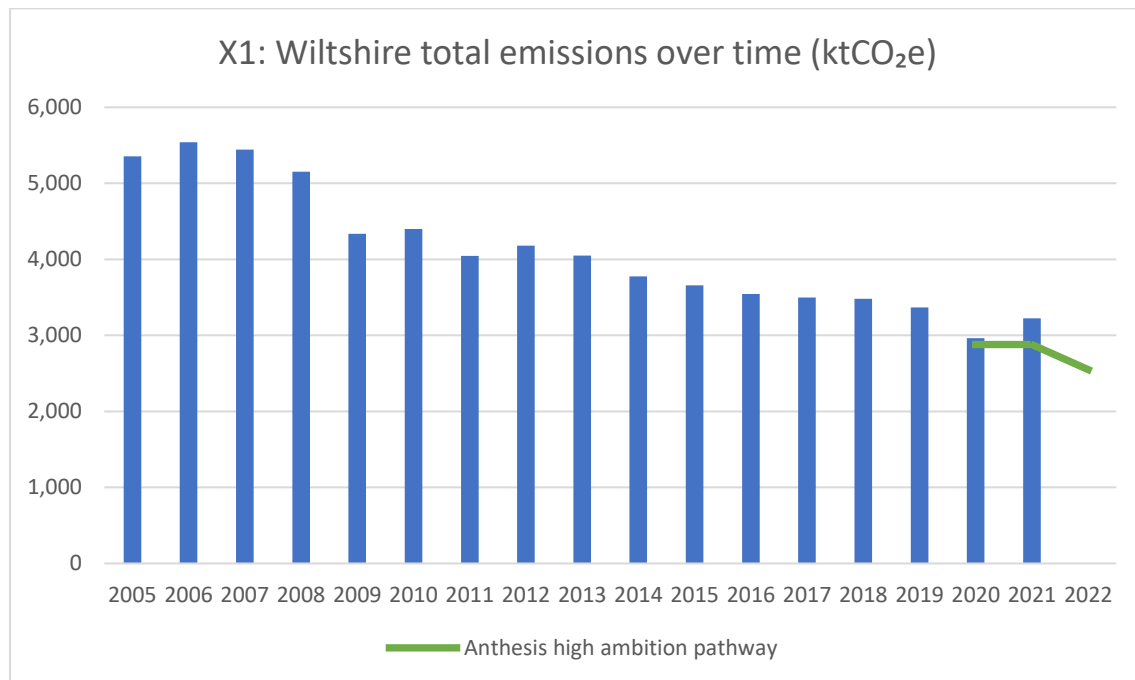


Figure 4. Graph of Wiltshire emissions

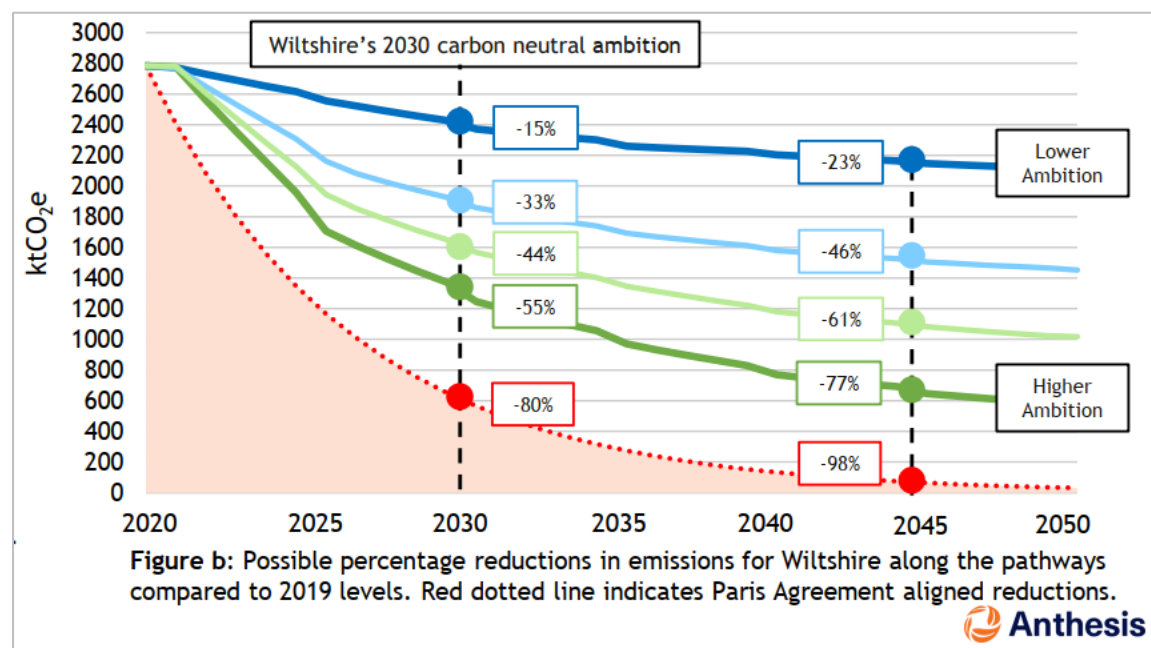
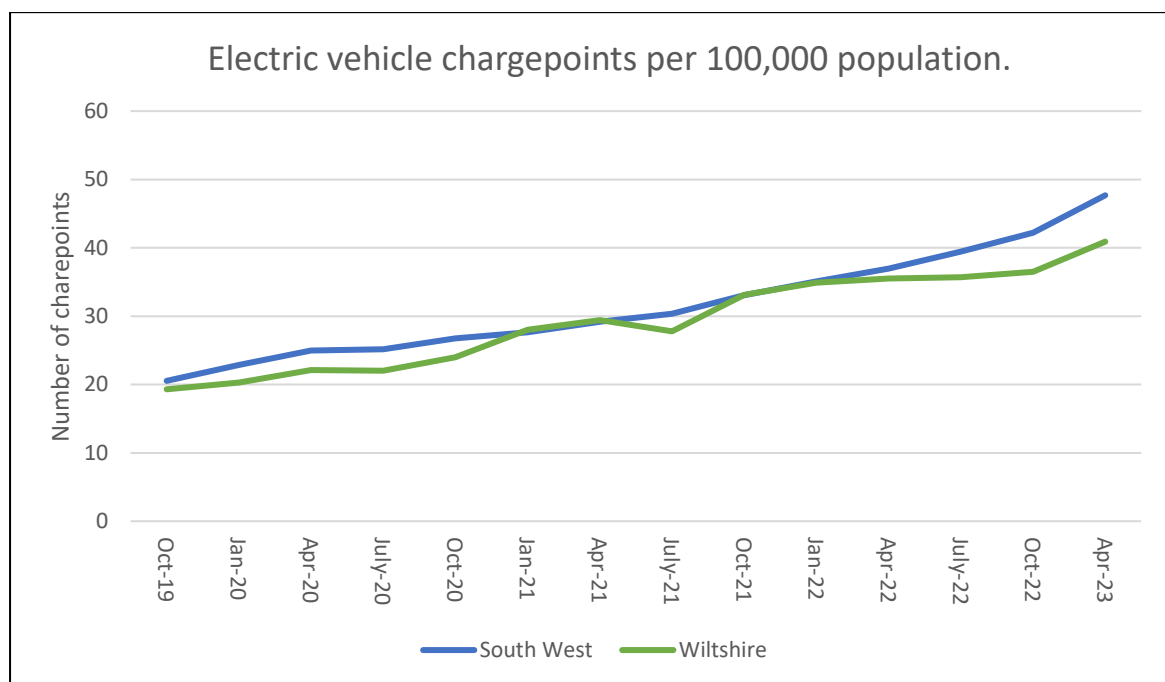


Figure 5. Graph showing various pathways towards carbon neutral.

Figure 4 shows Wiltshire’s actual emissions alongside the ‘high ambition’ pathway to carbon neutral. Figure 5 shows all the pathways that were modelled by consultants Anthesis in 2022. The county emissions data is only available up to 2021 and shows a recent rise in emissions despite a positive longer-term trend. Between 2020 and 2021, greenhouse gas emissions increased in 358 out of the 374 local authorities in the UK (96%). This is consistent with the increase in overall UK emissions in 2021, which increased by 5% largely due to COVID-19 restrictions easing and colder temperatures increasing the use of heating in buildings.

The data will next be reported in June 2024 for the calendar year 2022, which will show whether emissions have decreased to bring Wiltshire back on track towards being carbon neutral.

## 2.4 Electric Vehicle Charging Infrastructure



**Figure 6. Public EV chargepoints**

Public electric vehicle chargepoint numbers have continued to increase due to the Wiltshire Council’s [Electric Vehicle Charging Infrastructure Plan](#), though starting to drop behind the South West benchmark in 2022

Since the last data release in April 2023, the council has been installing and replacing chargepoints which will increase the total by 70 chargepoints. Please see paragraph 39 of main report for more information.

## 2.5 Solar Together

The Solar Together programme resulted in 705 solar panel installations, and 99 EV chargepoints at private homes across all areas of Wiltshire. The target was 750 solar installations, which was not quite achieved, however this was the first scheme of its kind in

Wiltshire and it was difficult to predict the outcome. For more information about the scheme please see Appendix 3.

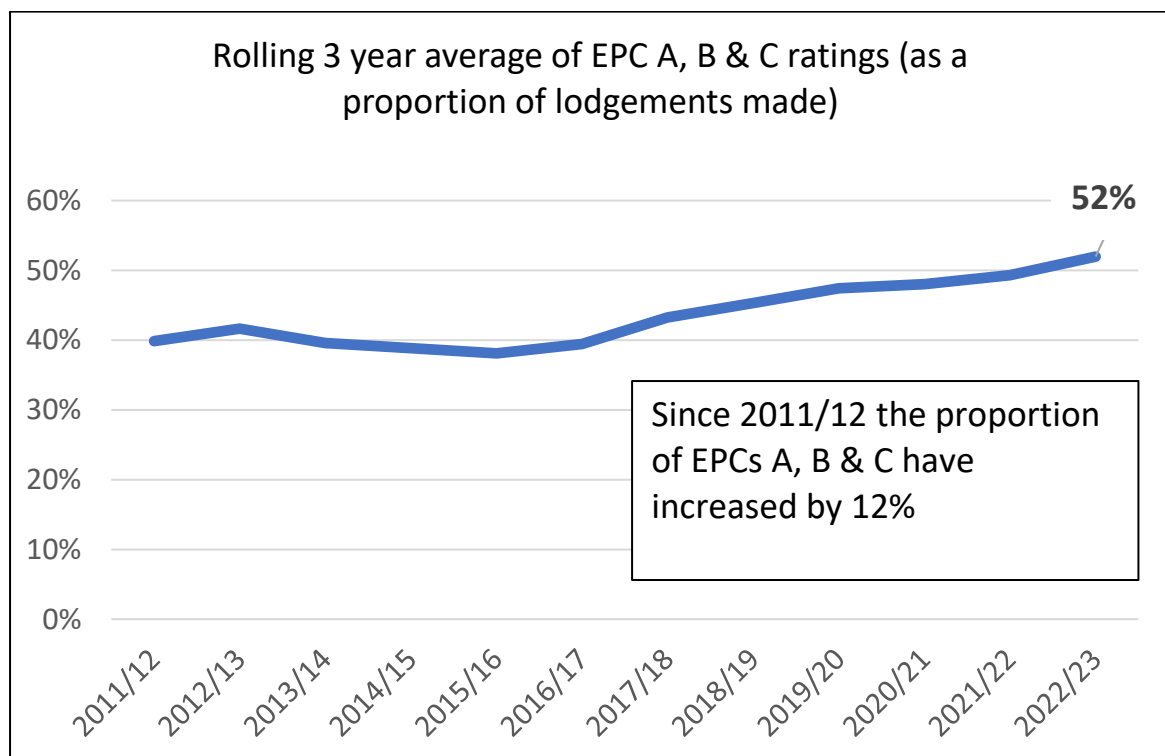
## **2.6 Energy efficiency of homes in Wiltshire**

Energy Performance Certificates (EPC) are a proxy indicator for energy efficiency. They are not a perfect indicator as some homes could be highly rated (A) and still have high energy usage to heat the home. The data set also tracks 'space heating demand' which shows how much energy it takes to heat the property (kWh / m<sup>2</sup>).

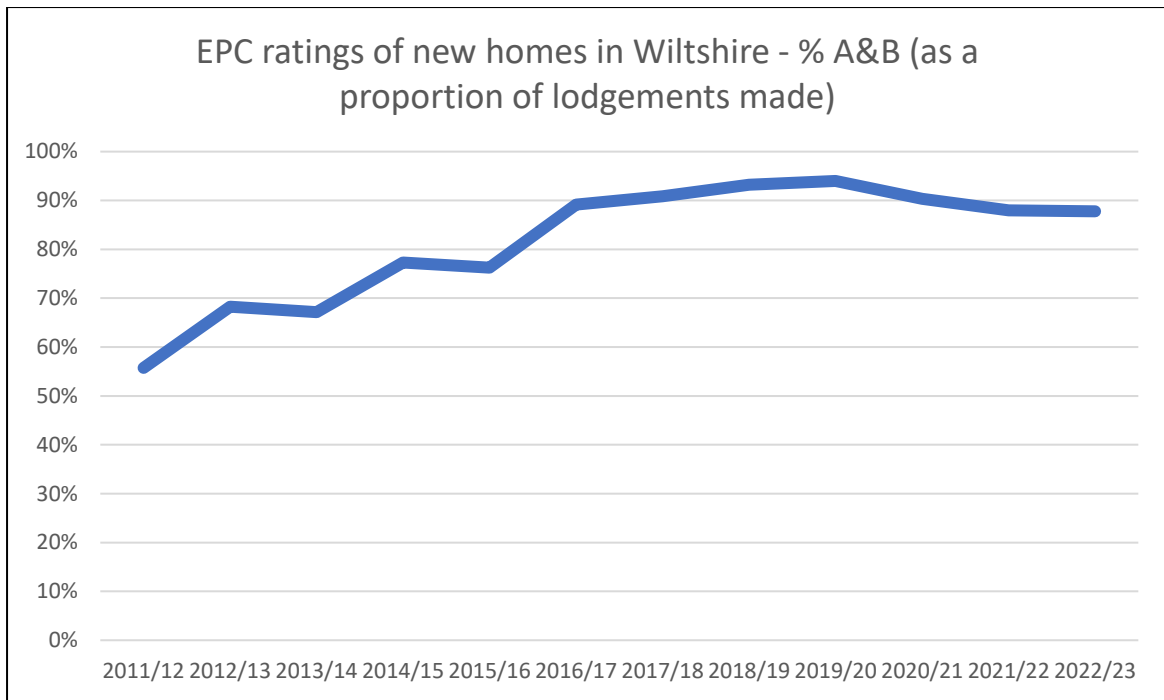
The EPC dataset provides the total number of EPC lodgements during the time period, and indicators B4, B5a and B6a show the proportion of those lodgements that are a certain EPC rating.

The EPC register does not hold data for every domestic and non-domestic building or every building occupied by public authorities in England and Wales. Buildings only require an EPC when sold, let or constructed. Some homeowners will have an EPC done to show that they qualify for a certain grant. The recent government grants that have been targeted at retrofitting homes with the lowest energy efficiency may mean that those homes are more likely to have had an EPC assessment done, which would skew the proportion towards lower ratings (D and below).

Due to the reasons explained, EPC data can fluctuate, so KPI B4 uses a rolling three-year average in order to show a longer-term trend.

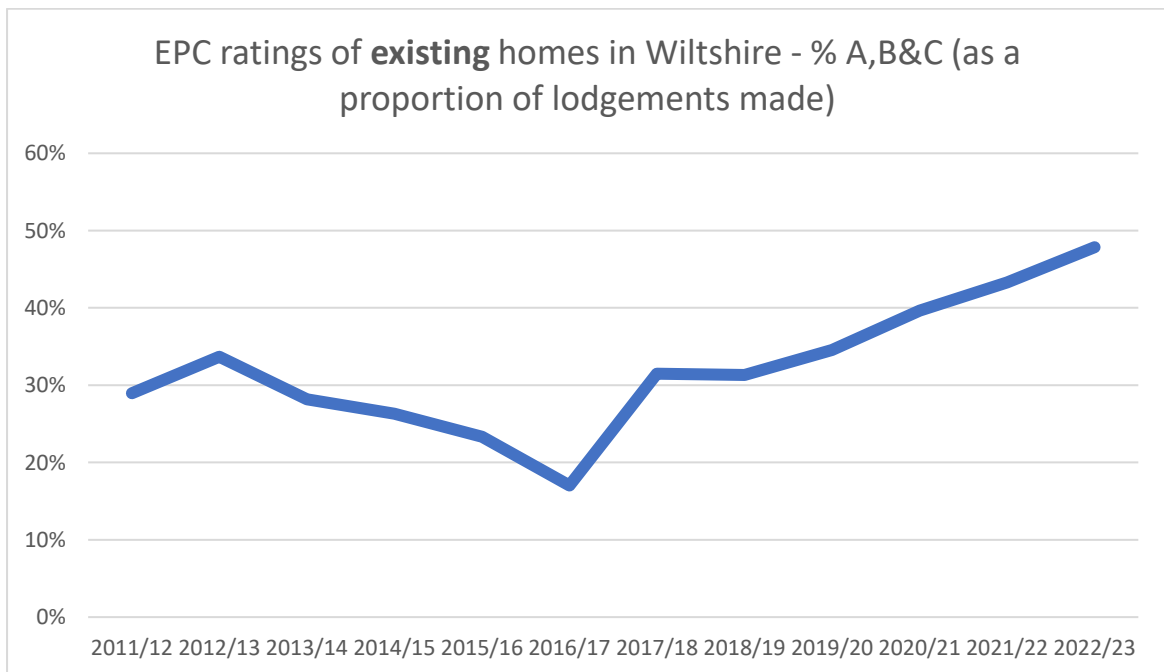


**Figure 7. B4 – Proportion of EPC lodgements that are A,B and C rated.**



**Figure 8. B5a - EPC ratings of new homes - % of EPCs registered annually that are A & B**

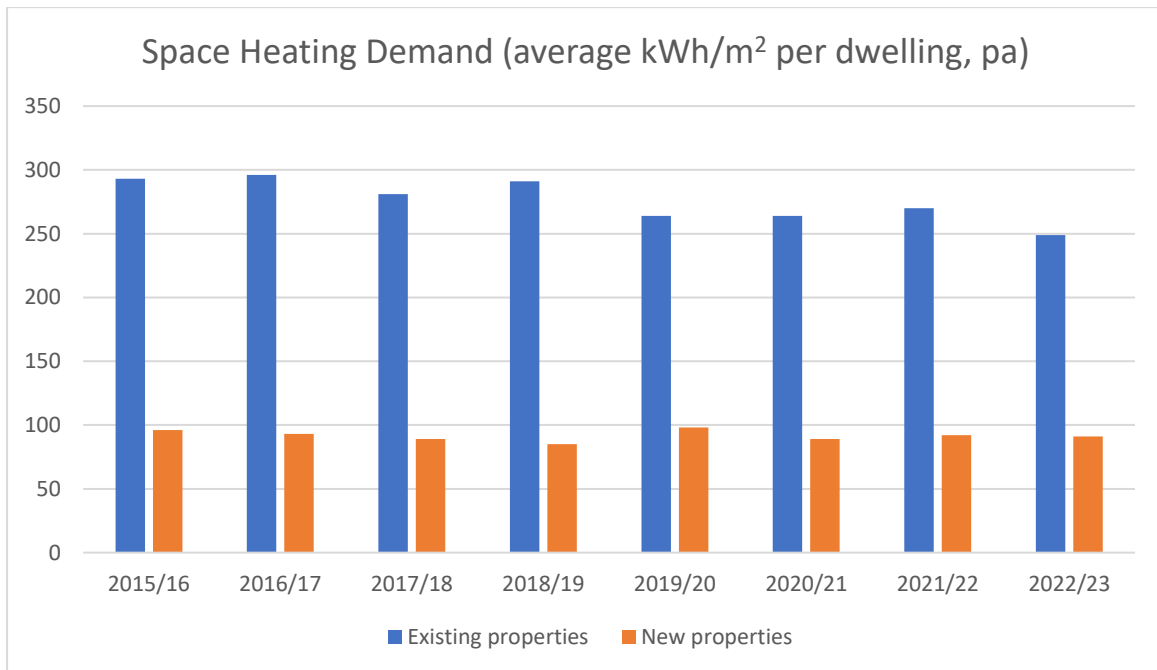
Current building regulation requirements are likely to mean that a new build should be at least EPC B, so we have tracked performance through this indicator. This shows new builds are achieving a relatively consistent high percentage (above 80%) at EPC A or B. This indicator reflects the issue that EPCs can go up and down, as it is the percentage of EPCs that are registered in any given year.



**Figure 9. B6a - EPC ratings of existing homes. % of EPCs registered annually that are A, B & C**

This indicator looks at existing homes and it is noticeable that the % of higher rated EPCs is much lower than those for existing homes, reinforcing that the focus should be on making

existing homes more energy efficient. The trend goes up and down but is gradually increasing.

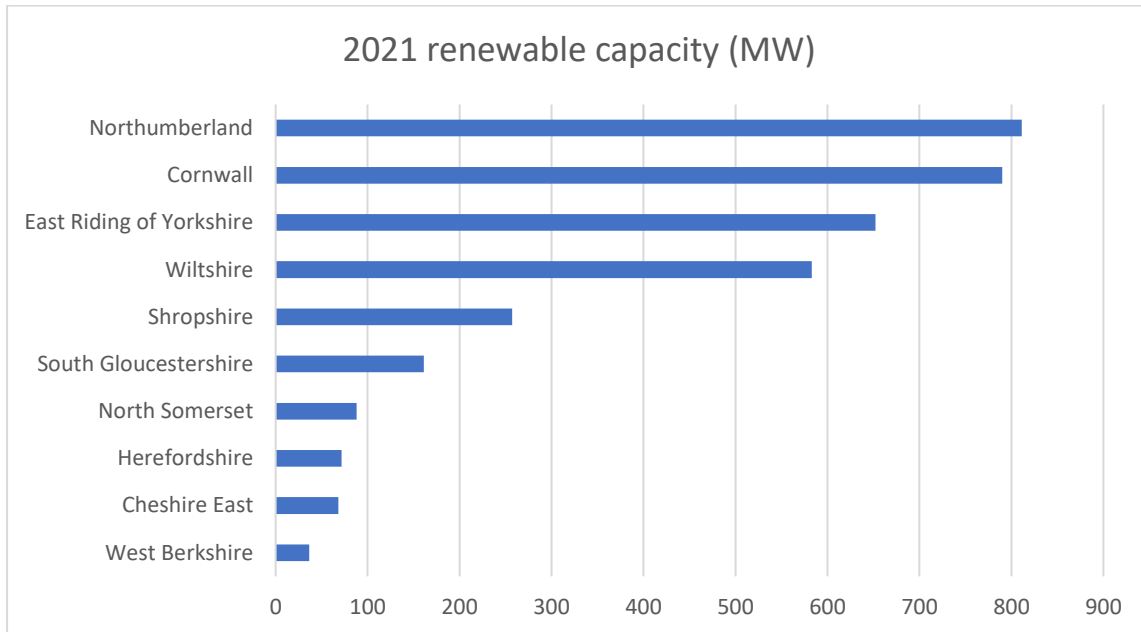


**Figure 10. B5b and B6b: - Comparison between space heating demand for new and existing dwellings.**

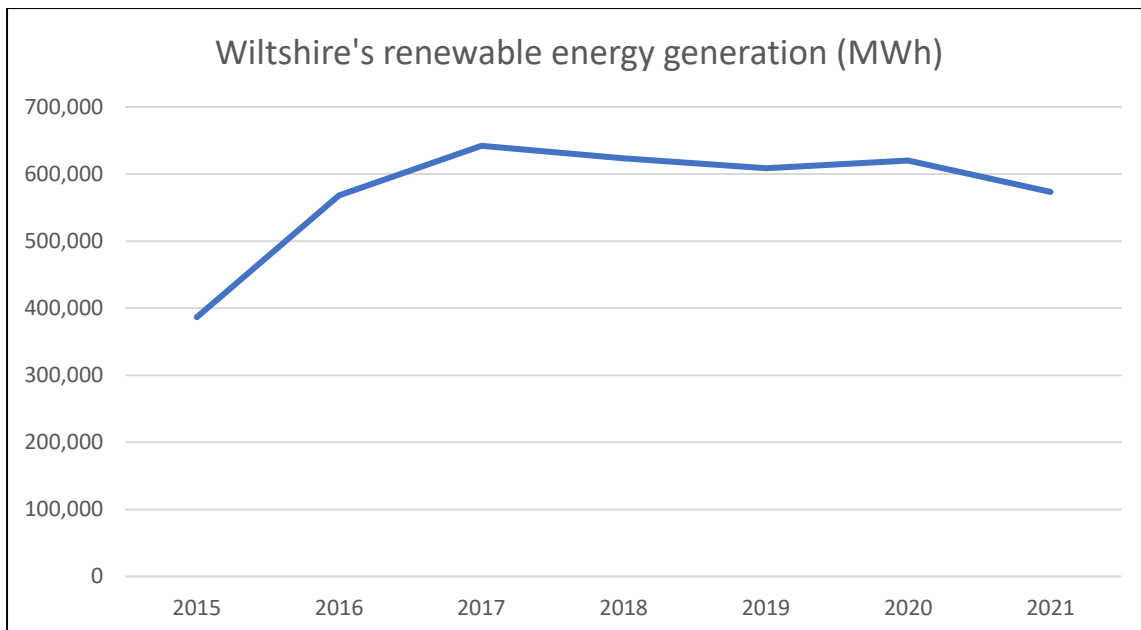
This graph shows clearly that new properties need significantly less energy to heat them than existing properties. While the council has made positive steps to ensure the draft Local Plan includes policies to require new development to be net zero carbon in operation, there is still a huge challenge to tackle the emissions from existing properties.

## **2.7 Renewable energy generation & capacity.**

Indicator E1 'renewable energy capacity in Wiltshire' shows that we had 583 MW of installed capacity in 2021. Installed capacity (in MW) is the peak theoretical amount of energy that the installations could produce per hour. In reality, generation is lower and depends on factors such as weather. In the chart below, the 3 comparator local authorities that have higher levels of renewable capacity have significant output from wind turbines.



**Figure 11. Renewable energy installed capacity in Wiltshire (KPI E1), in relation to comparator local authorities**



**Figure 12. E2 Renewable energy generation**

There was a noticeable downturn in renewable energy generation in 2021. One factor could be weather, and our analysis shows that Cornwall also had a similar downturn, however it is

not possible for us to know the reason at the moment. To put renewable energy generation in context, in 2020 total renewable generation was 620,216 MWh and this contributed 31% of Wiltshire’s electricity consumption, and 6% of total energy consumption.

### 3. Amended KPIs

In Table 1 above, text in red shows where KPIs have been amended. This is usually to clarify what is being tracked. Information about targets has also been added to most KPIs since they were first published in September 2022.

The KPIs X5, X6, X7, C3a and C3b all related to tracking the number of bids the council submits, those that were successful and how much funding they brought in. The council’s Finance directorate tracks successful bid amounts and it is reported in the Financial Implications of the main Cabinet Report paragraph 97 rather than being included in this appendix. Unsuccessful bids are reported on in the main report.

**Table 2: Funding-related KPIs now reported as part of the financial implications**

X5. * Number of funding bids submitted (in support of Climate Strategy - county-wide objectives)
X6. Number of funding bids successful (in support of Climate Strategy objectives county-wide projects)
X7. Amount of external funding secured in support of Climate Strategy objectives
C3a.* Amount of external funding bid for (£) (relating to council emissions)
C3b. See below. Amount of funding secured (£) (relating to council emissions)



## Appendix 3 - Solar Together Scheme 1 report

The first Solar Together Wiltshire and Swindon scheme in 2022-23 was successful, overachieving against expectations on almost all KPIs.

### Registration Results:

The initial registration rates exceeded all expectations with a registration rate of 10.9% in Wiltshire (based on Direct Mail (DM) volume of 57,551) and 8.4% in Swindon (based on DM volume of 45,375), compared to a benchmark expectation of 3.5%. There were 10,175 registrations in total (see Table 1 below for further breakdown by type and council). Figure 1 shows Wiltshire Registrations by Community Area in Scheme 1.

**Table 1** – Breakdown of registrations by council area.

Council area	Total Registrations (Solar PV & Retrofit Battery)	Solar PV Registrations	Retrofit Battery Registrations
Wiltshire	6,323	5,689	634
Swindon Borough	3,852	3,639	213
<b>Total</b>	<b>10,175</b>	<b>9,328</b>	<b>847</b>

When respondents were asked 'how did you hear about the scheme' 70% said they heard about the scheme via the direct mail letter or leaflet, demonstrating the ongoing importance of this communication channel for registrations.

### Acceptance Results:

1,774 customers accepted an offer from Solar Together Wiltshire and Swindon. Within Wiltshire Council 1,077 participants accepted the offer for Solar PV with 583 (54%) of these choosing to add optional battery storage to their solar PV package at the point of acceptance; an additional 122 customers accepted an offer for retrofit battery storage. Overall, 88% of participants across the scheme opted to add a battery to their solar panel installation following the survey. This indicates an extremely high appetite for battery storage and an increasing resident focus on self-consumption.

Also, 28 SME participants within Wiltshire Council and 10 SME participants within Swindon Borough Council accepted their offer.

At the end of the decision period 1,690 of the 1,774 total participants who had accepted their offer paid their deposit, resulting in a 5% drop-off from the acceptances which is within expectations.

### Decliner feedback & Drop-out Results:

1,599 participants within Wiltshire and Swindon did not accept their offer and actively selected a decliner reason. Cost being higher than expected was the top decliner reason with 46% (472 participants) from Wiltshire and 48% (278 participants) from Swindon selecting this option.

The dropout rates for Scheme 1 were higher than Solar Together's benchmark of 25%, with an overall drop-out rate of 37% (195 cancellations/531 paid) in Swindon and 39% (448 cancellations/1,159 paid) within Wiltshire. iChoosr stated that dropout rates for all 2022 schemes were higher than previous years, with reasons attributed to resident's financial situation changing due to the cost-of-living crisis, and the energy crisis leading to a higher registration uptake from a wider demographic unlikely to go ahead with an actual installation. iChoosr hope to see dropout rates improve across future schemes.

### Installation Results:

There were 1,047 installations across Wiltshire (712) and Swindon (335), and Figure 2 shows Solar Together Wiltshire Installations by Community Area. The 1,047 installations consisted of 948 Solar PV and 99 retrofit battery storage only. See Tables 2 & 3 below for further breakdowns.

**Table 2** - Solar PV estimated install breakdown by Council.

Council area	Accepted	Total Installations	Panels Installed	Tonnes CO <sub>2</sub> reduction in Year 1	Installed CO <sub>2</sub> reduction over 25 years (tonnes)
Wiltshire	1,041	638	6,779	518	12,949
Swindon Borough	497	310	3,074	232	5,794
<b>Total</b>	<b>1,538</b>	<b>948</b>	<b>9,853</b>	<b>750</b>	<b>18,742</b>

**Table 3** - Breakdown of retrofit battery storage only (adding storage to an existing PV installation) by Council.

Council area	Total no. retrofit battery installations	Total KWh Installed Battery	Total Investment (£)
Wiltshire	74	376	405,318
Swindon Borough	25	129	131,873
<b>Total</b>	<b>99</b>	<b>505</b>	<b>537,191</b>

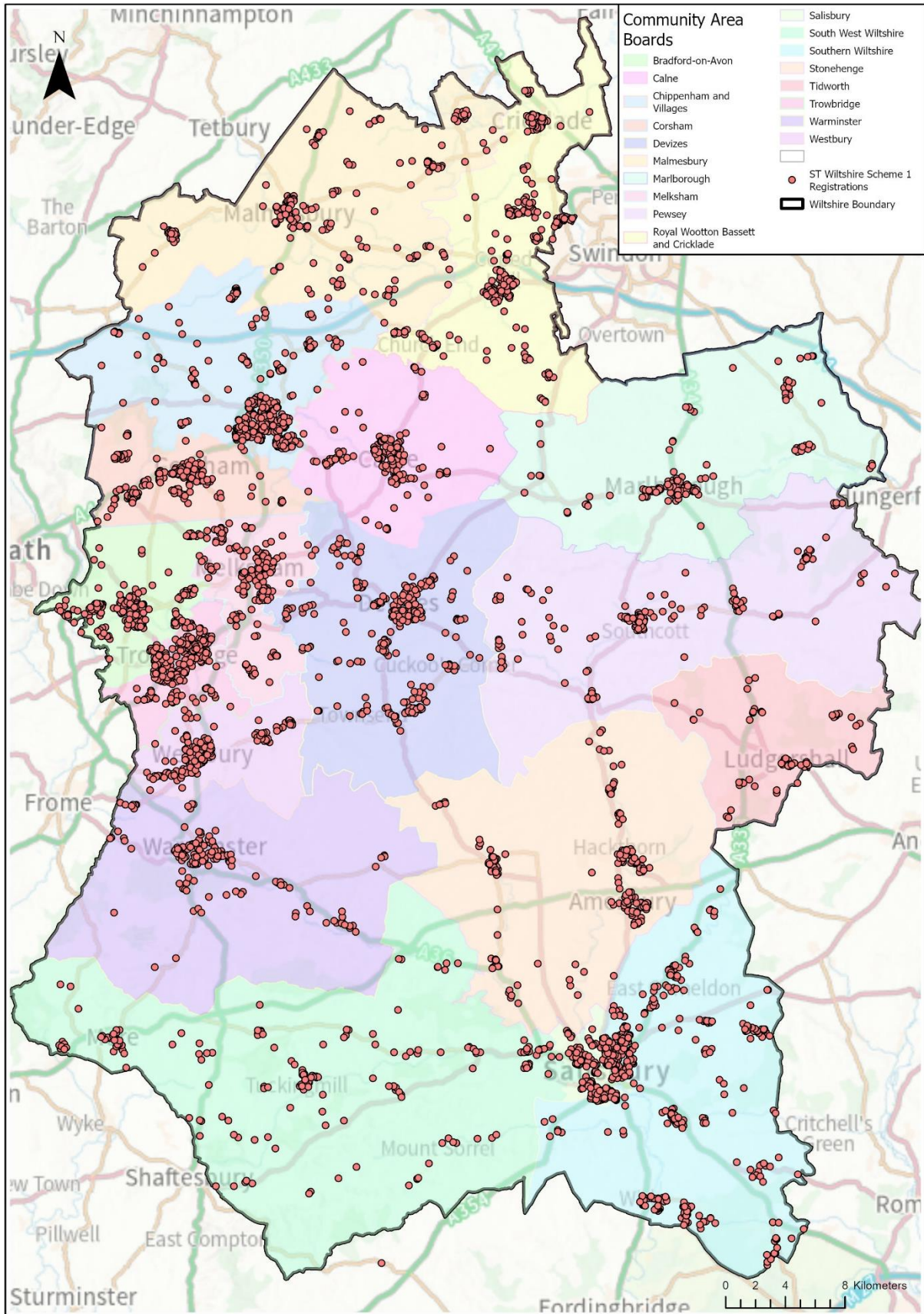
### Customer Satisfaction Results:

There is a high level of customer satisfaction with over 80% of customers saying that they would recommend Solar Together to their friends and family. Complaint volumes throughout the scheme were low, with 65 customers in total (3.6%) contacting Solar Together, which was below their expectation of a 10% forecast. The largest driver of complaints was the installers' communication and iChoosr is working on providing greater support to installers in Solar Together to combat this going forward.

The scheme has delivered total private resident investment in renewables of over £7.5 million in Wiltshire Council and over £3.6 million in Swindon Borough Council, a total of over £11 million. iChoosr therefore estimate that the installations delivered through 2022 Solar Together Wiltshire and Swindon will deliver over 18,500 tonnes of carbon reduction over 25 years (Table 2). This equates to roughly 10,000 cars off roads for a year.

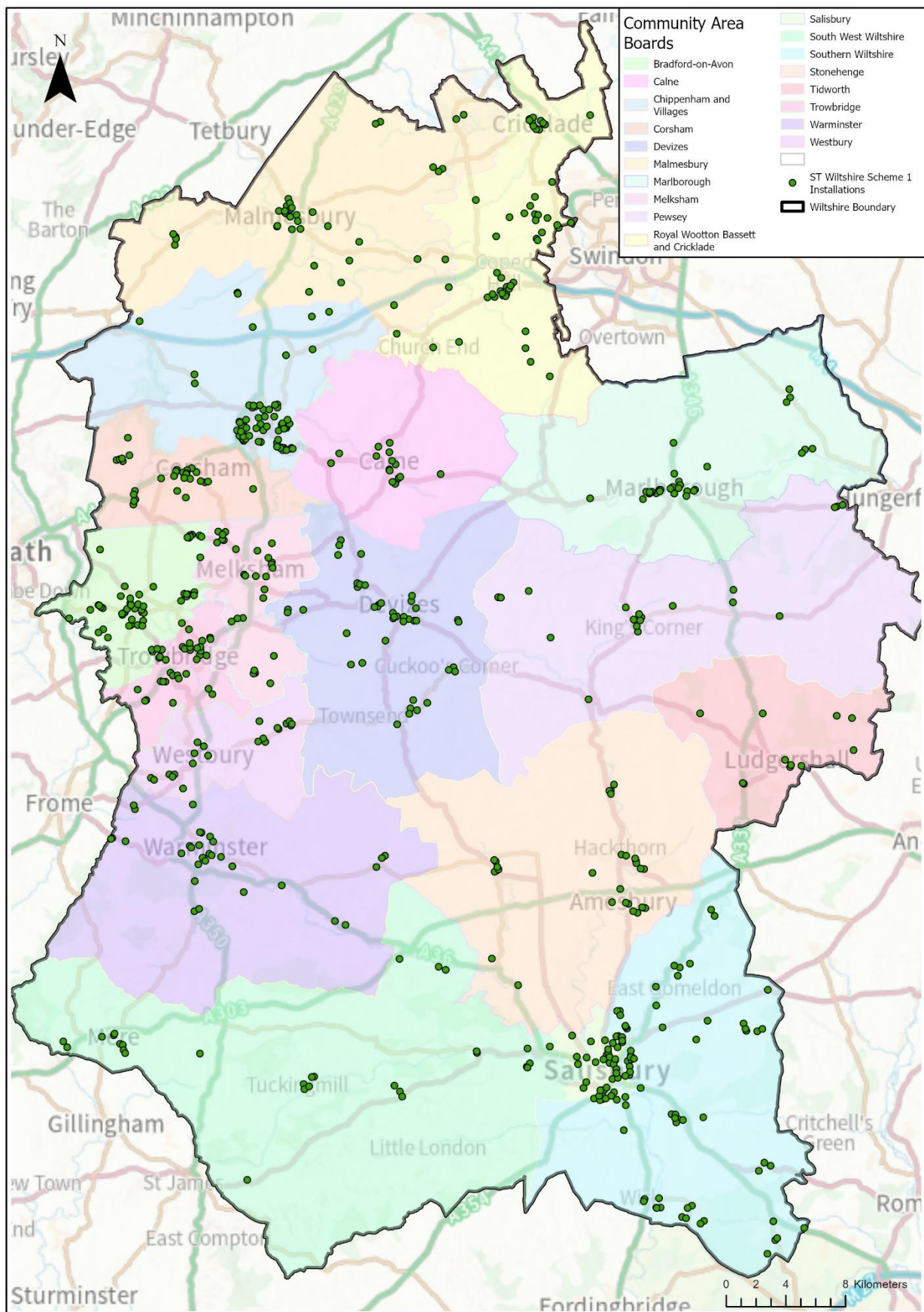
It is worth noting that the councils do not pay iChoosr for any services, rather the council directly pays for the promotion required under the scheme (e.g., direct mail and staff project management costs) and it is expected that most or all these upfront costs will be recovered. iChoosr receive a fee from the winning supplier for each solar installation completed and pass some of this back to the councils. The amount per installation is determined by the total number of installations.

**Figure 1** Solar Together Wiltshire Registrations by Community Area in Scheme 1.





**Figure 2** Solar Together Wiltshire Installations by Community Area in Scheme 1.



**Wiltshire Council**

**Full Council**

**17 October 2023**

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## **Capital Programme additions and amendments to the Revenue Net Budget**

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### **Summary**

This report sets out the recommendations from the Financial Year 2023/24 - Quarter One Revenue Budget Monitoring report and Financial Year 2023/24 - Quarter One Capital Budget Monitoring report approved by Cabinet at their meeting on 12 September 2023. These recommendations add the necessary budgets, with associated funding, to the Capital Programme to support the delivery of additional education provision in the north of the county and will amend the Council's net budget to reflect the increased retained share of funding from Business Rates and additional Government Grant funding.

### **Proposals**

Cabinet recommends to Full Council to approve:

- a) the allocation of a £4.4m budget for Education provision in the North of the County to be funded by a mix of capital receipts, earmarked reserves and £1.7m of new borrowing.
- b) to move the £0.382m income budget associated with saving from increased retained share of funding from Business Rates for Council Assets from Assets to the Business Rates Retention Scheme in the Funding section; and
- c) to increase the Government Grants budget in Funding to recognise the additional Market Sustainability Improvement Fund of £2.773m and increase the net budget in Adults by the same amount.

Proposals b) and c) above will increase the Council's Net Budget to £469.029m

### **Reason for Proposal(s)**

To inform effective decision making and ensure sound financial management as part of the Councils overall control environment.

To request Full Council approval additions to the Capital Programme to support the Councils future activity in delivering the Business Plan priorities.

**Terence Herbert**  
**Chief Executive**

**Capital Programme additions and amendments to the Revenue Net Budget**

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**Purpose of Report**

1. To request Full Council approve additions to the Capital Programme to deliver additional education provision in the north of the county and to increase the council's Net Budget to reflect additional grant funding and realign the budget for the increased share of retained Business Rates funding.

**Relevance to the Council's Business Plan**

2. Financial reporting supports effective decision making and the alignment of resources and financial performance to the Council's priorities and objectives as laid down in the Business Plan.

**Main Considerations for the Council**

3. Reports have been considered by Cabinet at their meeting on 12 September 2023 and approval given to recommend that Full Council increase the council's Net Budget and to increase the Capital Programme, that impact on the Council's funding and resources and the detail for these specific proposal recommendations are included in the paragraphs below.

**Capital Programme Additions**

4. The Council is in negotiation to acquire new education provision in the north of the county. It is proposed to be funded by a mix of capital receipts, earmarked reserves and £1.7m of new borrowing. Initially the property would be used to provide education for 50 children who are unable to attend mainstream or specialist schools. This is called Alternative Provision (AP).
5. Section 19 of the Education Act 1996 states that 'Each Local Authority shall make arrangements for the provision of suitable education at school or otherwise than at school for those children of school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them.' A procurement exercise is planned to facilitate a registered AP provider to take students from January 2024. The property use would be extended in later years to include a range of vocational skills for learners.
6. There is considerable demand for offsite placements by schools and the LA for

pupils on a short-term basis for the purposes of improving the pupils' behaviour to prevent permanent exclusion and reduce the need for multiple or long-term suspension from school. This demand has increased in recent years. Lack of sufficiency means that a significant number of pupils are suspended from school when the school might otherwise arrange AP for the learner at an earlier stage and prevent further escalation into more specialist high needs provision and pressure on the high needs block of the dedicated schools grant. This acquisition is expected to deliver significant reduction in the current annual deficit of the high needs block.

#### Revenue Net Budget

7. As part of the budget setting process for 2023/24 a saving was approved that reflected the increased retained share of funding from Business Rates for Council Assets. This saving is forecast to be achieved by the Council but due to the way it is accounted for the actual income is reported under Funding and not in Assets within the Corporate Director of Resources area of responsibility. It is requested that the budget for the income is moved from Assets to Funding (Business Rates Retention Scheme). This will increase the council's overall Net Budget but is fully funded by the additional income from Business Rates and therefore increases the council's Funding budget.
8. On 28 July 2023 the government announced the Market Sustainability and Improvement Fund – Workforce Fund. There will be a further £570m of ringfenced funding given across 2023/24 and 2024/25 to local authorities to improve and increase adult social care provision, with a particular focus on workforce pay. This additional funding will support more workforce and capacity within the adult social care sector. Funding is expected to have the same flexibility as the Market Sustainability and Improvement Fund we already receive to meet local pressures. Wiltshire Councils allocation is £2.773m and it is requested to increase the budget in Adult Services to reflect the expected additional costs. The impact of this is an increase to the council's overall Net Budget but is fully funded by the additional grant income and therefore increases the council's Funding budget.

#### Overview & Scrutiny Engagement

9. The Cabinet reports were considered by the Financial Planning Task Group on 7 July 2023 and will be considered by Overview and Scrutiny Management Committee at its meeting on 26 July 2023.

#### Safeguarding Implications

10. None have been identified as arising directly from this report.

#### Public Health Implications

11. None have been identified as arising directly from this report.

### **Procurement Implications**

12. None have been identified as arising directly from this report.

### **Equalities and diversity impact of the proposals**

13. None have been identified as arising directly from this report.

### **Environmental and Climate Change Considerations**

14. None have been identified as arising directly from this report.

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

15. The Council will be exposed to unmanaged rising demand and therefore increased costs associated with providing offsite placements for pupils on a short-term basis for the purposes of improving the pupils' behaviour to prevent permanent exclusion and reduce the need for multiple or long-term suspension from school.
16. In addition, if the approvals for amending the council's Net Revenue Budget do not proceed the Council will continue to present forecast variances in Adults Services, Assets and Funding budgets due to the allocation of the budgets.

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

17. The Council will be undertaking an increased level of borrowing to enable the acquisition of new education provision in the north of the county which will result in additional revenue costs to fund the borrowing. The provision is expected to deliver a significant reduction in the current annual deficit of the high needs block. Although this deficit is currently within the Dedicated Schools Grant there is a risk that government will cease the statutory override that ring-fences the deficit and the council will need to pick up this significant financial liability.

### **Financial implications**

18. The financial implications were set out in the Cabinet reports.

### **Legal Implications**

19. None have been identified as arising directly from this report.

### **Workforce Implications**

20. No workforce implications have been identified as arising directly from this report. Capacity to undertake the activity to meet the delivery of the capital programme are either met within existing resources or may be allocated to capital budgets to support the effective and timely delivery of the schemes.



## **Options Considered**

21. Not to proceed with the acquisition for additional education provision will result in unmanaged rising demand and therefore increased costs which is not a sustainable option for the council.
22. Not proceeding with the amendment to the council's Net Revenue Budget to reflect the additional grant funding and realign the budget for the increased share of retained Business Rates funding will result in forecast variances in Adults Services, Assets and Funding during the year, which is misleading and therefore rejected.

## **Conclusions**

23. The proposal in this report funds additional education provision in the north of the county and realigns budgets to reflect increased funding the council will receive this year and has been approved by Cabinet.

**Andy Brown Corporate Director of Resources and Deputy Chief Executive  
(S151 Officer)**

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Report Authors:

Lizzie Watkin, Director of Finance & Deputy S.151 Officer

[lizzie.watkin@wiltshire.gov.uk](mailto:lizzie.watkin@wiltshire.gov.uk)

## **Appendices**

None

## **Background Papers**

Cabinet 12 September 2023

Agenda Item 6 - Financial Year 2023/24 – Quarter One Revenue Budget Monitoring

Agenda Item 7 - Financial Year 2023/24 – Quarter One Capital Budget Monitoring

[\(Public Pack\)Agenda Document for Cabinet, 12/09/2023 10:00 \(wiltshire.gov.uk\)](#)

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Wiltshire Council

Full Council

17 October 2023

## Community Governance Review 2022/23

### Summary

To consider Final Recommendations of the Electoral Review Committee in respect of the Community Governance Review 2022/23.

### Proposals

That Council:

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

**Recommendation 1 – Heywood/Westbury**

**Recommendation 2 – Tidworth**

**Recommendation 3 – Netheravon/Figheledean/Fittleton cum Haxton**

**Recommendation 4 – Grittleton/Castle Combe/Nettleton – “The Gibb”**

**Recommendation 5 – Yatton Keynell/Castle Combe/Biddestone & Slaughterford**

**Recommendation 6 – Warminster**

**Recommendation 7 – Donhead St Mary & Monkton Farleigh**

- 2) **To authorise the Solicitor of the Council to take all necessary measures to make and approve the Community Governance Order(s) to bring into effect for 1 April 2025 all of the changes detailed under resolution 1, subject to any required consents by the Local Government Boundary Commission for England;**
- 3) **To authorise the Electoral Registration Officer to make any necessary changes to polling districts to bring them into line with the agreed governance changes at the appropriate time, to be reported to the Electoral Review Committee.**

### Reason for Proposals

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

**Perry Holmes - Director, Legal and Governance**

**Community Governance Review 2022/23**

**Purpose**

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

**Background**

2. A Community Governance Review is a process wherein a principal authority can adjust the governance arrangements of parishes within its council area. This can include amending the number of councillors or wards, the external boundaries, or even the creation/merger/abolition/grouping of entire parishes.
3. Any changes made as a result of the review would take effect for the next elections in 2025.
4. The Electoral Review Committee ("The Committee") has delegated authority from Full Council to oversee any review process in accordance with paragraphs 2.9.6-2.9.8 of Part 3B of the Wiltshire Council Constitution. This includes setting the scope for any review, its methodology, timescales, and preparing recommendations for consideration by Full Council.
5. On 19 August 2022 the Electoral Review Committee published terms of reference for a Community Governance Review ("The Review"). This included consideration of requests for review received prior to the 2021 local elections.
6. The timetable for the Review within the terms of reference was updated on several occasions by the Director, Legal and Governance under delegated authority granted by the Committee, during the course of the review.
7. The parishes included within the Review were: Netheravon, Figcheldean, Warminster, Westbury, Heywood, Dilton Marsh, Bratton, Ludgershall, Tidworth, Castle Combe, Biddestone & Slaughterford, Nettleton, Grittleton, Yatton Keynell, Fovant, Donheat St Mary, Monkton Farleigh, Grimstead.
8. Also included in the terms were any parishes surrounding those listed, for example Fittleton cum Haxton. This was in case any requests emerged from the listed parishes which would have an effect on a neighbouring parish, which could not be foreseen at the outset of the review.
9. Following review, not all areas were recommended to receive any changes.
10. In preparing any recommendations and making any decision respectively, the Committee and Full Council must take account of the statutory criteria for reviews and the need to ensure that community governance within the areas under review:

- Reflects the identities and interests of the community in that area, and
- Is effective and convenient.

11. Council tax precept levels would not be a valid criterion to approve or disapprove of a proposal.

## **Main Considerations**

### Pre-consultation

12. During Stage One of the Review additional proposals for the areas set out in Paragraph 7 were sought. During Stage Two the Committee undertook pre-consultation information gathering. The information gathered included notes of sessions with unitary members and parish councils, projected electorate data and housing development, emailed representations and over 120 responses to an online survey.

13. The Committee considered all the relevant information and agreed Draft Recommendations to be consulted upon at its meeting which concluded on 4 January 2023.

### Consultations

14. An initial consultation was held from 7 February 2023 – 28 March 2023 on the Draft Recommendations. Public meetings were held in Grittleton, Heywood, Netheravon, and Biddestone & Slaughterford. Although not a specific requirement of the legislation or guidance, the Committee wrote directly to households in areas where it was recommended that they be transferred from one parish to another.

15. At its meeting on 20 April 2023 the Committee considered all the relevant information responding to the Draft Recommendations. This included the public meeting notes and details of parish representations and a further 19 public representations.

16. At the meeting the Committee resolved to approve some of its recommendations and make amendments to others. As it is a requirement that any option resolved by Full Council must be consulted upon, the Committee agreed to undertake a consultation on Additional Draft Recommendations relating to several recommendations.

17. A further online consultation was therefore held from 10 May 2023 – 7 June 2023 on the amended proposals, which received a further 28 responses including representations.

18. The responses were considered by the Committee along with all other relevant information at a meeting on 26 June 2023. The Committee considered all the information as well as representations made at the meeting, and confirmed all but one recommendation for consideration by Council.

19. The final very limited proposed amendment formed the second Additional Draft Recommendations, and was subject to consultation from 31 July-14 August 2023. The Committee considered the response of the sole affected resident at a meeting on 15 August 2023 and confirmed its Final Recommendations.

## Electorate Forecasting

20. The guidance on Community Governance Reviews has been listed as a background paper. That guidance makes clear that the principal council '*must also consider any change in the number or distribution of electors which is likely to occur in the period of five years beginning with the day when the review starts*'.
21. The guidance further states that '*planning assumptions and likely growth within the area, based on planning permissions granted, local plans or, where they are in place, local development frameworks, should be used to project an accurate five-year electorate forecast. This ensures that the review does not simply reflect a single moment, but takes account of expected population movements in the short to medium term*'.
22. Considering the entire guidance document as a whole and in context, the Committee is satisfied, as in previous reviews, that consideration of future projections is a relevant factor.

## Final Recommendations

23. The Committee also took account of the statutory guidance provided by the Secretary of State and the Local Government Boundary Commission for England ("LGBCE") in making its recommendations. Consent of the LGBCE would be required for several of the recommendations.
24. As a result of all the meetings and consultations, the Final Recommendations were therefore prepared, and are attached at **Appendix A**. These were published on 17 August 2023.

## **Safeguarding Implications**

25. There are no safeguarding implications.

## **Public Health Implications**

26. There are no public health implications.

## **Procurement Implications**

27. There are no procurement implications.

## **Equalities Implications**

28. There are no equalities implications.

## **Environmental and Climate Change Implications**

29. There are no environmental implications.

## **Workforce Implications**

30. There are no workforce implications.

## **Financial Implications**

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

## **Legal Implications**

32. The Local Government and Public Involvement in Health Act 2007 gives the Council the power to undertake CGRs and sets out the criteria for such reviews. There is also statutory guidance on the conduct of such reviews with which the Council would have to comply.
33. As several recommendations impact areas adjusted by the LGBCE as consequential changes following their Electoral Review of Wiltshire Council within the last five years, they would need to consent to any draft Community Governance Order involving those areas.
34. Additionally, some changes to parish boundaries proposed were such that the parishes involved would cross current unitary Division boundaries, but were either not large enough to form their own distinct wards, which is required when crossing Divisions, or it was not considered warding was appropriate. The LGBCE could be requested to amend the Divisions to align to the parish boundaries. The Council would send a draft order for their consent.
35. Should they consent to such an order, the Council would at that point be able to formally request Electoral Division changes, where this was appropriate following a community governance change. This detail is included within the recommendations from the Committee.

## **Risks**

36. A failure to consult appropriately or provide appropriate reasoning for any decision to change governance arrangements would be potentially vulnerable to challenge. For these recommendations the Committee has undertaken several consultations, adjusted its proposals accordingly, and set out its reasoning in detail including responding to representations from affected parties.

## **Options**

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

## **Conclusion**

38. The Committee has conducted a very thorough and extensive review of parish governance arrangements in the areas set out in the report.
39. It has undertaken consultation and engagement beyond what is required by legislation or guidance.

40. It has prepared recommendations it considers align to the statutory criteria to better reflect the identity and interests of local communities and provide more effective and convenience local governance.

## **Proposal**

### **That Council:**

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

**Recommendation 1 – Heywood/Westbury**

**Recommendation 2 – Tidworth**

**Recommendation 3 – Netheravon/Figheledean/Fittleton cum Haxton**

**Recommendation 4 – Grittleton/Castle Combe/Nettleton**

**Recommendation 5 – Yatton Keynell/Castle Combe/Biddestone & Slaughterford**

**Recommendation 6 – Warminster**

**Recommendation 7 – Donhead St Mary/Monkton Farleigh**

- 2) **To authorise the Solicitor of the Council to take all necessary measures to make and approve the Community Governance Order(s) to bring into effect for 1 April 2025 all of the changes detailed under resolution 1, subject to any required consents by the Local Government Boundary Commission for England;**
- 3) **To authorise the Electoral Registration Officer to make any necessary changes to polling districts to bring them into line with the agreed governance changes at the appropriate time, to be reported to the Electoral Review Committee.**

### **Perry Holmes - Director, Legal and Governance**

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26 September 2023

## **Appendices**

Appendix A – Final Recommendations

## **Background Papers**

[Guidance on Community Governance Reviews](#)



**Community Governance  
Review 2022/23**

**Final Recommendations of  
the Electoral Review  
Committee**

**August 2023**

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## **Background Links**

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

[Terms of Reference for the Community Governance Review 2022/23](#)

[Guidance on Community Governance Reviews](#)

[Pre-Consultation Information Pack – Committee Meeting 21 December 2022 and 4 January 2023](#)

[Draft Recommendations](#)

[Draft Recommendations Consultation Information Pack – Committee Meeting 20 April 2023](#)

[Additional Draft Recommendations](#)

[Additional Draft Recommendations Consultation – Committee Meeting 26 June 2023 \(including additional representations from the parties at Minute 25\)](#)

[Second Additional Draft Recommendations](#)

[Second Additional Draft Recommendations Consultation – Committee Meeting 15 August 2023](#)

Contact [CGR@wiltshire.gov.uk](mailto:CGR@wiltshire.gov.uk) or CGR, Democratic Services, County Hall, Trowbridge, BA14 8JN for questions or other details.

### **What is a Community Governance Review?**

1. A Community Governance Review is a process under the Local Government and Public Involvement in Health Act 2007 which allows for the review of Town, City, and Parish Council governance arrangements. This is to ensure that they are reflective of the identity and interests of local communities, and that they provide effective and convenient governance.

### **What can a Community Governance Review change?**

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

### **The Electoral Review Committee**

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

Cllr Ashley O’Neill (Chairman)

Cllr Gavin Grant (Vice-Chairman)

Cllr Ian Blair-Pilling

Cllr Allison Bucknell

Cllr Ernie Clark

Cllr Jacqui Lay

Cllr Ian McLennan

Cllr Paul Oatway QPM

Cllr Ian Thorn

Cllr Stuart Wheeler

### **On what grounds will a Community Governance Review be decided?**

7. Any decision relating to parish arrangements must ensure that those arrangements:
  - Reflect the identity and interests of local communities;
  - Ensure effective and convenient local governance.
8. In conducting a review and making recommendations, the Committee follows the guidance issued by the relevant Secretary of State and the LGBCE.

9. Factors that are not relevant to the statutory and guidance criteria, such as council tax precept levels, cannot be taken into account.

**Background to the 2022/23 Review**

10. From 2017-2019 the LGBCE undertook an Electoral Review of Wiltshire Council. While this retained the number of divisions at 98, the changes as approved by Parliament made consequential changes to many town and parish governance arrangements.
11. Combined with development growth across existing town and parish boundaries, or creation of new communities with their own identity within an existing parish, Wiltshire Council determined that reviews were necessary in some areas to ensure the community governance arrangements were still reflective of local identity and interests, and were effective and convenient.
12. All parishes in Wiltshire were contacted in the summer of 2019 to see if there were any changes to governance arrangements they wished the Council to consider, and a number of requests were received. Due to resourcing, these would be considered when the Council, through the Committee, determined it was practicable to do so. Parishes were recontacted in subsequent years to confirm if they still wished to proceed with a review of their area.
13. Following a committee meeting on 31 May 2022, on 19 August 2022 Wiltshire Council published terms of reference for a Community Governance Review for the following parish areas:
- Biddestone & Slaughterford
  - Bratton
  - Castle Combe
  - Dilton Marsh
  - Donhead St Mary
  - Flgheldean
  - Fovant
  - Grimstead
  - Grittleton
  - Heywood
  - Ludgershall
  - Monkton Farleigh
  - Netheravon
  - Nettleton
  - Tidworth
  - Warminster
  - Westbury
  - Yatton Keynell
14. The terms of reference also specified that any parishes 'surrounding those listed' were also included within the scope of the review. This was to enable complete consideration of any options which might emerge during information gathering. Such parishes included Fittleton cum Haxton, Edington, Colerne, Chippenham Without, and others.
15. For the avoidance of doubt, the Committee is able to recommend, and the Council to approve, governance changes which were not suggested by any parishes or individuals, if it considers it appropriate to do so under the criteria and guidance. Any such proposal would need to be subject to consultation before approval.

### **Pre-consultation**

16. During the first stage of the review the Committee received additional proposals relating to the review areas and prepared background information on each area, such as electorate projections.
17. During the second stage the Committee undertook pre-consultation information gathering, including:
  - Sessions between representatives of the Committee and affected unitary councillors, and sessions with affected Parish Councils;
  - Online surveys for those areas potentially impacted by a change of parish in proposals as submitted to the Council.

### **Draft Recommendations Preparation and Consultation**

18. At its meeting held on 21 December 2022 and 4 January 2023 the Committee considered an information pack compiling all relevant materials including all the information above and other relevant information. It formed draft recommendations and consulted upon these from 7 February – 28 March 2023. The consultation included:
  - 4 public meetings - in Biddestone, Grittleton, Heywood, and Netheravon;
  - An online survey;
  - Letters to households who were proposed to be transferred from one parish to another;
  - A public briefing note sent to relevant parishes;
  - Hard copies of materials in local libraries.

### **Additional Draft Recommendations and Consultations**

19. At its meeting held on 20 April 2023 the Committee considered an information pack compiling all relevant materials from the consultation on the draft recommendations. This included responses from parish councils and public representations received by email, post or online survey, and representations made at the meeting.
20. The Committee approved some recommendations and agreed to amend its draft recommendations for several areas and delegated preparation and approval of a detailed additional draft recommendations document for consultation to the Director, Legal and Governance. This would follow discussions with the Chairman of the Committee.
21. It was noted that extensive information gathering had already taken place. In several cases there had been a higher response to the online pre-consultation survey than the draft recommendations consultation, even though the latter involved physically providing letters to those proposed to be moved from one parish to another.
22. As the additional draft recommendations made only minor changes to the previous options consulted upon, it was agreed that the consultation on the additional draft

recommendations would be online only. In keeping with practice as demonstrated by the LGBCE among others, the additional consultation would run for a shorter period as it was refining a previously consulted option or on a limited aspect of the overall recommendations. Only those proposed to be transferred to another parish when they were previously not would be written to further.

23. The consultation on the additional draft recommendations ran from 10 May to 7 June 2023.
24. The Committee considered all the responses and relevant information at its meeting on 26 June 2023, and confirmed its Final Recommendations for all but Recommendation 4. This was subject to a consultation directly with a single affected resident and the parish councils, with opportunity for public comment online from 31 July – 14 August 2023, and a Final Recommendation was confirmed at a meeting on 15 August 2023.
25. This document forms those recommendations. Its final preparation was delegated to the Director, Legal and Governance, following consultation with the Chairman. It was published on 17 August 2023.

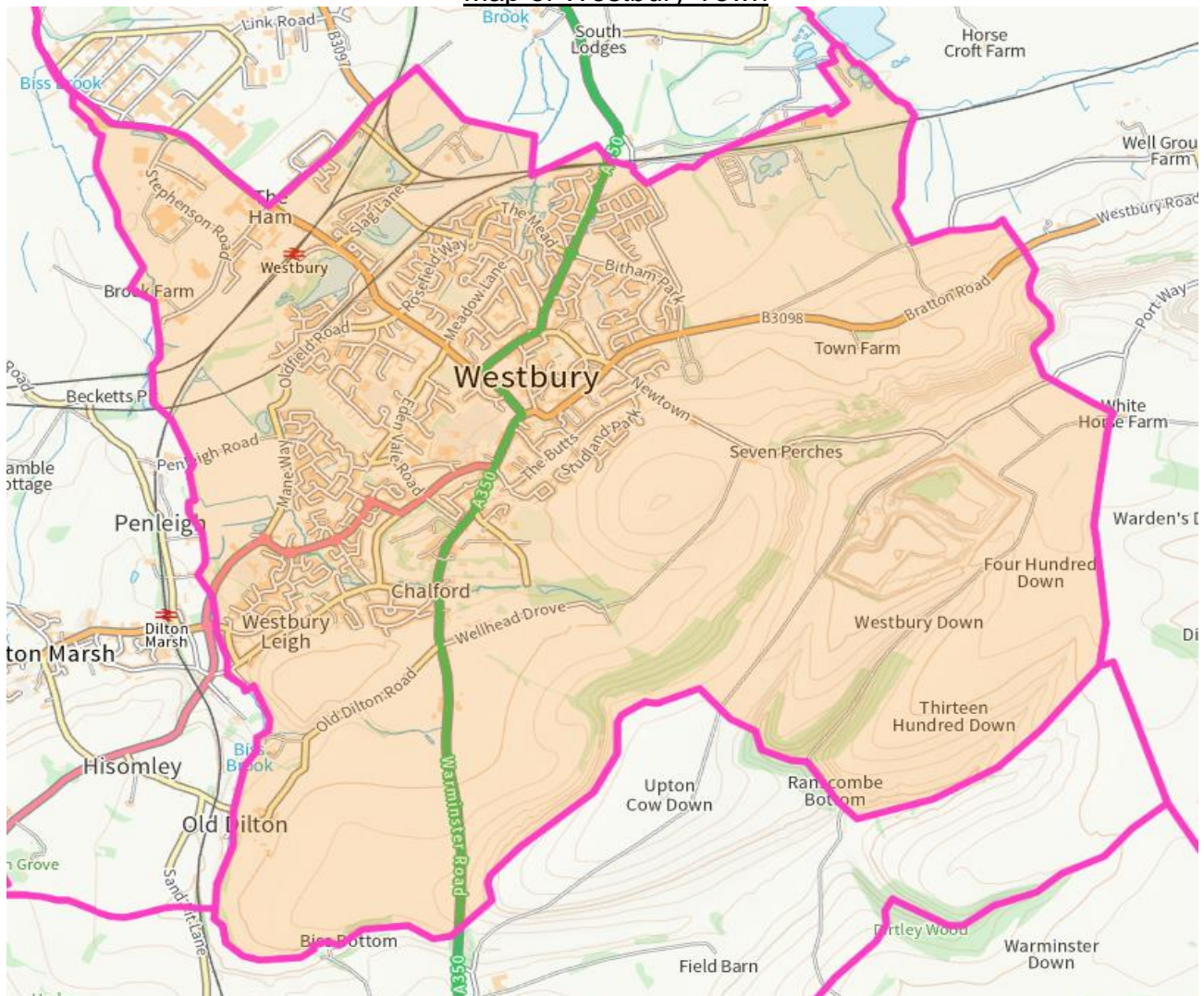
## **FINAL RECOMMENDATIONS**

### **Westbury/Heywood**

#### **Background**

1. Westbury is an historic town south of Trowbridge and north of Warminster close to the western border of Wiltshire. It is bordered by the parish of Dilton Marsh to the West, the parish of Heywood to the North, the parish of Upton Scudamore to the South, and the parish of Bratton to the East.
2. In August 2022 the town was estimated to contain approximately 12,073 electors. The town is served by Westbury Town Council, which contains up to fifteen councillors. There are three wards, each able to elect five councillors. The three wards are coterminous with Electoral Divisions of Wiltshire Council of the same name. Together with the Ethandune Division, the four Divisions make up the Westbury Area Board on Wiltshire Council.
3. A review of the boundaries and governance arrangements of Westbury was requested by Westbury Town Council, including proposals for transfers of land from Dilton Marsh, Heywood, and Bratton. No requests were received relating to the boundary to the south with Upton Scudamore.

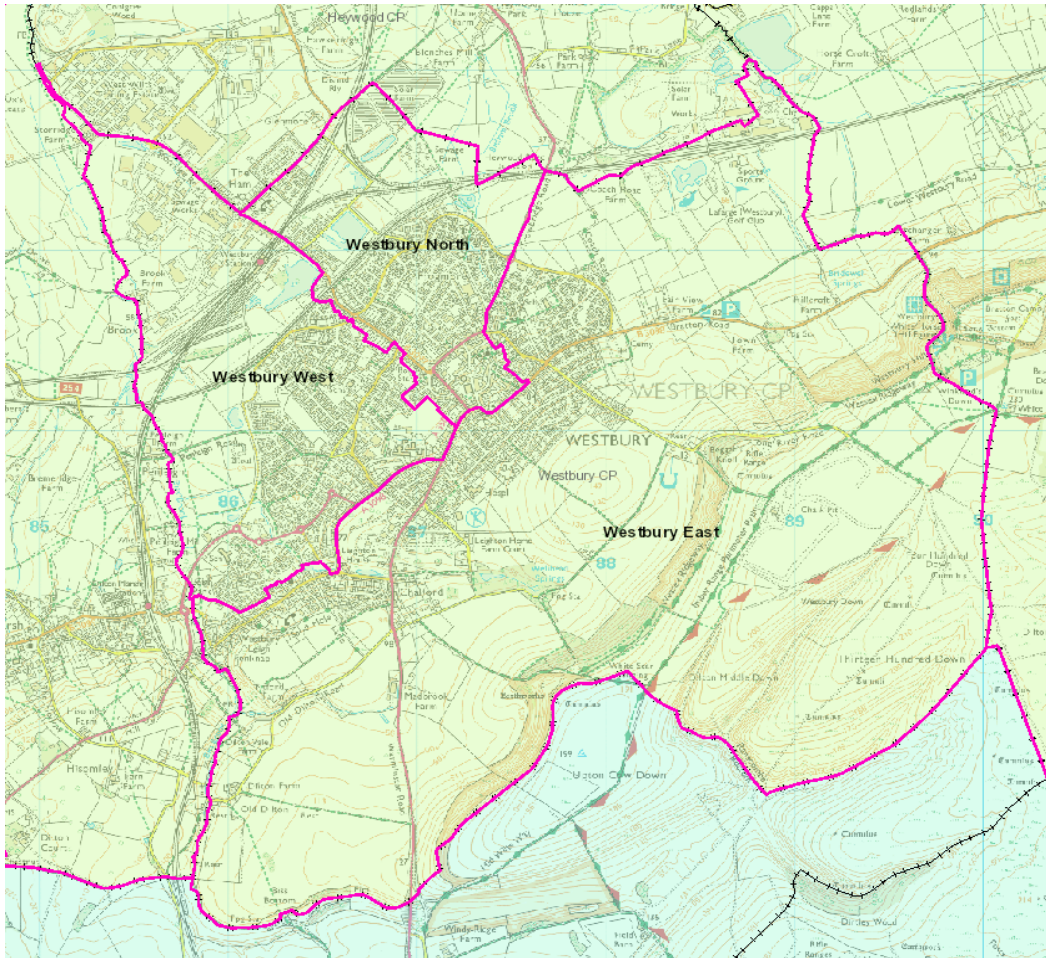
**Map of Westbury Town**



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

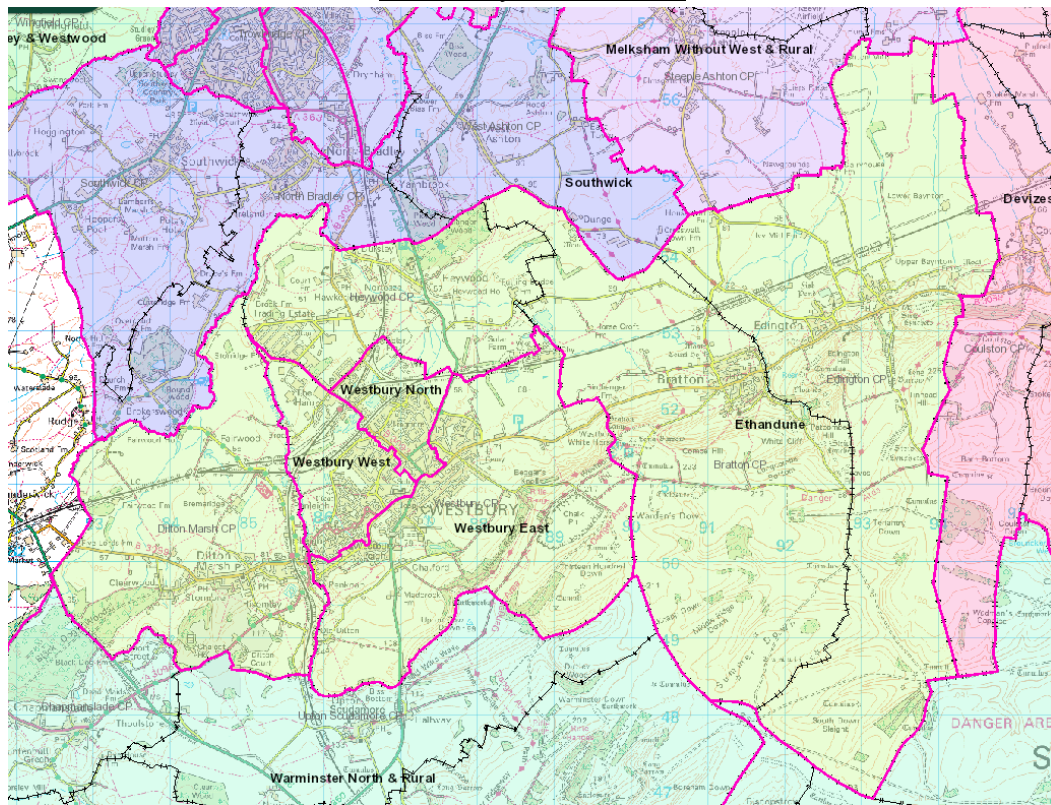


### Westbury Town Wards/Unitary Divisions



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### Westbury Area Board

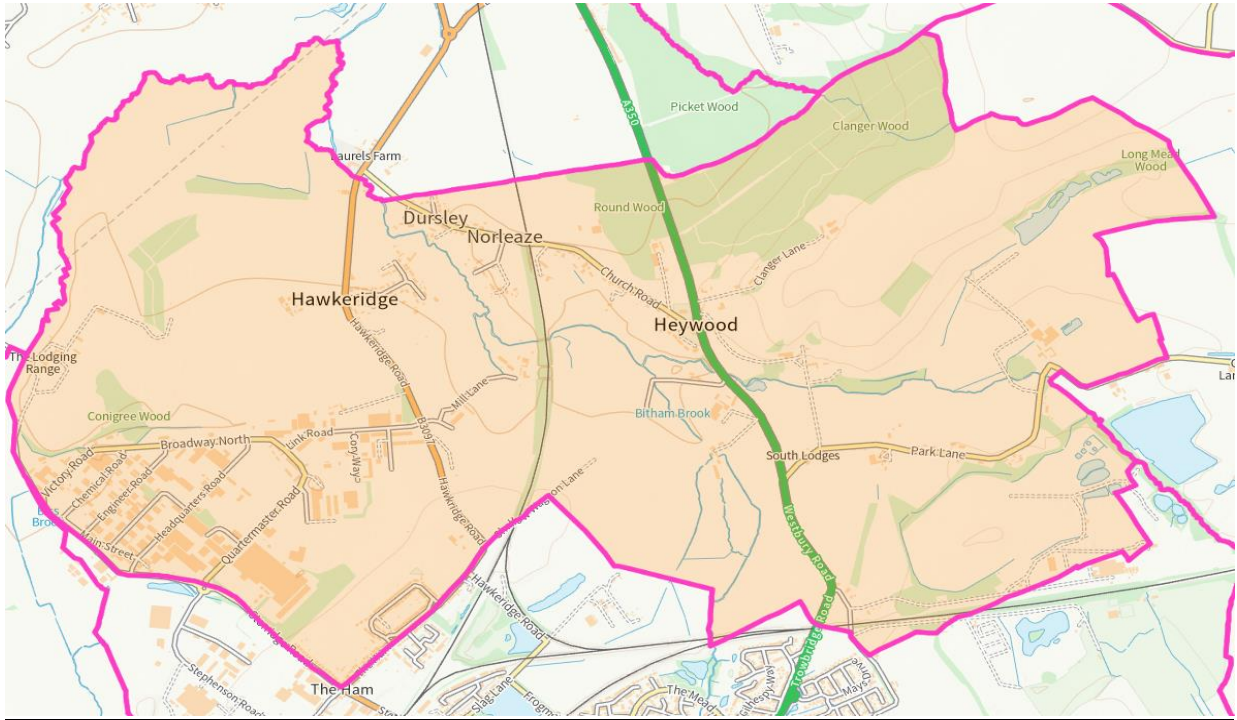


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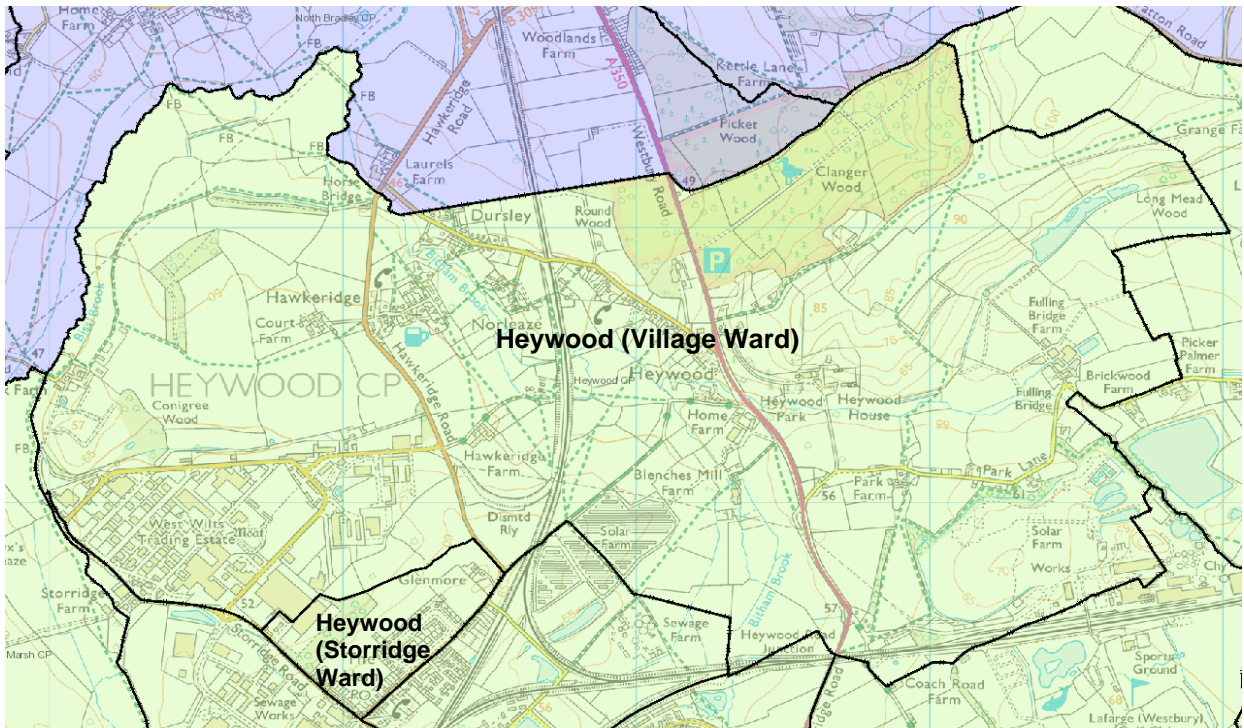
- 4. Heywood is a moderately sized parish to the north of Westbury. In August 2022 it was estimated to contain approximately 654 electors. The parish is served by a parish council, which contains up to 7 councillors. There are 2 wards, named Village and Storridge respectively. Together with the parishes of Dilton Marsh, Bratton and Edington, it forms part of the Ethandune Division of Wiltshire Council.

Map of Heywood Parish



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

Wards of Heywood Parish



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

Initial Proposals and Pre-consultation information gathering

5. The initial request of Westbury Town Council which prompted the review stated there were several locations close to the current border of Westbury where 'common usage and practice have given places identity that is not compatible with their current location'.
6. It was requested that the boundary with Heywood be amended so that the West Wilts Industrial estate and the area known as The Ham be included within the town, and that the boundary also be redrawn such that the ex-cement works were entirely within the town boundary and not split in half as currently designated, as well as straightening the boundary to make more sense. It was requested the boundary on the White Horse be redrawn so that the chalk figure and recreation land on the hill be located within Westbury itself, with Bratton Fort remaining in Bratton. Further, it was requested that the boundary between Leigh Park in Westbury and Dilton Marsh be amended by using Mane Way as the boundary mark.
7. Westbury Town Council subsequently updated its request. It listed 3 options in order of preference. The first option was that the parish of Heywood be merged, in its entirety, with Westbury Town. It was argued that the majority of properties were 'physically in Westbury' as shown by the settlement boundary as defined by Wiltshire Council spatial information.
8. The second option was that the initial changes proposed as relating to Heywood be adopted, with the remaining settlements at Hawkeridge and Heywood village to be merged with another parish, for example North Bradley to the north.
9. The third option was that should the first two options not be approved, to ensure that no land within the settlement boundary of Westbury lay outside the governance boundary of the town.
10. The parish councils for the areas impacted by the Town Council requests were contacted for their views. Requests relating to Dilton Marsh, Bratton, and Edington – the latter request submitted by Bratton Parish Council once the review was initiated – were reviewed in detail and no change was recommended for these areas. The details of these are set out in the Draft Recommendations and Additional Draft Recommendations and are therefore not included within these Final Recommendations, which will focus upon the review and recommendations relating to Heywood only.
11. Heywood Parish Council strongly objected to both the initial and updated proposals from the Town Council. It submitted an alternative proposal to realign to what they stated were the original boundaries of Heywood when it was established in 1896. Additionally, they proposed for the boundary to run from the railway bridge on Station Road, along the railway line to the border with Bratton. They argued a transfer as proposed by the Town Council would negatively affect the administration of the parish, affect its financial viability, that Heywood was a rural parish as was the rest of Ethandune Division, that the parish formed a Neighbourhood Area, and that postal addresses referencing Westbury did not mean an area was part of that community or of similar character. They did not support a merger with Westbury Town.

12. The Committee also met with representatives of the councils for Westbury, Heywood, and others regarding the various proposals, and sought further engagement during this and subsequent stages of the review.
13. An online survey was set up for November 2022 to allow comments on the submitted proposals. The councils in the area were asked to promote this, to assist the Committee with any local views at this stage.
14. 79 comments were received in total, 75 from residents of Heywood. 74 comments disagreed with the initial Town Council proposal relating to Heywood, 2 agreed, 2 suggested amendments, and 1 stated no opinion. 75 comments disagreed with the second Town Council proposal, including the merger, 3 agreed, and 1 proposed amendment. 63 comments stated agreement with the Heywood Parish Council counter proposal, 10 disagreed, and 6 stated no opinion.

#### Committee Discussion

15. In relation to the proposal to merge Heywood and Westbury, it was relevant and significant that the existing Heywood Parish Council was not supportive. Many comments had been received arguing the two areas did not share identity or interests and had distinct characters. There was no interest expressed in merging the village area with the parish of North Bradley.
16. Based on the available figures approximately 38% of the Heywood electorate was resident in the Storridge ward, which included part of The Ham, not a majority, and around 9 responses had been received from that area which were not supportive of the town proposals.
17. Whilst public views in themselves are not determinative, the Committee did not consider any compelling arguments had been made or evidence submitted which under the statutory criteria would justify a merger of the two parishes. The guidance on community governance reviews was clear that effective abolition of a parish council should not be taken unless clearly justified, and not undertaken lightly. It should include clear and sustained local support for such action. There was no indication Heywood Parish Council was unviable, and the parish was not incapable of serving its residents. Any merger would require additional warding arrangements and it was not demonstrated how this would improve effective or convenient local government. Although the area of The Ham within Heywood may have been of semi-urban or urban character, the Committee did not agree the two parishes, or the greater part of them, shared identity and interests such that the entire area should be merged as one.
18. Considering all the information and guidance, the Committee therefore did not support a merger of Heywood and Westbury.
19. The Committee carefully considered the arguments and counter arguments relating to transferring a large area of Heywood parish to Westbury, including the industrial estate, The Ham, and various other land running east to west and including the entirety of the old cement works, as requested by the Town Council.

20. The key issue and debate amongst the competing interests related to the settlement at The Ham. This is a relatively dense estate accessed from the Hawkeridge Road, north of the railway line and south of the industrial estate. The part of the area within Heywood contains approximately 253 electors, out of a total of 654 for the parish of Heywood as a whole, and serves as the Storridge ward of the parish council.
21. Whilst arguing for a broader transfer of land across Heywood, the Town Council and arguments from supporters was that the character of the community at The Ham was most aligned with that of the town, being urban in character and interests. Although it was not the case that a majority of Heywood's population is included in the area as had been suggested, it was the case that a significant proportion was included in that estate.
22. Heywood Parish Council had raised concerns about the transfer of Storridge ward leaving them with only 4 councillors, which would be unviable. However, the legal minimum number of councillors for a parish is 5 councillors, so this was not a consideration as were the area to be transferred the area remaining would have its councillor numbers increased. It was suggested the Parish Council might become unviable if the area were transferred, but it was noted that there are multiple parish councils in Wiltshire which serve a smaller electorate than that of Heywood, even if the Storridge ward were removed. The Parish Council had also raised the parish being a Neighbourhood Area, though the existence of such an area would not in itself argue definitively against any proposal that parish boundaries should under the criteria be amended.
23. Several comments had been received that at present the border between the two parishes divided a single community at The Ham. It was suggested there was no clear dividing line between the areas and that they should be included together in any electoral arrangement as it was a single community. The Committee noted this could be achieved either to include it within Westbury or Heywood.
24. Historically, the Westbury North Division of Wiltshire Council from 2009-2021 had included the Storridge Ward of Heywood Parish Council. However, on recommendation of Wiltshire Council to unify the parish within a single division, the LGBCE had introduced amended Division boundaries which placed the entirety of Heywood Parish into the Ethandune Division from 2021 onwards. There had therefore recently been a consideration of the appropriateness of retaining at least the present community of The Ham in Heywood in an electoral arrangement with Westbury, which had concluded not to do so.
25. It was suggested by Heywood Parish Council that to expand the town of Westbury northwards as proposed would change the nature of the Electoral Division of Ethandune in terms of demand for housing. However, housing allocation sites and any development would take place, or not, irrespective of administrative boundaries of parishes or divisions. Furthermore, the Committee could only take into account projected electorate from five years from the start of the review. The Ethandune Division already included the semi-urban or urban community at The Ham, and were that area unified in one parish, and Division, the character of the parish and Division would in any case be impacted.
26. The Committee reviewed the comments regarding alignment, and current lack thereof, to

the settlement boundary of Westbury and the area within its governance boundary. It was the case that the settlement boundary for Westbury as used by Wiltshire Council for spatial information purposes included the entire built-up area of The Ham and also the West Wilts Industrial Estate. According to the Council's website, settlement boundaries can be defined as 'the dividing line between areas of built urban development, and non-urban or rural development'.

27. However, the Committee also noted that settlement boundaries did not in most instances align precisely to town or parish boundaries. For more rural areas they might encompass the core settlement of a parish, with the vast majority of land not included, since this was not part of any 'settlement', without suggestion the non-settlement parts were not integral to the identity of the parish as a whole. For more urban areas, a developed area might cross the boundaries of multiple parishes within the same settlement boundary, yet they could still retain their own identity. For example, the entire built-up area of the parish of Staverton formed part of the settlement boundary of Trowbridge, as did a significant element of the parish of Hilperton, yet each currently retained their own identities as separate parishes.
28. Even where this was not the case, as by definition the settlement boundary was only concerned with built up development for most parishes, including Westbury, this meant that there were hinterland elements not included, much of which might never be developed as part of the settlement proper. It was not suggested that those areas should therefore be transferred to more rural parishes. In some areas settlement boundaries were not contiguous and could not in any case be unified under a town's governance without at least some non-settlement element being included.
29. Whilst it was therefore a factor to be considered in determining the character and identity of an area, a settlement boundary would not in itself mean an area's identity and interests were best reflected as being part of that larger urban area. The statutory guidance, in relation to parish warding, suggested for example that warding may be appropriate where a parish encompasses, among other possibilities, some urban overspill into the parish. In Heywood's case The Ham area currently formed a ward as Storridge ward.
30. The guidance even envisages a situation where a discrete housing estate could form its own parish rather than being a part of a town within which the estate lay. That is, even if an area was of similar urban character or even contiguous with the rest of an urban area, it would be possible for it to have an individual character which would mean it should be administered separately, be it through a ward or as a parish.
31. Each case would need to be considered on its own merits, and in many instances it might be felt that an area of clear urban overspill appropriately should be transferred within the main urban settlement, but in others a distinct character may exist which would not justify this.

#### Committee Draft Recommendation Proposal

32. The Committee acknowledged the arguments and evidence on both sides relating to the boundary between Heywood and Westbury not being as effective or reflective of local

communities as it could be. It accepted that the boundary appeared to divide a single community, and the Committee was persuaded that this situation should be resolved rather than left in an ineffective and inappropriate state. It was not felt to be sustainable to justify why one side of the road was in a separate parish to the other.

33. On balance, the Committee agreed with the proposal of Heywood Parish Council. Whilst speculations on future development beyond the 5-year period and financial effects were not relevant or considered, the Committee agreed that the parish of Heywood had for a lengthy period been made up of a mixture of rural and semi-urban communities. It appeared that the parish council was viable and effective, and the larger portion of The Ham community was currently already within Heywood.
34. Accepting that in areas of increasing urbanisation it could be difficult to establish dividing lines between parishes, the Committee agreed that use of the railway line as suggested would provide a clear delineation in future between the two parishes. This would mean an increase in the proportion of the parish which was comprised of semi-urban character, but this was an established part of the parish and community as it already existed, so this would not be a fundamental change to its overall character. This was in contrast to some other areas, where new housing developments formed distinct and new intrusions into the nature of the community. As such, it was not necessary or appropriate to transfer the area currently within Heywood into the town of Westbury, a change which would require more significant adjustments to parish level warding and negatively affect governance arrangements.
35. Although the area to be transferred from Westbury could conceivably be warded, as it has sufficient electorate and sits in another Electoral Division, in the interests of more effective and convenient governance the Committee proposed that the LGBC be requested to amend the unitary Division boundary to align to the new parish boundary. Noting an earlier request from the Parish Council to the LGBC, it was proposed that the parish be unwarded.
36. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore proposed to transfer the areas as suggested by Heywood Parish Council and consulted on that Draft Recommendation.

#### Consultation on the Draft Recommendations

37. More than 100 letters were sent to residents of the area of The Ham which was proposed to be transferred to advise them of the Consultation. 10 comments were received to the online survey. 3 were in agreement with the recommendation, 2 were in disagreement, and 5 proposed amendments.
38. Comments in support included that the existing boundary splitting the community at The Ham was arbitrary and inconvenient, with the proposal unifying the area and providing a clear natural boundary as the dividing line between Heywood and Westbury.
39. Comments opposed to the recommendation included opposing the removal of the area of Vivash Urban Park, a major area of green space used by the town and others, and



contending that those living with the Ham identified as being a part of the town and not the parish.

40. Several amendments restated some of the proposals as put forth by Westbury Town Council, arguing variously for unifying the area of The Ham within Westbury, rather than Heywood, or that all areas contiguous with Westbury and using Westbury facilities should be included within the town including the industrial estate.
41. There were comments both in favour and against the principle of the recommendation, unifying The Ham within Heywood, which also raised the issue of Vivash Urban Park. This significant green space had been transferred to the ownership of Westbury Town Council in December 2022, after the initiation of the review, and they had invested significant effort and resources into the area.
42. Legal advice provided to the Committee advised that were the area of Vivash to be transferred from Westbury to Heywood, then the ownership of and responsibility for any liabilities relating to the park would as a matter of law be transferred to Heywood Parish Council.
43. Heywood Parish Council responded to the consultation confirming their support for the proposal, with the exception of removing the element of Vivash Urban Park from the proposal. They argued using another of the rail lines as the boundary to exclude Vivash retained a clear, separating boundary, and they did not consider it appropriate to take over ownership and management of the park.
44. Westbury Town Council provided a detailed response arguing the Committee had not followed the statutory criteria or guidance, and that its proposal would lead to anomalous boundaries separating an area of urban expansion from the town. They stated that guidance referred to redundant or moribund parishes, and argued that Heywood was 'simply a collection of houses which conjoin two small housing settlements with an industrial estate stuck on the side along with the housing north of The Ham to make up the numbers'.
45. The Town Council argued the choice of one of several railway lines was arbitrary and suggested other more appropriate boundaries, referenced development of neighbourhood plans, and stated the Committee's terms of reference indicated all residents in both Heywood and Westbury should have been written to about the Town Council's proposal to merge both parishes. They argued the Town Council would lose revenue by the proposal and this would impact economic delivery. Whilst opposing the transfer of Vivash Urban Park, they argued that transferring the houses without the park was not suitable as most users of the park would come from the housing north of the site.
46. Detailed representations were also received from a local resident and also a local councillor, setting out history of the area and arguments for and against the Committee's proposal.

### Committee Discussion

47. The Committee was not persuaded by arguments that Heywood was in any way an unviable parish. Even without the element of the Ham it contained several hundred residents and had demonstrated an active parish council with significant community engagement displayed through the pre-consultation and consultation as well as other parish level actions.
48. The issue therefore remained whether the character and identity of the Ham and adjoining areas was most appropriately aligned with Heywood or with Westbury, and whether such a change was more effective and convenient.
49. The Ham was not primarily an area of new build, but an established estate community which had been divided by the existing boundary, though there was further development taking place in the area as well. There was agreement on all sides that the current situation was anomalous and ineffective as a result, and as such the Committee agreed that it was not appropriate to simply leave the current boundaries in place.
50. Comments from the pre-consultation and survey from within the area of The Ham currently within Westbury had been supportive of a transfer to Heywood. At the Committee meeting there had been examination of the access from The Ham to other areas, along Hawkeridge Road and Station Road, and the level of connectivity that was in place. The character of the area was considered, its density, and its association with the town as a whole or as a distinct entity in its own right.
51. On balance, the Committee felt that there was a stronger case for inclusion of The Ham as a whole within the parish of Heywood. The larger part of the Ham was located within Heywood and this was an established community. Although it could be seen as an estate located nearer to the built-up area of Westbury than the historic village of Heywood, guidance was that estates even within a town proper could form their own distinct community. Most of the discussion of The Ham, whether in support of it being included wholly within the town or Heywood, emphasised its identity as a particular community. Even where seen as an integral part of the town, it was still referenced as that identifiable community. In considering all the representations and evidence, the Committee continued to feel that there was a shift in the character and identity of the area heading out of the town into the semi-urban community of The Ham, and then onward to the more rural communities to the north.
52. In relation to the Vivash Urban Park, the Committee acknowledged this had not specifically been factored into the analysis when developing the initial proposal and draft recommendation. They considered carefully the Town Council argument that the park was principally to service the area to the north. However, they noted some of the history of the area including that a need for provision within the town as it then existed had been part of the rationale for development of the park. That is, whilst it was undeniably used by areas to the north which were proposed to be transferred to Heywood, these were not the only users, nor would they remain so in the future, noting the access from the south along Slag Lane and other areas.



53. There was an issue whether funds set aside for the park from legal agreements would likewise transfer to Heywood in the event the area were included in a parish transfer, but the Committee determined that given the nature of the park, its history, the representations, and involvement of the councils, it was appropriate to amend their recommendation to exclude the area. They did not agree this was inappropriate without retaining the housing elements north of the site. The use of the raised northern railway line remained a clear and defined boundary, marking a distinct separation of town and parish communities.
54. The Committee did not agree that the entirety of either or both parishes should reasonably have been contacted as part of the draft recommendations consultation, noting that they had not recommended the merger proposal, and it was on their recommendations on which a consultation was based.
55. The Committee therefore retained its initial recommendation with the adjustment of leaving Vivash Urban Park within Westbury Town, and consulted on that proposal.

#### Consultation on the Additional Draft Recommendations

56. As a minor variation to its initial proposal an online consultation was undertaken on the additional draft recommendations.
57. There were 18 responses to an online survey, 13 stating agreement, 3 stating disagreement, and 2 stating they sought amendments.
58. Comments in agreement included the boundaries making more sense and representing the sense of community identity in the areas. The comments in disagreement did not include additional details. The comments stating amendment referenced Vivash Urban Park, which was already proposed to be retained within Westbury by the recommendation.
59. A number of other comments were also received. One submission stated the recommendation was out of line with the concept of governance reviews, and that Heywood was not appropriate to provide for residents of a deprived estate as the Town Council could. It was stated that if the recommendation were approved the parish would be transformed into an urban satellite of Westbury. Detailed representations were provided on the history of the Vivash Park, the purpose of its creation, and raising queries relating to Community Infrastructure Levies relating to the site. This would be a matter for both parishes to seek advice on in the event of any transfer.
60. Westbury Town Council provided a detailed series of objections to the review process and the conclusion of the review, which will be addressed in the next section.

#### Committee Discussion

61. The primary point of contention from objections to the recommendation at this and earlier stages related to the character of The Ham and its interrelation with both Westbury Town and Heywood, as well as the character of Heywood parish itself.
62. Were the area of The Ham presently without housing, or only a small amount of housing, then the establishment of a significant new area of dense urban or semi-urban character

would perhaps strongly argue in favour of the entire estate area and nearby areas being associated with, looking to, and sharing interests with, the town more than any other area.

63. However, the situation as it exists, as well as how it is projected to develop, is a significant relevant factor. The larger element of The Ham in its present form had existed as part of Heywood parish for an extended period, as opposed to there being a recent intrusion of development. The existing character of Heywood parish was therefore established not simply as a rural village, but a parish of mixed rural and urban to semi-urban development. This was the case even though some regarded or referred to it as a rural parish. That is, unification of The Ham within Heywood would not transform the character of Heywood from that of a solely rural parish, though it would shift the balance towards a greater degree of urbanicity than at present.
64. In assessing the area against the statutory criteria, the Committee was required to consider whether the present situation with a divided community at The Ham was effective, convenient, and reflected the identity or interests of the area. If it did not, and compelling arguments had been presented by both sides that this was the case and accordingly that retaining the current situation was not optimal, then the Committee had to consider whether an expansion of the semi-urban to urban element of Heywood parish was a more appropriate reflection of that character. The Committee also considered whether, alternatively, it was appropriate to provide a sharper dividing line between the urban and non-urban elements of the area, by transferring the whole of the area to Westbury.
65. Guidance on Reviews to assist in interpreting the statutory criteria was not one size fits all, and the unique characteristics of any given area could lead to vastly different recommended outcomes depending on which elements of the evidence were considered to be more vital or persuasive in those particular circumstances. It is therefore the case that any decision relating to the area would ultimately be a judgment call factoring in those circumstances and applicability of the criteria.
66. In assessing the objections to the additional draft recommendation provided by Westbury Town Council or others in the following paragraphs, the Committee was not persuaded by the restated arguments that Heywood was a moribund or redundant parish. Criticisms of the operation of its parish council might or might not be true - this would not be a matter for the Committee - but a definition of moribund inclusive of simply poorly run parishes would potentially open up a great many parishes to being merged or abolished against the wishes of or in the interests of local residents.
67. The Guidance notes the government's stated expectation of a trend in creation of new parishes, and this would be difficult to reconcile with a view that a period of one or a few electoral cycles of poor management by a council would be sufficient to conclude a parish itself to be of moribund status in need of merger or abolition. Even if there were issues relating to the current operation of a council, a new election and new councillors might dramatically improve governance within a short period, which would itself demonstrate the parish itself was not moribund or redundant, terms suggestive of deeper and more

longstanding concerns.

68. On criticism by the Town Council of the process followed during the review, the Committee noted that the points raised in the latest submissions appeared more to be objections to the conclusions and reasoning of the Committee allegedly not being in accordance with the statutory criteria, rather than of the process followed. It was open to any party to submit that the Committee had reached an erroneous conclusion and present arguments as to why greater weight should have been afforded to particular factors or evidence, and it would be for Full Council to determine if it felt the arguments and reasoning of the Committee to be sufficient enough as to be supportable. However, such disagreement with a conclusion was not in itself indication of a failure to adhere to process, and no evidence had been provided to indicate this was the case other than that disagreement.
69. It was stated that a lack of consideration relating to Vivash Urban Park when making the Draft Recommendations indicated a failure of process due to lack of relevant data and facts. On the contrary, whilst the transfer of ownership of the area to the Town Council took place following the commencement of the review and after meetings with the town and parish council representatives who did not raise the issue with the Committee at that time, the very purpose of information gathering and consultation is to obtain further evidence and representations and to adjust proposals if appropriate. In this case additional information was provided, the Committee took account of that information, and adjusted its views accordingly. The responsiveness therefore reinforced that the proper processes had been followed.
70. There was some criticism by the Town Council of how the Committee had arrived at proposed boundaries between the parishes, with them stating that these should not and are not supposed to follow 'outdated' boundaries such as rivers, footpaths, or railway lines. The Committee noted that whilst drawing a precise line can be challenging, particularly in areas of increasing urbanicity, there is great flexibility in what might constitute an appropriate boundary, with paragraph 83 of the Guidance on Community Governance Reviews providing the following assistance:

***As far as boundaries between parishes are concerned, these should reflect the "no-man's land" between communities represented by areas of low population or barriers such as rivers, roads or railways. They need to be, and be likely to remain, easily identifiable. For instance, factors to consider include parks and recreation grounds which sometimes provide natural breaks between communities but they can equally act as focal points. A single community would be unlikely to straddle a river where there are no crossing points, or a large area of moor land or marshland. Another example might be where a community appeared to be divided by a motorway (unless connected by walkways at each end). Whatever boundaries are selected they need to be, and be likely to remain, easily identifiable.***

71. In this case there is a separation from the main urban area of Westbury and the urban, semi-urban and rural areas north of the railway line and up to the Station Road bridge. The

urban park also provided both a natural break between the communities and as a focal point between them, given both would make use of the park. Whilst there may be disagreement that it is preferred that the area be included as part of Heywood parish, far from prohibited it is reasonable under the Guidance in the event of such a recommendation that a railway line serve as the easily identifiable boundary, with a number of potential options available. Paragraphs 16 and 85 of the Guidance similarly outline how boundaries can be tied to firm ground features. Other industrial areas north of the railway within Westbury West Division, involving no electors and no governance issues, had not been proposed for transfer by the parties. Additionally, it was not considered that the expansion of housing into the area that was predicted resulted in an anomalous boundary, so much as there was an existing anomaly separating The Ham which a boundary adjustment could improve.

72. Westbury Town Council submitted that the recommendation included transfer of a large number of housing units which would result in a loss of revenue for the Town Council, with a reduction in the amount available for it to spend which it stated would be 'catastrophic'. The Committee notes that Westbury Town contained 12,269 electors as of December 2022. Approximately 168 current electors are proposed to be transferred to Heywood under the recommendation, amounting to under 1.5% of the town electorate. The number increases for projected electorate due to an area of new build, although the town electorate could similarly see other increases. Although the Town Council maintain the point raised was not about precept, the Committee did not accept the contention that economic delivery of the town would be severely impacted by a transfer as set out or that the financial argument overrides any other arguments against the statutory criteria.
73. As noted above there had been a mixed response to the consultations from individual respondents within the area proposed to be transferred, though only limited reasoning was provided both in support and objection at the latest survey. The Committee had taken account of the submission of the Town Council that The Ham identified strongly with Westbury. However, this had been balanced by competing views including those of other public submissions at other stages, which included more responses within the area in favour in addition to providing reasoning based on the criteria. The Town Council made reference to politicians mentioning precept, however the Committee itself had not and would not take into consideration precept considerations.
74. Toward the conclusion of the review, it was proposed by the Town Council that the situation between the parishes be left unaltered at this time. However, given the submissions throughout the review, including from the Town Council itself, the Committee was not persuaded that making no recommendations would be in accordance with the statutory criteria given the divided community which had been identified. To have identified an ineffective arrangement and then leave it unamended, when it was considered that improved alternatives existed, would not be a reasonable recommendation.
75. Lastly, given comments received during the Review suggesting preferred outcomes, the Committee would simply note that it has recommended, and Full Council has approved, significant transfers of land and population to large towns during previous reviews. When

an area is reviewed any and all options are able to be considered, and this is made clear to all parties throughout, as a review may reveal issues and options which were not apparent to the council or the individual requesters. In each review area, outcomes will depend on local circumstances and what is considered appropriate for one will not be considered appropriate for another, and sometimes no changes are recommended. Motivations of any party would not be relevant except insofar as these relate to the statutory criteria.

76. As such, the Committee follows the evidence for each area as it sees it without any initial preference for any option. Whilst a party initiating a review may be disappointed in the recommended outcome being contrary to its own preference, it is an inevitable part of the process that where parishes are in dispute, or if the evidence gathered by the Committee leads it to such a view, that an outcome may emerge which is not supported by all parties, without this being a reactive measure against any individual party.

### Conclusion

77. The review in relation to Westbury and Heywood has been complex and involved. The expanding and developing area of the town and its identity has contrasted with the mixed character of the semi-rural parish to its north, with sharply opposed views on what constitutes a boundary or effective arrangement between the communities.

78. On balance, and in particular recognising the existing mixed character of Heywood, the physical separation from the main built up urban area with clear ground features in place, and the unsatisfactory present situation dividing the community at The Ham, the Committee was satisfied that its recommendation to unify the area within Heywood, and to establish the northern railway line up to the Station Road bridge as the boundary between the parishes, was appropriate under the criteria.

79. Having considered the evidence, statutory criteria, guidance, and other relevant information, and following two formal consultation stages, the Committee therefore proposed the following:

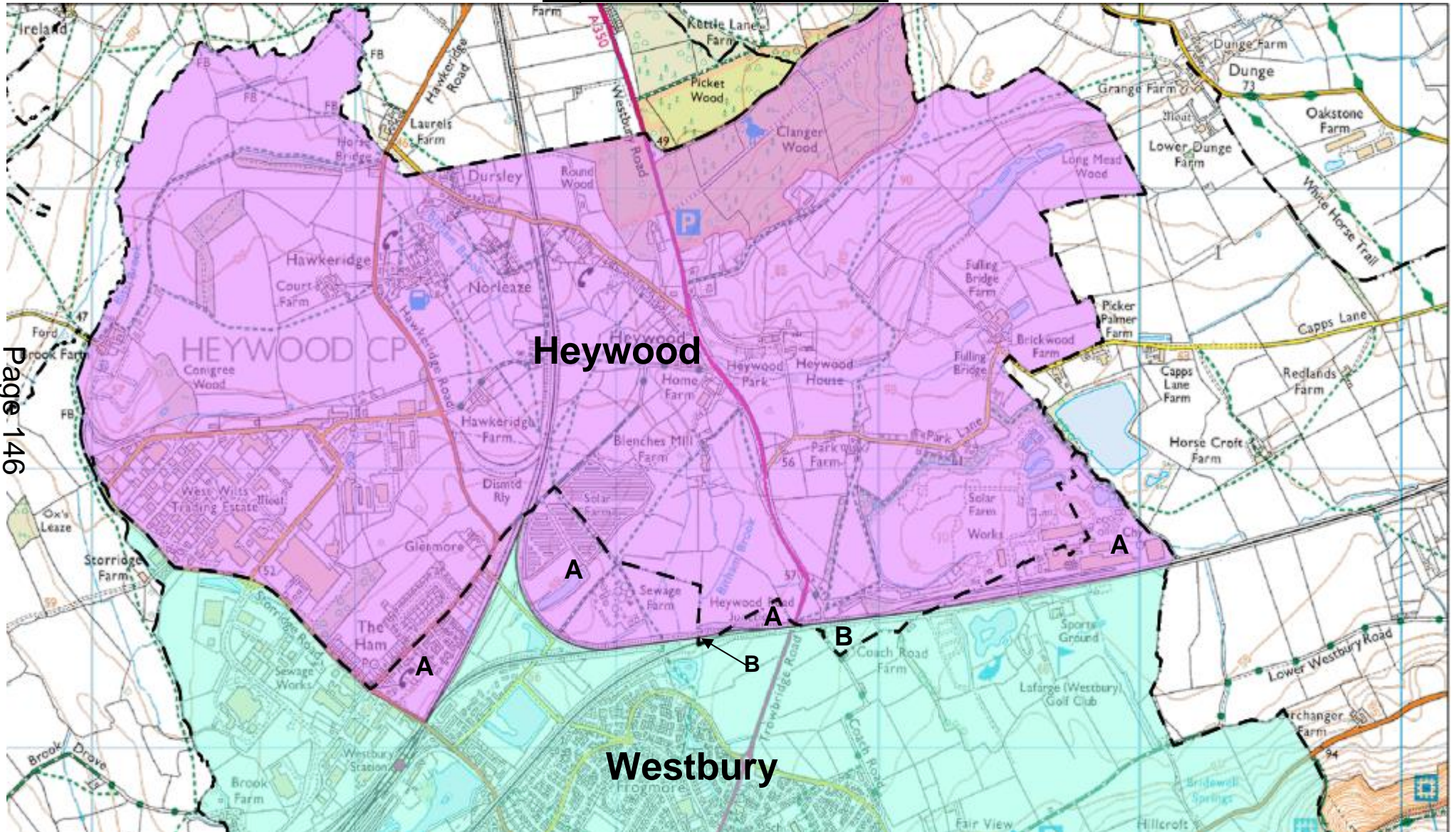
### Recommendation 1

- 1.1 That the areas marked as A in the map provided be transferred from Westbury Town to the parish of Heywood.**
- 1.2 That the areas marked as B in the map provided be transferred from Heywood to Westbury Town, as part of the Westbury East Ward and Westbury North Ward respectively.**
- 1.3 That the parish of Heywood be unwarded, with seven councillors.**
- 1.4 To request that the LG BCE amend the Westbury North, Westbury East, and Ethandune Electoral Divisions to be conterminous with the proposed revised parish boundaries of Westbury and Heywood.**

*Reasons: Paragraphs 54, 58, 74, 80, 81, 83, 85 of the Guidance on Community Governance Reviews*



Proposed Map of Heywood Parish



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Dotted line equals existing parish boundary. Shaded areas with letters marked to be moved.

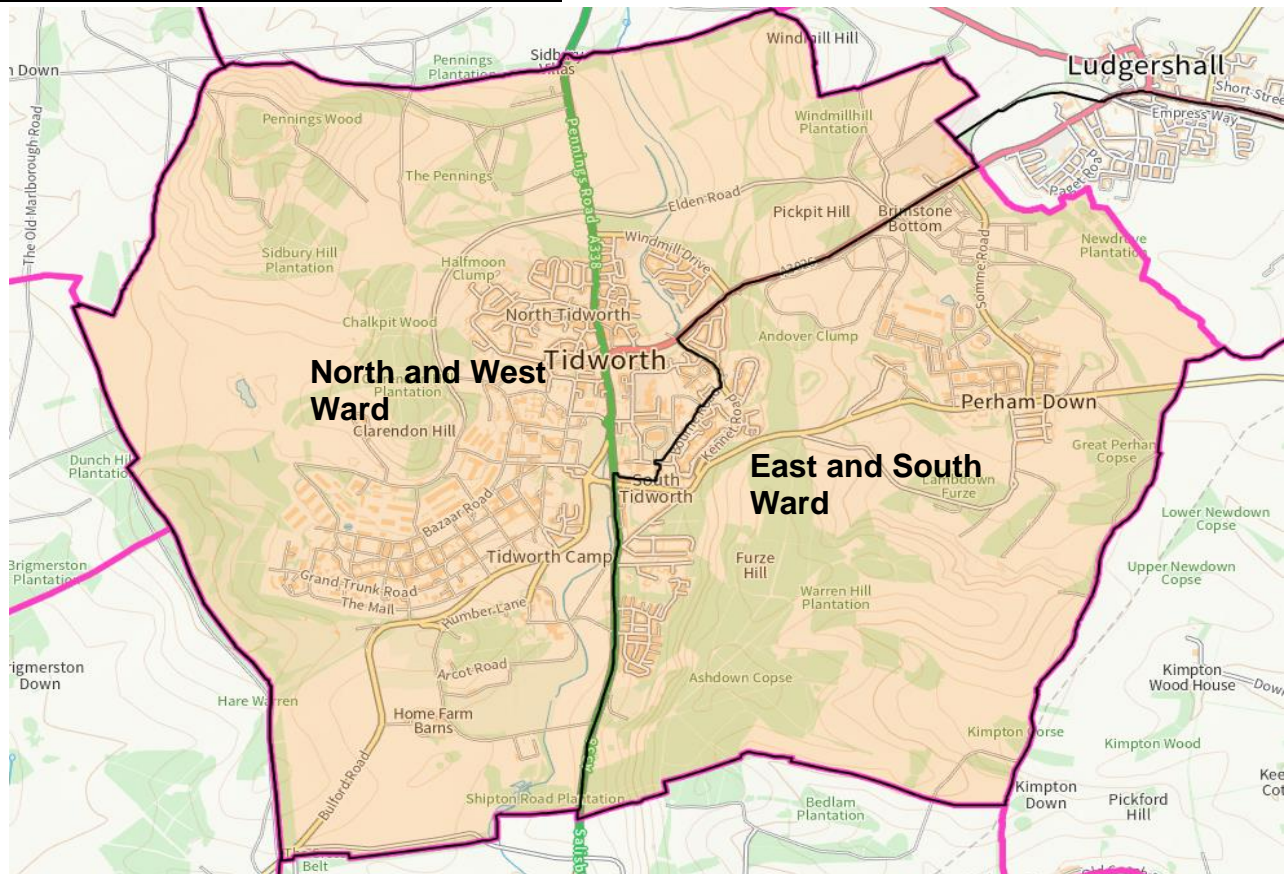


## **Tidworth**

### **Background**

80. Tidworth is a small town on the eastern border of Wiltshire. It is bordered by Fittleton cum Haxton, Figheldean, and Milston to the West, Collingbourne Ducis to the North, and Ludgershall to the East. In August 2022 the town was estimated to contain approximately 6065 electors. The town is served by Tidworth Town Council, which contains up to nineteen councillors.
81. There are two wards for the town, North & West and East & South, with thirteen and six councillors respectively. The town is included within the Tidworth East and Ludgershall South Division, and the Tidworth North and West Division. Together with the Ludgershall North and Rural Division these make up Tidworth Area Board. There has been significant development in the parishes and other nearby areas due to the presence of the military camps in the region, with further expansion in Ludgershall projected.

### **Map of Tidworth Town (including wards)**



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

### **Initial Proposals and Pre-consultation information gathering**

82. The Review had looked at a request from Ludgershall Town Council that proposed that the Perham Down area, currently within Tidworth, be transferred to Ludgershall Town. Tidworth Town Council strongly objected to that proposal.
83. Tidworth Town Council conversely sought to reduce the number of councillors from 19 to 15.

### Committee Discussion

84. The community of Perham Down was located between the main settlements of Ludgershall and Tidworth, within the current Tidworth boundary. The area as at August 2022 included over 500 electors, larger than many parishes in their own right, as a result of significant expansion in recent years. The proposal from Ludgershall Town Council would therefore represent a significant realignment of community boundaries in the area if it were enacted.
85. The two town councils seeking to represent Perham Down are similar in several ways, being small towns which have undergone significant recent expansion and enjoying close relationships with military communities in the area.
86. The key question for the Committee was what arrangement best reflected the identity and interests of Perham Down, and what governance arrangement would be most convenient and effective.
87. Although the area was in theory large enough to be a parish in its own right, no representations had suggested any desire or appetite for such an option. At this early stage of the process there had been limited public engagement for the proposal to transfer the area from Tidworth. Accordingly, the Committee was required to make a recommendation on the basis of evidence and argument submitted in support and in objection to the proposal from the opposing town councils.
88. Ludgershall Town Council had set out a case as to why it believed administratively and in community terms it would be appropriate for Perham Down to be represented by itself. Tidworth Town Council provided counter arguments to the case of Ludgershall Town Council, arguing there was no reason to alter the representational arrangements in the area. Instead, it argued the only changes that were appropriate were internal arrangements regarding councillor numbers.

### Committee Draft Recommendation Proposal

89. The Committee was not persuaded that sufficient evidence or arguments had been presented to justify under the criteria a transfer of the area at Perham Down. Each town council had submitted their opinion and evidence, and there was no compelling case made to suggest the identity and interests of Perham Down were aligned significantly more with Ludgershall as opposed to Tidworth. The community was also a physically distinct community rather than obvious urban overspill from either nearby settlement.
90. In governance terms the area was included within a ward of Tidworth Town Council, and if transferred would be within a ward of Ludgershall Town Council, making no more a convenient or effective an arrangement. In terms of Electoral Divisions it was noted that whichever parish the area was part of that arrangement would continue. The Ludgershall proposal did not include the non-Perham Down element of the Tidworth East and South Ward, and so even were Perham Down transferred, Tidworth as a result of its size would continue to be split between two divisions. There was therefore no appreciable improvement in effectiveness or convenience from the proposal.
91. In the absence of compelling justification, the Committee therefore declined to recommend



a transfer of the area of Perham Down from Tidworth to Ludgershall.

92. The Committee accordingly considered the request of Tidworth Town Council to reduce its councillor numbers and accepted the request as appropriate on the basis of the reasoning supplied. The area was required to be warded due to being divided by unitary Divisions, and the total number proposed was not so low as to be unviable for a town of that size.

#### Consultation on the Draft Recommendations

93. One response was received to the draft recommendations. This was from Tidworth Town Council, supportive of the principle of the recommendations and retention of Perham Down within the Town Boundary, but requesting an alternative split of councillors between the wards. They also requested the East and South ward be renamed to include reference to Perham Down.

94. The Committee noted that electoral equality was not a requirement with town and parish wards, and also the potentially distorting presence of military electors in the area. They were satisfied that the proposal of a split of 8 and 7 councillors respectively was not unreasonable and remained in accordance with the statutory criteria as an effective and convenient arrangement.

#### Consultation on the Additional Draft Recommendations

95. The Committee consulted upon the alternative proposal from Tidworth Town Council. No responses were received to the online survey, or otherwise.

96. However, the Committee was satisfied given the provenance of the latest proposal being the Town Council itself, and its previous assessment of the evidence in forming the draft recommendations, that it was appropriate to confirm the proposed changes.

97. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore proposed the following:

#### Recommendation 2

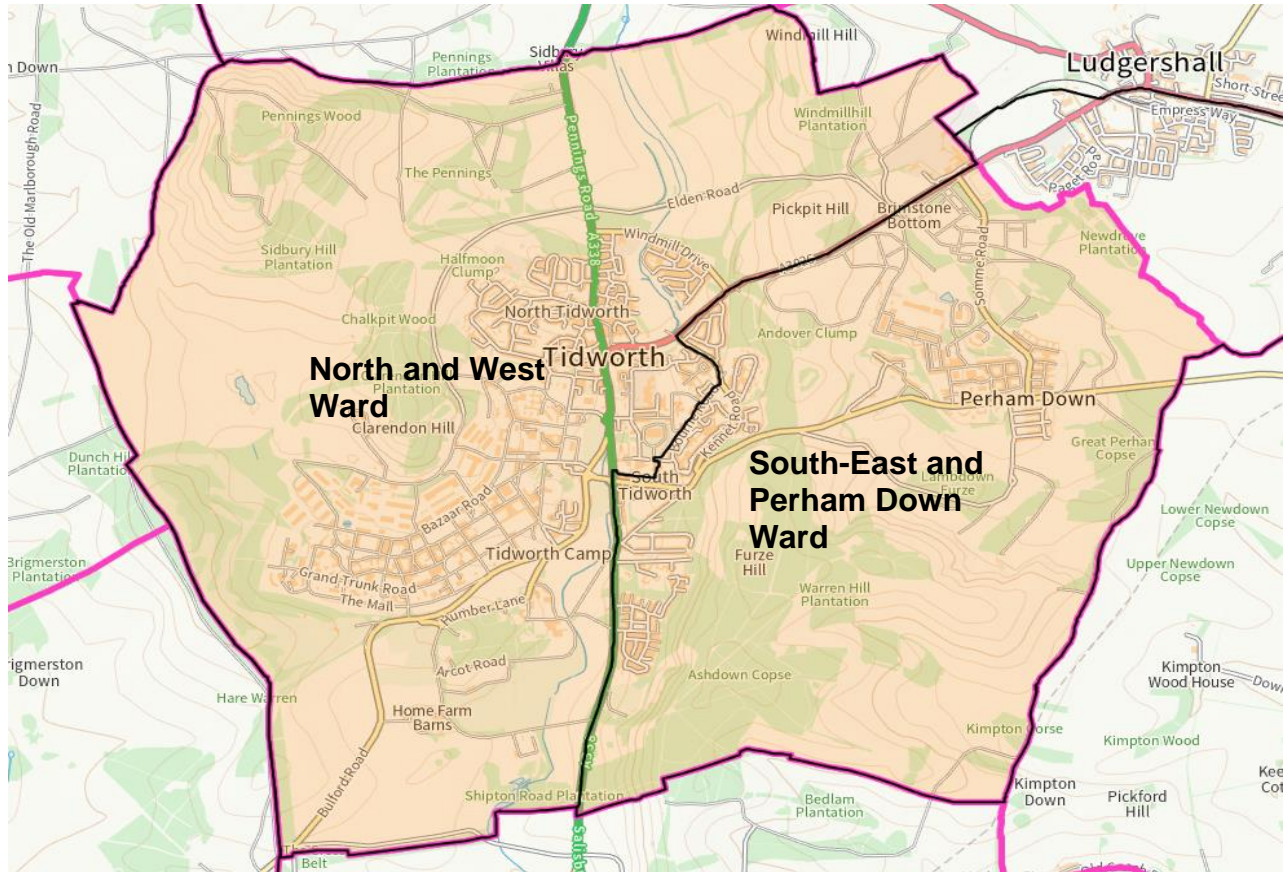
**2.1 That Tidworth Town Council be reduced from nineteen councillors to fifteen.**

**2.2 That the North & West Ward contain eight councillors.**

**2.3 That the East & South ward be renamed as the South-East & Perham Down ward, and contain seven councillors.**

*Reasons: Paragraphs 79 and 157 of the Guidance on Community Governance Reviews.*

Proposed Map of Tidworth Town (including wards)



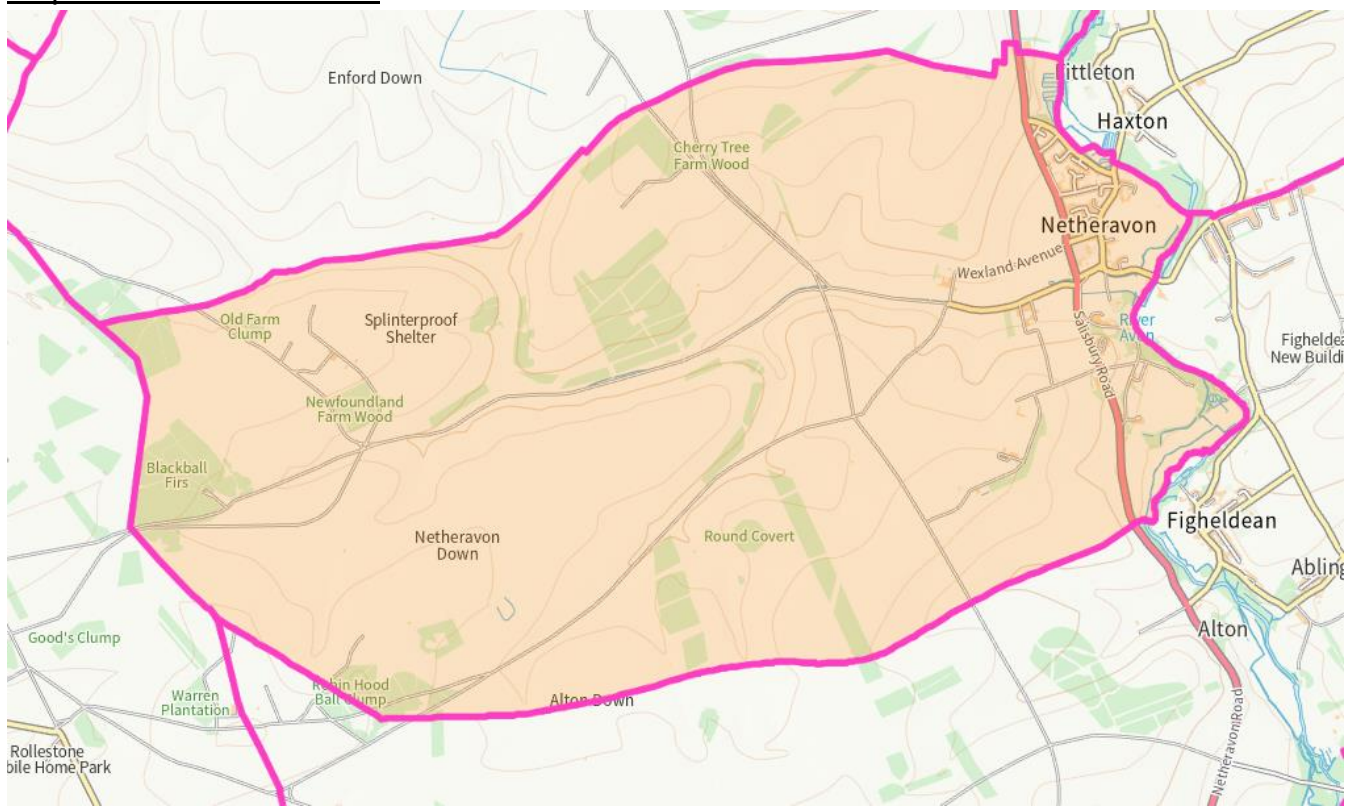
Map from <https://www.ordnancesurvey.co.uk/election-maps/gb/>

## **Netheravon, Figheldean, Fittleton cum Haxton**

### **Background**

98. Netheravon is a moderately sized parish laying alongside the A345 running south from Upavon to Salisbury. It is bordered by Enford to the North, Fittleton cum Haxton to the East, Figheldean to the South and East, and Shrewton to the West. In August 2022 the parish was estimated to contain approximately 840 electors. It is served by a parish council of up to 10 councillors and is unwarded. The parish is part of the Avon Valley Electoral Division of Wiltshire Council.
99. The Parish Council requested a review of its eastern boundary with Figheldean. Subsequently the Committee received proposals which also impacted upon Fittleton cum Haxton.

### **Map of Netheravon Parish**

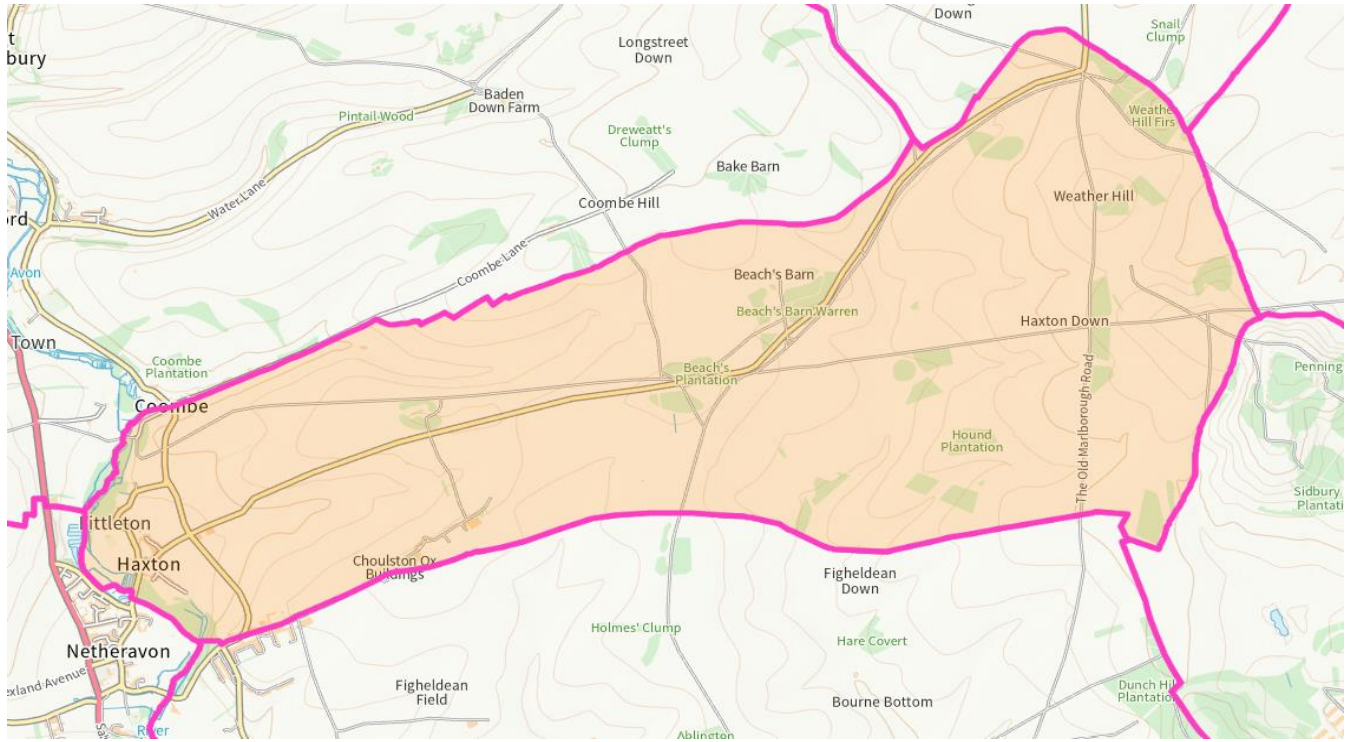


Map from <https://www.ordnancesurvey.co.uk/election-maps/gb/>

100. Fittleton cum Haxton is a small parish also laying alongside the A345 running south from Upavon to Salisbury. It is bordered by Enford and Everleigh to the North, Collingbourne Ducis and Tidworth to the East, Figheldean to the South and East, and Netheravon to the West. In August 2022 the parish was estimated to contain approximately 194 electors across its hamlets of Fittleton and Haxton. It is served by a parish council of up to 7 councillors, and is unwarded. The parish is part of the Avon Valley Electoral Division of Wiltshire Council.



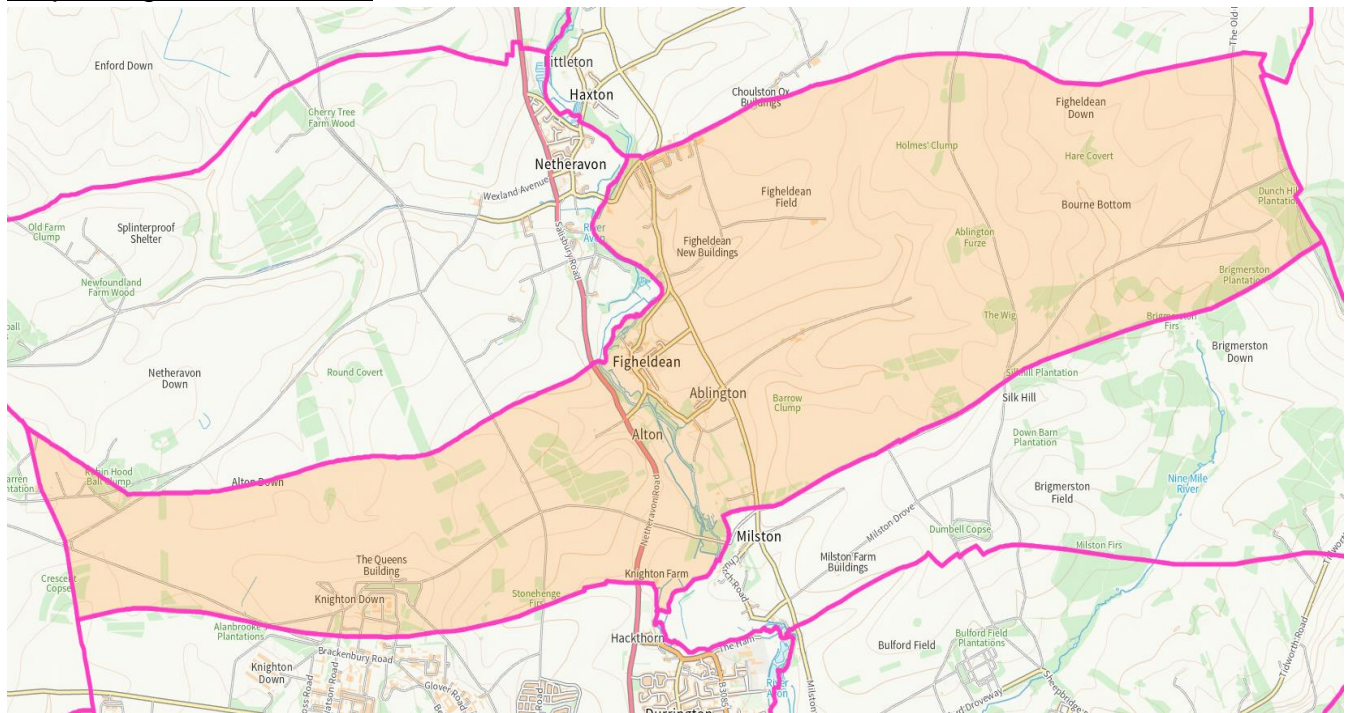
### Map of Fittleton cum Haxton Parish



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

101. Figheledean is a small parish also laying alongside the A345 running south from Upavon to Salisbury. It is bordered by Netheravon and Fittleton cum Haxton to the North, Tidworth to the East, Milston and Durrington to the South, and Shrewton to the West. In August 2022 the parish was estimated to contain approximately 430 electors. It is served by a parish council of up to 7 councillors, and is unwarded. The parish is part of the Avon Valley Electoral Division of Wiltshire Council.

### Map of Figheledean Parish



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

Initial Proposals and Pre-consultation information gathering

102. Netheravon Parish Council submitted a proposal to transfer the area of Netheravon Cemetery, the married service quarters properties, and associated Ministry of Defence grounds, currently in Figheldean, into Netheravon itself. They stated the current boundary was dictated by the flow of the river Avon, but that the actual spread of the community crossed this line. They argued the cemetery was owned and maintained by their parish council, that the married service quarters area were considered part of their village, with relationships such as schooling with Netheravon.
103. An online survey was set up for November 2022 to allow comments on the submitted proposals. The councils in the area were asked to promote this, to assist the committee with any local views at this stage. 8 comments were received, all from residents of Netheravon, with 6 in agreement and 2 expressing no opinion.
104. The Committee engaged with the potentially affected parish councils for their views, at which point the parish councils for Netheravon, Figheldean, and Fittleton cum Haxton, undertook further discussions and submitted an expanded proposal which had the agreement of all three councils.
105. This proposal extended the area to be transferred from Figheldean to Netheravon, and also included the entirety of Netheravon airfield and some other properties from Fittleton cum Haxton to Netheravon.

Committee Discussion

106. The Committee noted that the wider area involved parishes with communities straddling the river Avon and the road running to the south. In many cases the parishes were geographically large but with their main or sole settlements in close proximity by the main road south. In the case of Netheravon, there had been an expansion of properties which connected directly with the larger village, in part as a result of the military properties which had been constructed.
107. It was considered appropriate that the expansion of the community on the ground be recognised by adjusting the boundaries. The agreement of all three affected councils on a boundary which they considered reflected the identity and interests of the local communities was highly significant when determining a reasonable boundary, demonstrating a shared understanding of the communities in the area.

Committee Draft Recommendation Proposal

108. The Committee therefore agreed to recommend the proposal submitted by Netheravon, Figheldean, and Fittleton cum Haxton Parish Councils. The proposal aligned to a clear area of the airfield, which was connected most with Netheravon.
109. No changes were proposed to any other governance arrangements, and this was not considered necessary or appropriate under the criteria.

Consultation on the Draft Recommendations

110. 10 responses were received to the online survey, with all being supportive of the draft recommendation proposal. At a public meeting held in Netheravon, representatives of all three parish councils involved reiterated their support for the proposal.
111. One comment had been received raising concerns over cost and the administration of changing the designation of rights of way in the area, which use the parish name as a signifier. The Committee did not consider this raised significant issues of community, effective governance, or identity, sufficient to argue against the demonstrable community and public support for the proposal. The proposals aligned the boundary to identifiable features and had the support of all the parish councils in the area.
112. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore confirmed its recommendation and proposed to council the following:

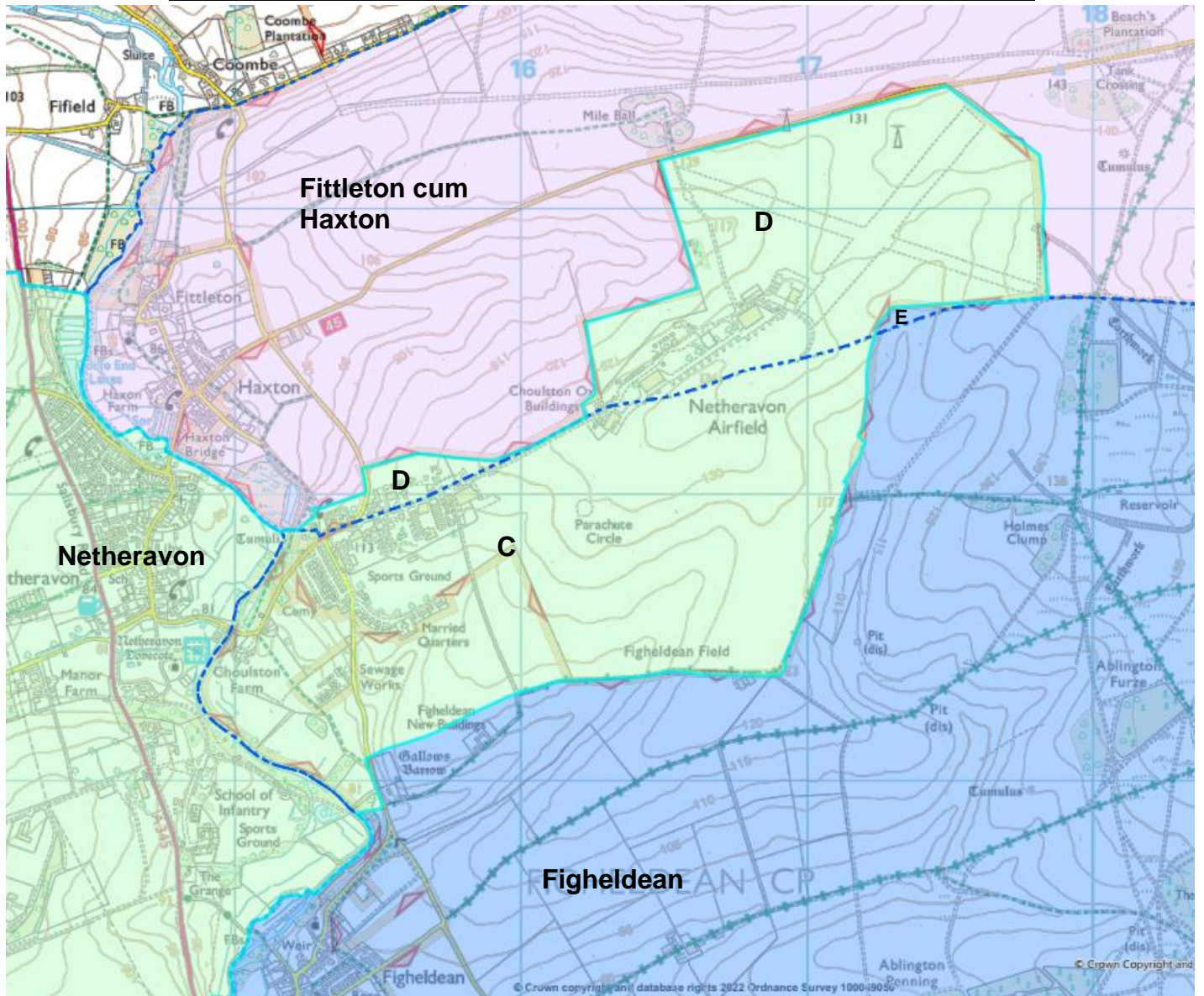
**Recommendation 3**

- 3.1 That the area shown as C in the map provided be transferred from the parish of Figheldean to the parish of Netheravon.**
- 3.2 That the areas shown as D in the map provided be transferred from the parish of Fittleton cum Haxton to the parish of Netheravon.**
- 3.3 That the area shown as E in the map provided be transferred from the parish of Fittleton cum Haxton to the parish of Figheldean.**

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



Proposed Map of Netheravon/Figheidean/Fittleton cum Haxton boundary



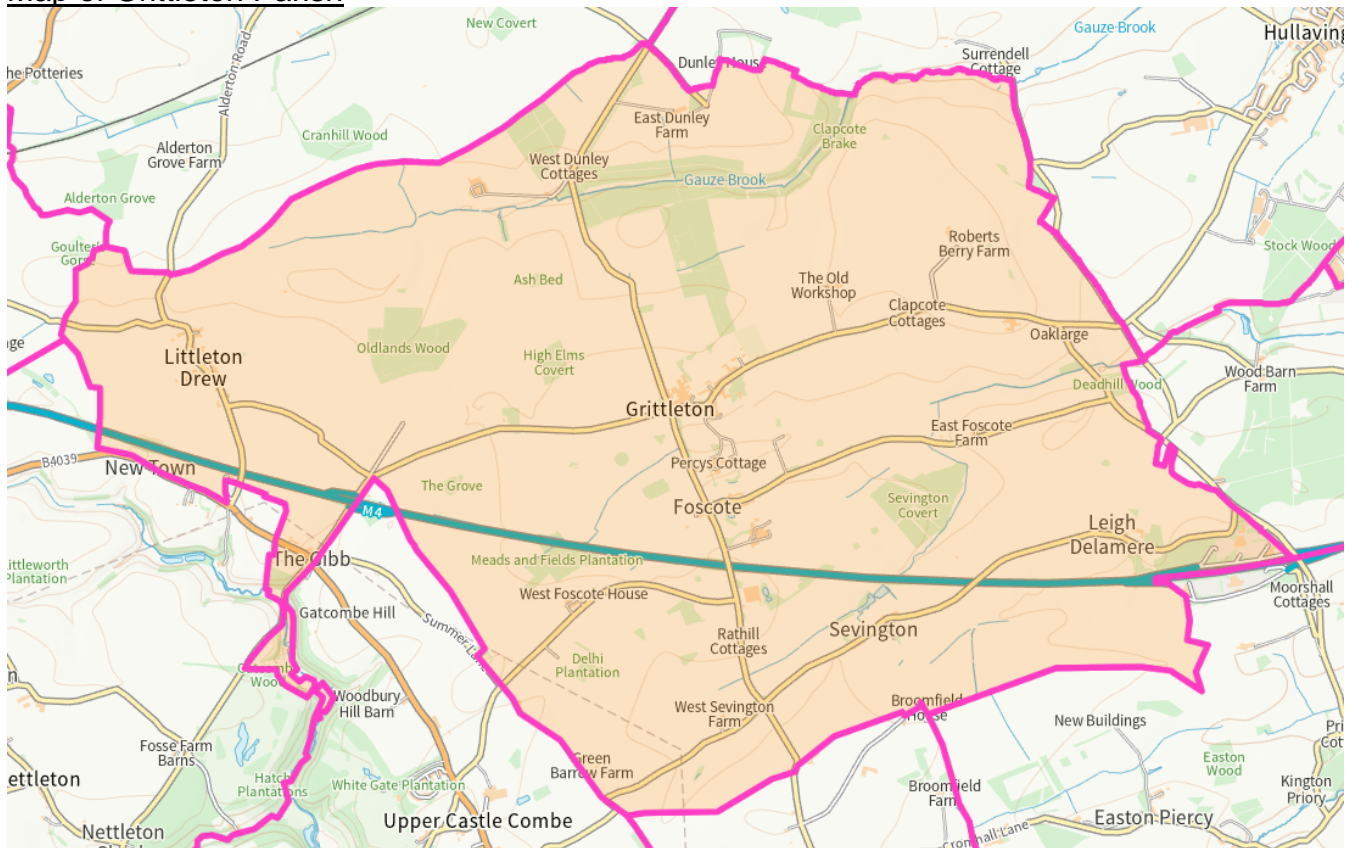
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Green shaded area to be transferred to Netheravon. Dotted line equals current parish boundary.

## **Grittleton, Castle Combe, and Nettleton**

### **Background**

113. Grittleton is a small parish including the communities of Grittleton, Littleton Drew, Sevington, and others, lying either side of the M4 on the Western border of Wiltshire. It is bordered by Luckington and Hullavington to the North, Stanton St Quintin and Kington St Michael to the East, Yatton Keynell, Castle Combe, and Nettleton to the South, and Acton Turville in South Gloucestershire to the West. In August 2022 the parish was estimated to contain approximately 439 electors. It is served by a parish council of up to 9 councillors, and is unwarded. The parish is part of the By Brook Electoral Division of Wiltshire Council.

### **Map of Grittleton Parish**

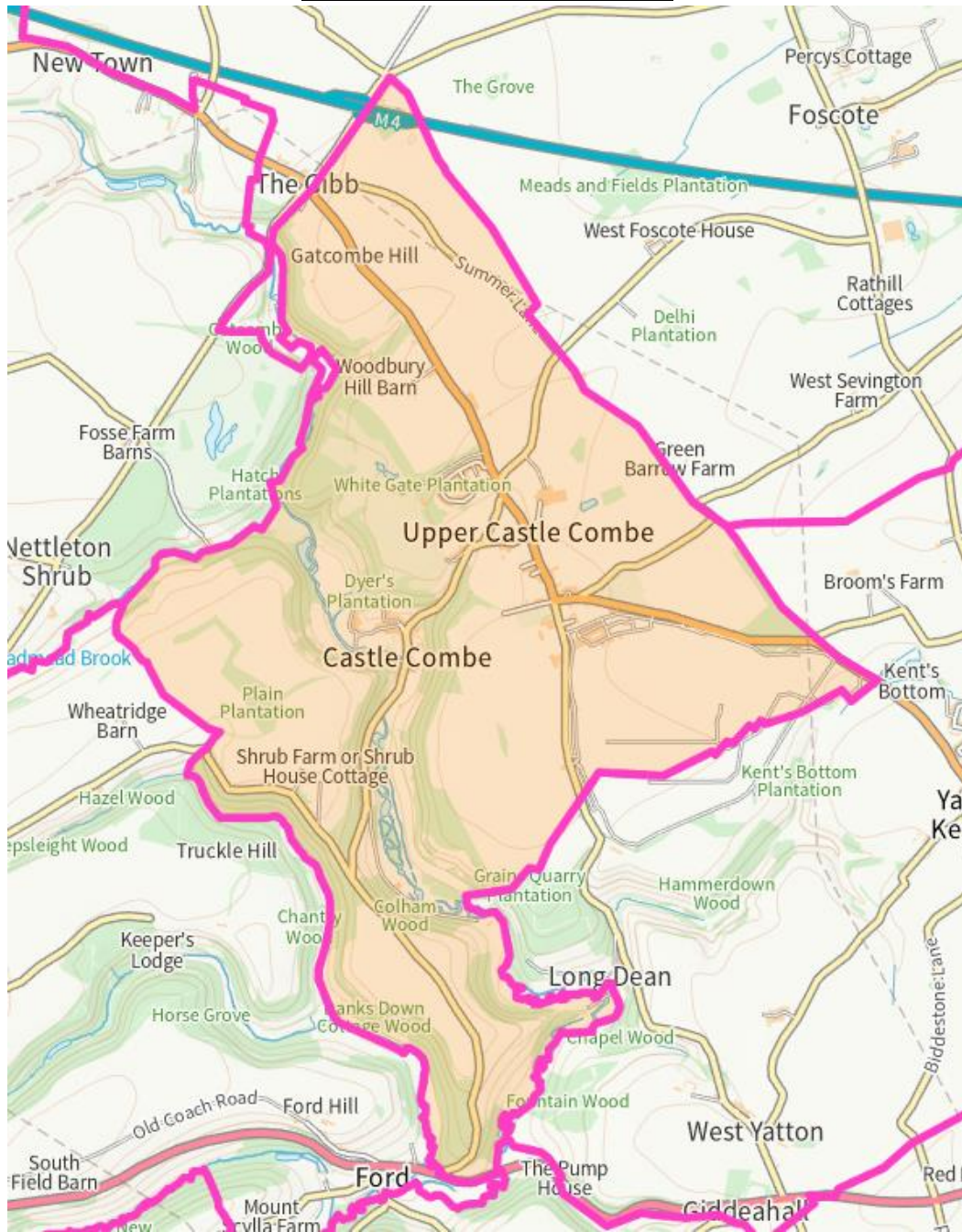


Map from <https://www.ordnancesurvey.co.uk/election-maps/gb/>

114. Grittleton Parish Council requested a review of its southern boundary in relation to the area known as The Gibb, where a community of properties was currently split between Grittleton, Nettleton, and Castle Combe. It was suggested this community should be unified within a single parish. No specific proposal or preference was submitted.
115. Castle Combe is a small parish bordered by Grittleton to the North, Yatton Keynell to the East, Biddestone & Slaughterford to the South, and North Wraxall and Nettleton to the West. In August 2022 the parish was estimated to contain approximately 268 electors. It is served by a parish council of up to 7 councillors and is unwarded. The parish is also part of the By Brook Electoral Division of Wiltshire Council.



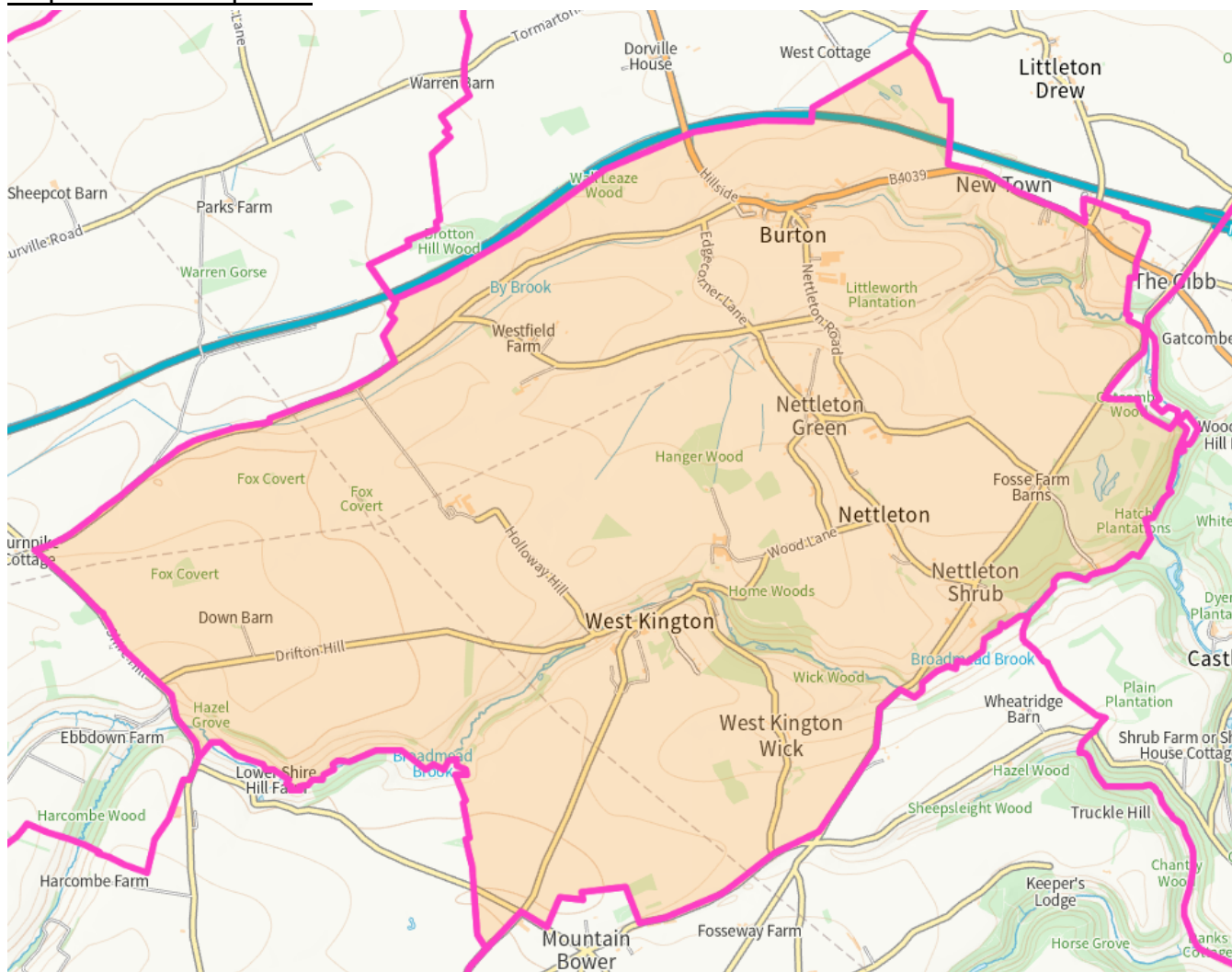
Map of Castle Combe parish



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

116. Nettleton is a moderately sized parish on the eastern border of Wiltshire including the settlements of West Kington, Nettleton, and Burton. It is bordered by Grittleton and Acton Turville in South Gloucestershire to the North, Castle Combe to the East, North Wraxall and Marshfield in south Gloucestershire to the South, and Tomarton in South Gloucestershire to the West. In August 2022 the parish was estimated to contain approximately 570 electors. It is served by a parish council of up to 9 councillors and is unwarded. The parish is also part of the By Brook Electoral Division of Wiltshire Council.

### Map of Nettleton parish



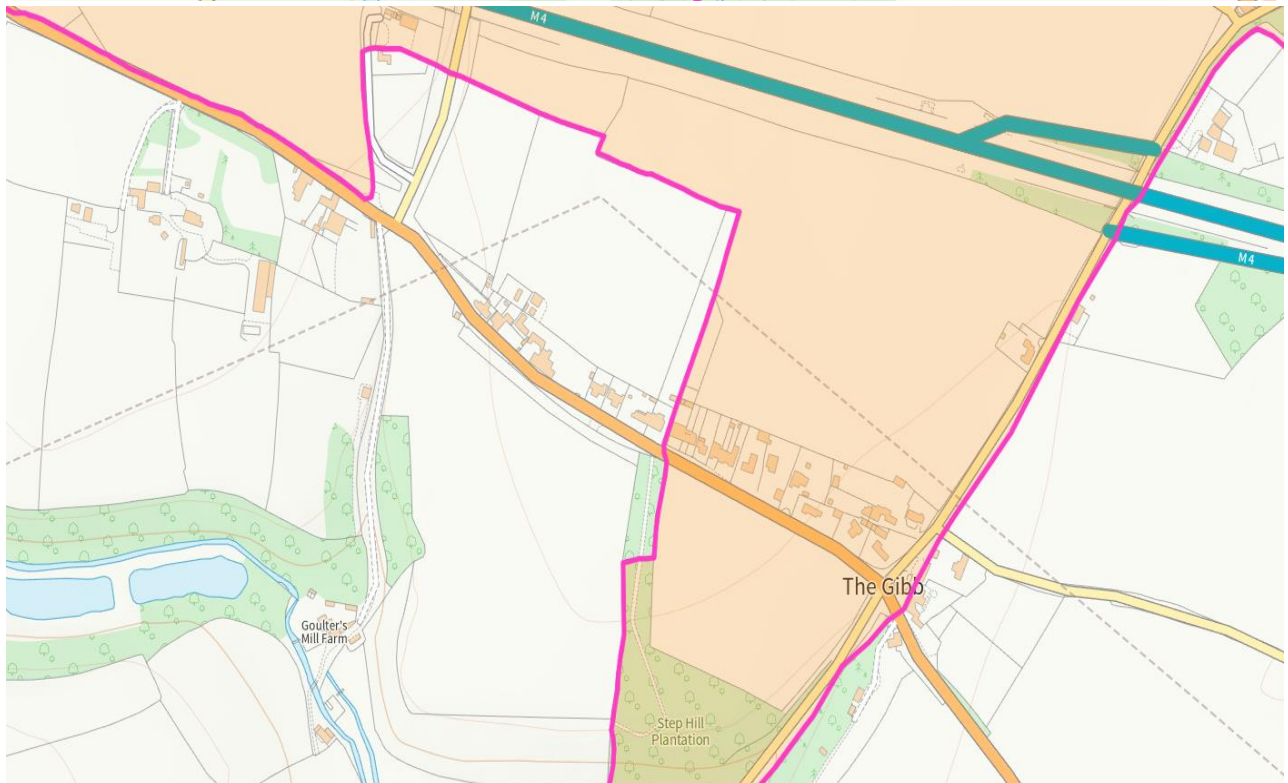
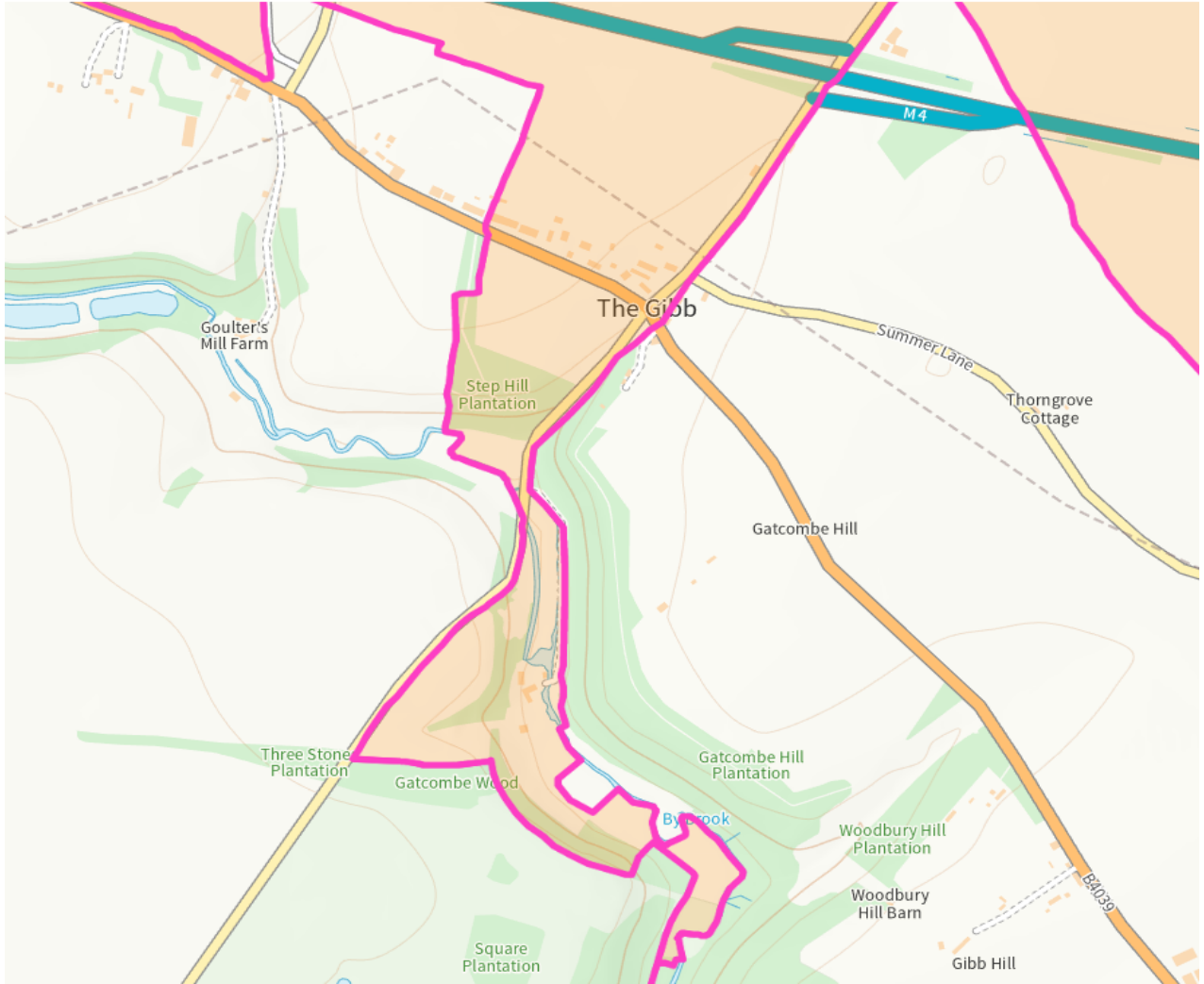
Map from <https://www.ordnancesurvey.co.uk/election-maps/gb/>

#### Initial Proposals and Pre-consultation information gathering

117. The current parish boundary of Grittleton includes a narrow spike of land running to the south broadly following the line of the ByBrook watercourse and joining the Fosse Way road running from the north toward Nettleton Shrub.
118. The Gibb is a small settlement within the parish of Grittleton south of the M4 along the B4039 between Burton and Castle Combe. There is a crossroads where the B4039 meets the Fosse Way, and a road connecting north to the settlement of Littleton Drew, in Grittleton.
119. The largest residential part of the settlement lies within the parish of Grittleton, with a small number of properties including the Salutation Inn within Castle Combe, and a number of other properties running along the B4039 within Nettleton.



Maps of The Gibb



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

120. Grittleton Parish Council stated the general and historic view of the area would be that the residents would feel most aligned with Grittleton, though they stated no specific consultation had taken place. As part of the Committee's engagement with the local parish councils, it was suggested the strip of land running to the south including Gatcombe Mill could reasonably be transferred to Castle Combe, and Grittleton Parish Council agreed with that suggestion. They also agreed a very small section of Castle Combe containing only a few buildings north of the M4 would more appropriately align to the Grittleton communities.
121. Castle Combe Parish Council agreed that the area of The Gibb involving Nettleton and Grittleton should be unified under one of those councils. They considered the Salutation Inn, which was advertised as being part of Castle Combe, should remain within their parish. They proposed the narrow strip of land to the south of the settlement, alongside the Fosse Way, be transferred to their parish.
122. No response was received from Nettleton Parish Council to requests for engagement. A representation was received regarding historical ecclesiastical boundary changes involving benefices and parishes across North Wiltshire including this area, though the complexity of these did not directly relate to the simpler civil parish boundaries.
123. An online survey was set up for November 2022 to allow comments on the submitted proposals. The councils in the area were asked to promote this, to assist the committee with any local views at this stage. No comments were received.

#### Committee Discussion

124. The Committee was persuaded by the requests and representations from local councils that the current division of the community at The Gibb across several parishes should be addressed. It was felt that a simplification of the boundary would align to the criteria of better reflecting the identity and interests of that community, and be a more effective and convenient arrangement in governance terms.
125. The Committee noted there were a number of different options available, and whatever it ended up recommending it would be most interested in responses from residents of the area directly during consultation.
126. It was agreed that a small area to the south should be transferred to Castle Combe as suggested, noting the geographic proximity and the agreement of both impacted parish councils for this proposal. Likewise, it was agreed the small area of Castle Combe north of the M4 should be transferred to Grittleton given its separation from any settlement of Castle Combe.
127. In respect of the main area of The Gibb itself, this was some distance from the main settlements of Grittleton, Nettleton or Castle Combe parishes. The nearest significant settlement was that of Littleton Drew in Grittleton, and by road to Grittleton. Although the M4 might in isolation be seen as a natural boundary where only a few properties were involved, as suggested for a very small area of Castle Combe, there were direct connections across it, so its construction after the designation of the parish boundaries had not negatively affected the community ties, and the parish already included significant areas of land south

of the motorway, as well as outlying settlements such as Sevington and the main portion of The Gibb.

128. Therefore, when reviewing which area The Gibb naturally aligned with, the Committee considered the existing links with other communities, historic boundaries, and the geography of the region, as well as the spread of the houses and other properties in the area.

#### Committee Draft Recommendation Proposal

129. On balance it was considered that the larger part of the settlement lay within Grittleton, and connections to Littleton Drew and north along the Fosse Way were persuasive to arguing closer connection with that parish than either Castle Combe or Nettleton. It was determined that the road running north to Littleton Drew marked a sensible boundary with Nettleton, as the nature of properties and the geography of a natural incline toward the Gibb at that point marked a clear division between the areas, with the properties north of the road to be transferred from Nettleton.
130. In respect of the eastern boundary of the settlement, notwithstanding the representation of Castle Combe Parish Council the Committee felt that all the properties at the crossroad of the Fosse Way and B4039 were of a single character and identity. It did not appear there were reasons of community or governance which would justify why some properties at that confluence of roads would be in one parish and others in a different parish. The area was far removed from any settlements of Castle Combe itself, resulting in the Salutation Inn and other properties clearly aligning with The Gibb community.
131. It was not considered relevant in community terms where the Salutation Inn advertised its location as, especially as they could still advertise as being at or near Castle Combe, and their physical location would not be altered by an administrative reorganisation.
132. Accordingly, the Committee considered that a boundary running along Summer Lane, which already served as the boundary with Castle Combe for a part of its length, would make an appropriate dividing line between the parishes.

#### Consultation on the Draft Recommendations

133. 2 responses were received to the online survey, for the approximately 20 properties proposed to be transferred under the draft recommendations. Both responses were in support, with one being from Grittleton Parish Council. Comments were supportive of unifying the area in one parish rather than split across three different parishes.
134. The Committee was satisfied the proposals represented more effective and convenient arrangements for the parish, and more reflective of the Gibb being a single community. No additional objections had been received.
135. At a public meeting which was attended by Grittleton Parish Council there was discussion of a further property at the crossroads of the Gibb which had not been included within the proposal, and that this too was a part of the local community.

136. The Committee agreed to amend its proposal to include the property and consult with the resident to determine if it was appropriate to transfer with the rest of the properties.

Consultation on the Additional Draft Recommendations

137. One response was received to the proposal, from the resident whose property had been added to the area proposed to be transferred to Grittleton. It stated that the proposed line included the house and part of the grounds but did not include outbuildings and the whole of the property. It stated that they were the only property on that side of the road, and that they felt the property, which they said was previously known as Castle Combe estate gatehouse, should remain in Castle Combe.
138. The Committee noted the response from the resident. It continued to consider that in terms of community identity there did not appear to be any distinction between the property in question and the other properties at The Gibb which would justify their being located in separate parishes. It considered whether it was an effective or convenient arrangement for a single property removed from any settlement of Castle Combe to be retained within the parish and separated from the rest of the nearby Gibb community.
139. Castle Combe Parish Council raised no specific objections to the inclusion of the property along with the other areas previously consulted upon.
140. The Committee agreed to further communicate and consult directly with the sole impacted resident. Given the position of the Parish Council no other parties were impacted. Officers contacted the resident seeking clarity over the property line, and the view of the resident if the area were transferred to Grittleton in its entirety. An online survey was also placed on the council's website in the event any other party wished to make a representation.
141. The resident confirmed the property line and continued to state they felt it more appropriate to remain within Castle Combe. They stated that the area known as The Gibb comprised two distinct areas, their property area had connections with the Castle Combe estate, and noted the proximity to Gatcombe Mill, which the Committee was proposing to move from Grittleton into Castle Combe.

Committee Decision

142. No additional responses were received to the consultation on transferring the one property south of the B4039 into Grittleton, encompassing the entire property line, which extended a large distance south and east toward Castle Combe.
143. Neither Parish Council responded further to the latest option. Their previous positions relating to the original and first additional consultation was noted, in that Castle Combe Parish Council had supported the inclusion of the property.
144. The Committee debated whether it was reasonable to leave one property in the general area of The Gibb within Castle Combe, and carefully considered the reasoning provided by the resident as well as the past responses of the councils involved. It could also move the residence but not the entire property line into Grittleton.

145. On balance, the Committee was satisfied there was sufficient distinction from the properties on the other side of the main road, and accordingly its original proposal was the most appropriate of those consulted upon. This would ensure a clear boundary along the road up to the Fosse Way, reflecting the specifics of the community identity within the area.
146. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore proposed the following:

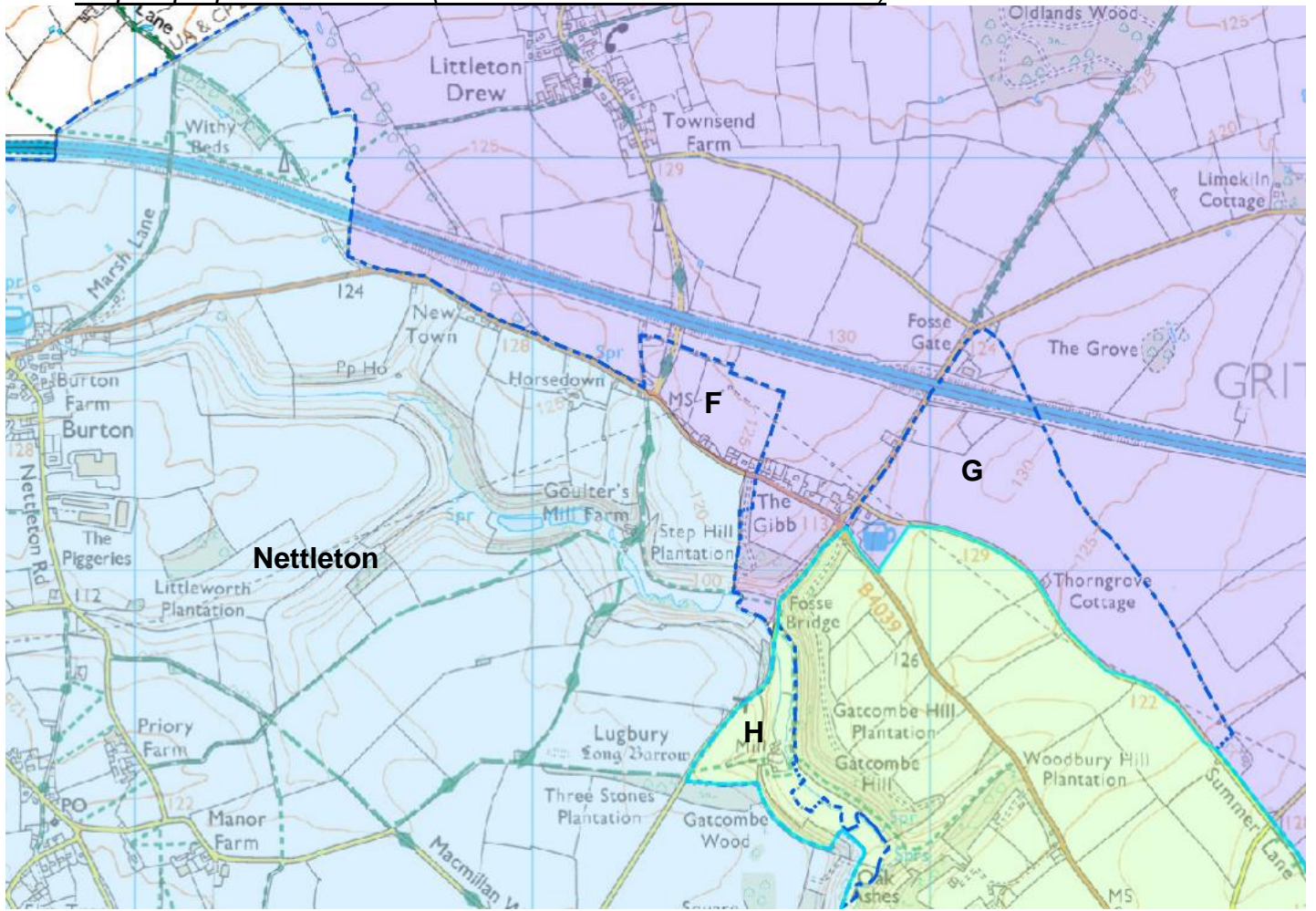
**Recommendation 4**

- 4.1 That the area shown as F in the map provided be transferred from the parish of Nettleton to the parish of Grittleton.**
- 4.2 That the area shown as G in the map provided be transferred from the parish of Castle Combe to the parish of Grittleton.**
- 4.3 That the area shown as H in the map provided be transferred from the parish of Grittleton to the parish of Castle Combe.**

*Reasons: Paragraphs 80, 83, and 85 of the Guidance on Community Governance Reviews*



Map of proposed The Gibb (Grittleton/Castle Combe/Nettleton)



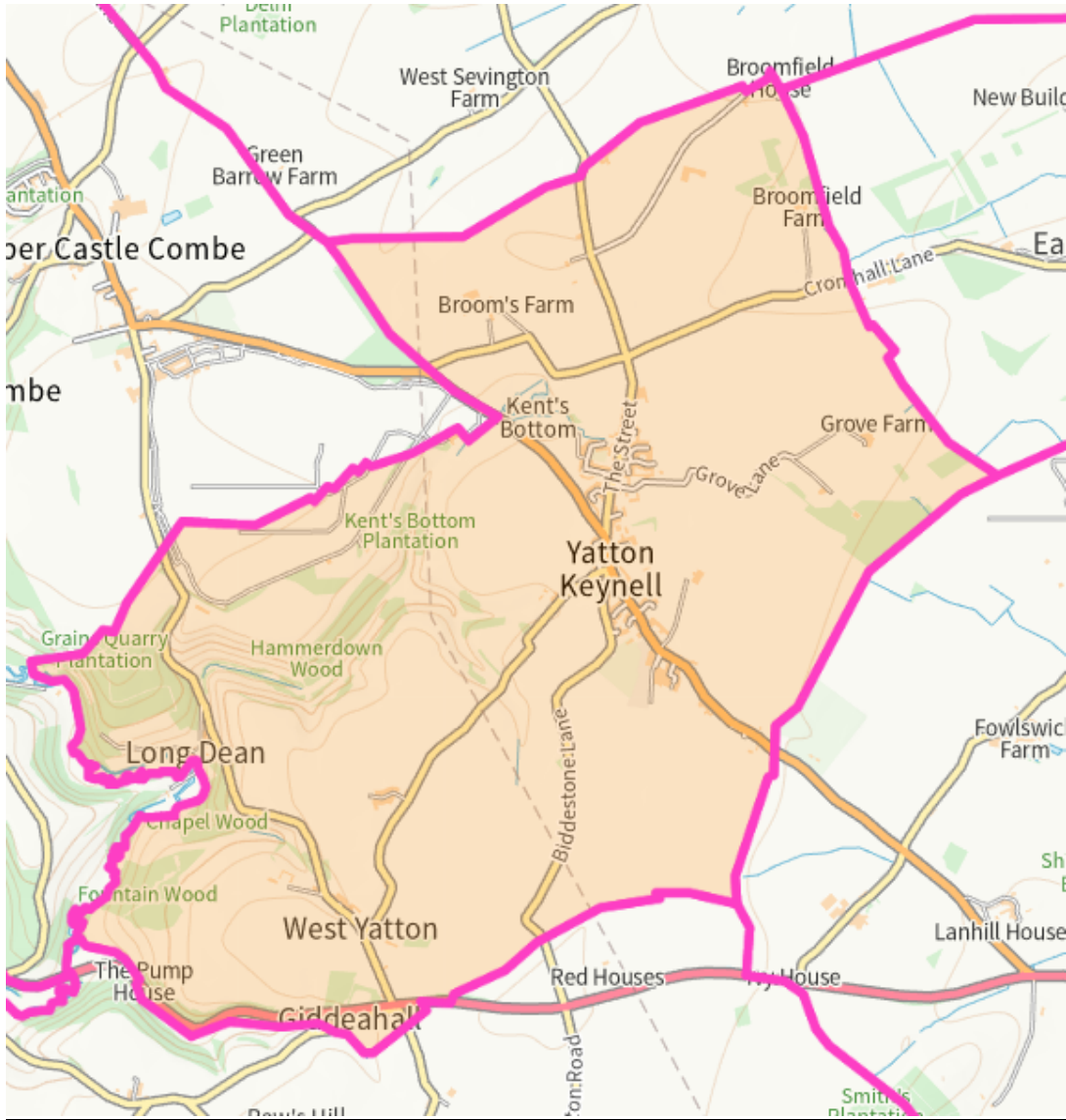
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Dotted line is existing parish boundary. Shaded areas showing new parish proposal.

**Yatton Keynell, Castle Combe, and Biddestone & Slaughterford**

**Background**

147. Yatton Keynell is a moderately sized parish near Chippenham. It is bordered by Grittleton to the North, Kington St Michael and Chippenham Without to the East, Biddestone & Slaughterford to the South, and Castle Combe to the West. In August 2022 the parish was estimated to contain approximately 645 electors. It is served by a parish council of up to 9 councillors and is unwarded. The parish is part of the By Brook Electoral Division of Wiltshire Council.

**Map of Yatton Keynell parish**



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

148. Biddestone & Slaughterford is a small parish near Chippenham and Corsham. It is bordered by North Wraxall, Castle Combe, and Yatton Keynell to the North, Chippenham Without to the East, Corsham and Box to the South, and Colerne to the West. In August 2022 the parish was estimated to contain approximately 402 electors. It is served by a parish council of up to 9 councillors and is unwarded. The parish is part of the By Brook Electoral Division of Wiltshire Council.

149. Yatton Keynell Parish Council had submitted a request to amend the boundary with Biddestone & Slaughterford, to use the main A420 road as the boundary for most of the length between the parishes, bringing some cottages north of the road into Yatton Keynell, whilst the area at Giddeahall moved into Biddestone & Slaughterford.
150. The Parish Council had also requested an area of Chippenham Without be moved into their parish. This request, which included an area with no electors but an area around a substation and gold academy, had also been made in 2019 and considered by the Committee in its 2019/2020 Community Governance Review. The Committee at that time did not consider there were sufficient grounds to support the proposal, and declined to make a recommendation to amend the governance arrangements as requested.

#### Initial Proposals and Pre-consultation information gathering

151. Both Yatton Keynell Parish Council and Biddestone & Slaughterford Parish Council supported the transfers between their parishes and using the A420 as a clear boundary, arguing that this was more reflective of the communities in the area.
152. Biddestone & Slaughterford Parish Council made a request that an area of the parish of Colerne be transferred, at the former paper mill site alongside the By Brook. They argued that the area was geographically much more aligned with Slaughterford than Colerne. They did not propose a precise line of which part should be transferred.
153. An online survey was set up for November 2022 to allow comments on the submitted proposals. The councils in the area were asked to promote this, to assist the committee with any local views at this stage.
154. In relation to the Yatton Keynell proposals, 30 comments were received. However, 13 expressed no opinion as they were commenting solely upon the Colerne option. 16 comments were in disagreement, however these were in relation to the proposal relating to Chippenham Without, not the A420 Giddeahall proposal.
155. In relation to the Biddestone & Slaughterford proposal for Colerne, 15 comments expressed no opinion as they were in relation to the Chippenham Without option, with 3 comments in agreement and 12 in disagreement. Comments in agreement considered the area naturally aligned more to the Slaughterford community. Comments in disagreement stated the Bybrook stream remained an appropriate boundary, that the area was well served by current arrangements and there was no benefit to a change.

#### Committee Discussion

156. Noting the agreement of the parish councils, the common use of main roads as natural and clear boundaries, and the small number of properties involved, the Committee was persuaded that the A420 would serve as a suitable boundary between Yatton Keynell and Biddestone & Slaughterford under the criteria. In particular they noted that the old road direct from Giddeahall no longer connected with West Yatton, with the crossing to via the A420 now further away, the nature of the settlement set back from the old road, and connections to the south.

157. However, given this left a few small, anomalous areas still lying on either side of the main road, the Committee considered that this should be the case all the way to the boundary with Chippenham Without and North Wraxall, in the interests of consistency. This would result in a very clear boundary for community and governance.
158. The mixed response to the proposal relating to Colerne was considered. On balance, the Committee did not feel sufficient evidence or reasoning had been provided to justify the proposal to move the former paper mill site from Colerne, and noted strong arguments had been made in objection to any need for change. It was noted that if the change were made, a request would need to be made to the LGBCE to amend the Electoral Divisions, as the parishes were in separate divisions of By Brook and Box & Colerne.
159. In respect of the proposal to move an area of Chippenham Without to Yatton Keynell, it was noted that if the change were made, a request would need to be made to the LGBCE to amend the Electoral Divisions, as the parishes were in separate divisions of By Brook and Kington.
160. At its meeting the Committee did not consider there had been justification provided under the statutory criteria which would support such a change. From provisional discussions with the Parish Council it had been noted they might withdraw their request due to the requirement of a Division change.
161. Following that meeting but before the beginning of the Draft Recommendations consultation Yatton Keynell Parish Council indicated they did in fact wish to proceed with their request relating to Chippenham Without.
162. Committee Members were updated as to the position of the Parish Council. However, this did not alter their view not to recommend a change as requested. No further reasoning, evidence or situation change had been proposed to justify a change from when it had previously been considered and rejected in the 2019/20 review. No residents would be impacted, there were negative administrative governance impacts in relation to the Division boundary, and they were not persuaded any reasons of community identity or interests existed which would justify recommending such a change. The strong and clear views of residents of the existing parish in opposition was also a considering factor.
163. The Committee therefore agreed to recommend a transfer between Biddestone & Slaughterford, and Yatton Keynell only.

#### Consultation on the Draft Recommendations

164. 4 responses were received to the online survey, with 2 from residents in disagreement. One referenced the level of council tax, which was not a relevant consideration, and the other stated it did not have any affiliation with Yatton Keynell. 2 responses proposed amendments.
165. Yatton Keynell Parish Council confirmed their support for the Committee proposal in respect of the boundary with Biddestone & Slaughterford, but sought amendments to include the area at Lower Long Dean Mill in Castle Combe, which they considered to be more

associated with the community at Long Dean in Yatton Keynell. They also reiterated their support for the proposal regarding the Golf academy area which the committee had not recommended.

166. The Committee reconsidered the proposals relating to the golf academy but confirmed they had received no additional information or evidence which persuaded them that they area, which contained no electors, was more appropriate under the criteria to be included within the parish of Yatton Keynell.
167. The Committee agreed to consult on the proposal involving Lower Long Dean Mill, to determine the views of Castle Combe Parish Council and any residents. It confirmed its other proposals for recommendation to council, so would not reconsult on those elements, as it was satisfied these provided a more coherent boundary supported by both parish councils.

#### Consultation on the Additional Draft Recommendations

168. One response was received to the online survey, however this was in relation to the previously confirmed recommendations around Giddeahall, as well as being based around not wishing to pay additional council tax. Castle Combe Parish Council had responded and provided no objections to the proposal.
169. As such, the Committee was satisfied that the proposal was reasonable and appropriate, and so agreed to include the area at Long Dean Mill within its Final Recommendations.
170. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore proposed the following:

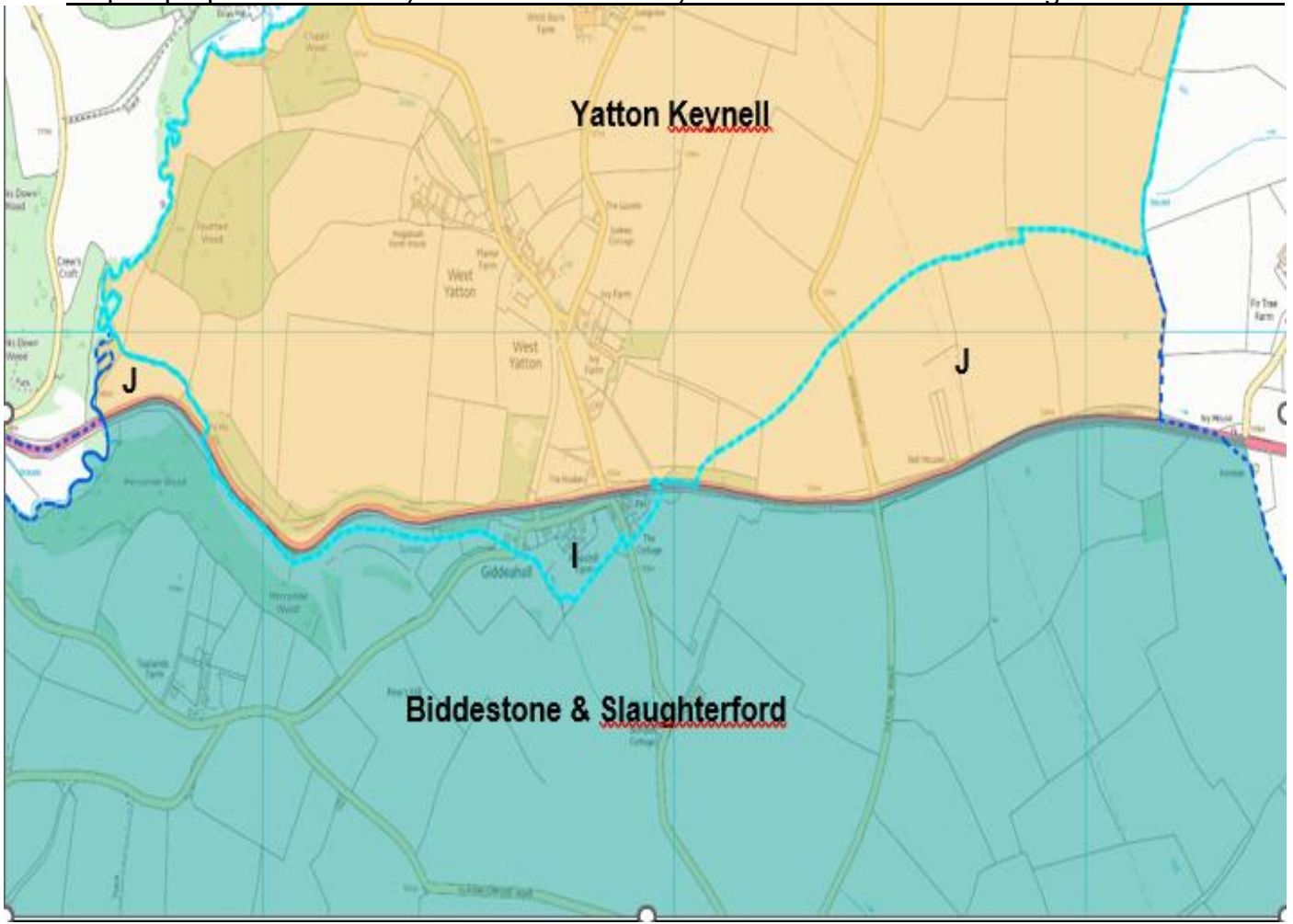
#### **Recommendation 5**

- 5.1 That the area shown as I in the maps provided be transferred from the parish of Yatton Keynell to the parish of Biddestone & Slaughterford.**
- 5.2 That the areas shown as J in the maps provided be transferred from the parish of Biddestone & Slaughterford to the parish of Yatton Keynell.**
- 5.3 That the area shown as K in the maps provided be transferred from the parish of Castle Combe to the parish of Yatton Keynell.**

*Reasons: Paragraphs 80, 83, and 85 of the Guidance on Community Governance Reviews*

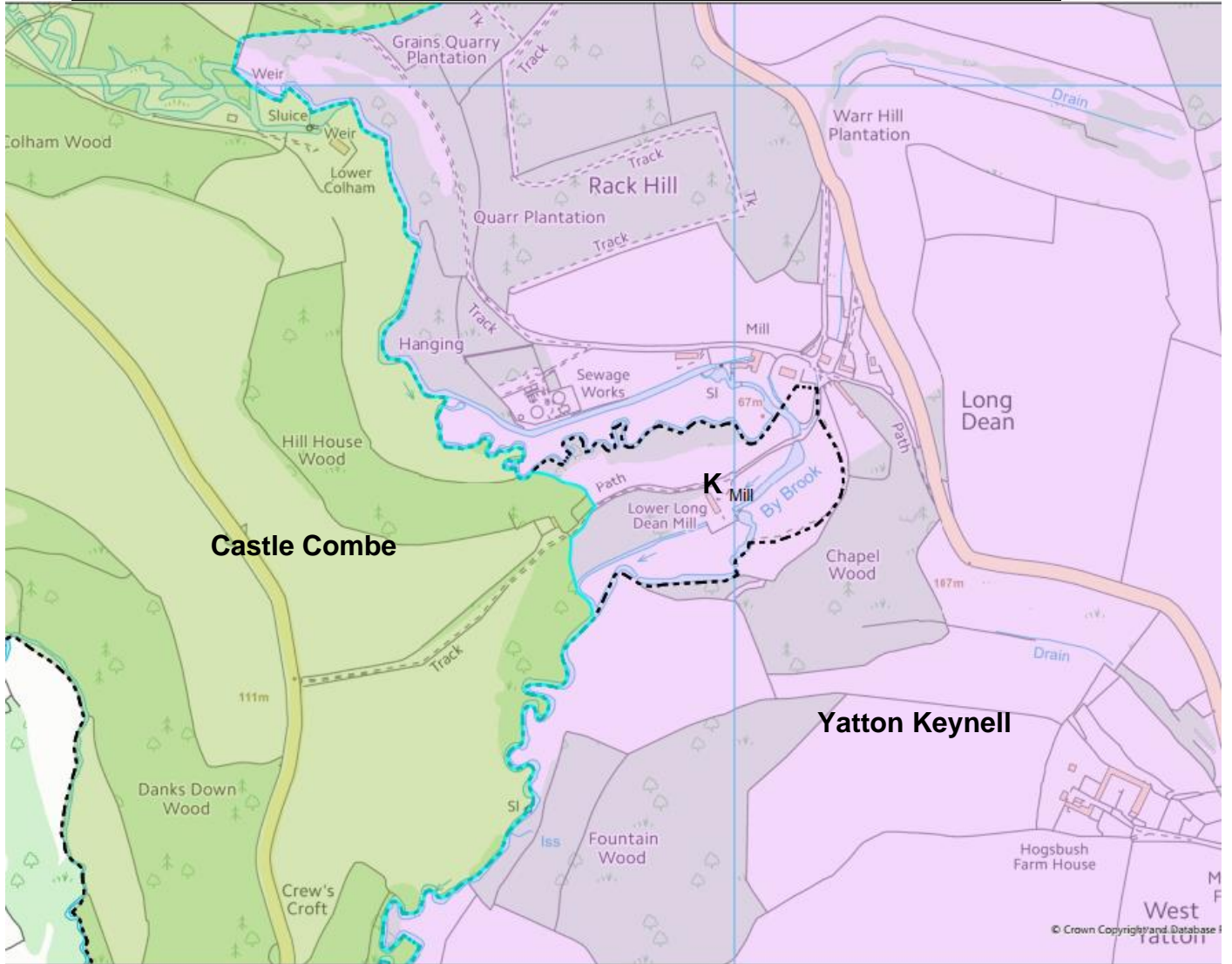


Map of proposed boundary between Yatton Keynell and Biddestone & Slaughterford Parishes



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Dotted line is existing parish boundary.

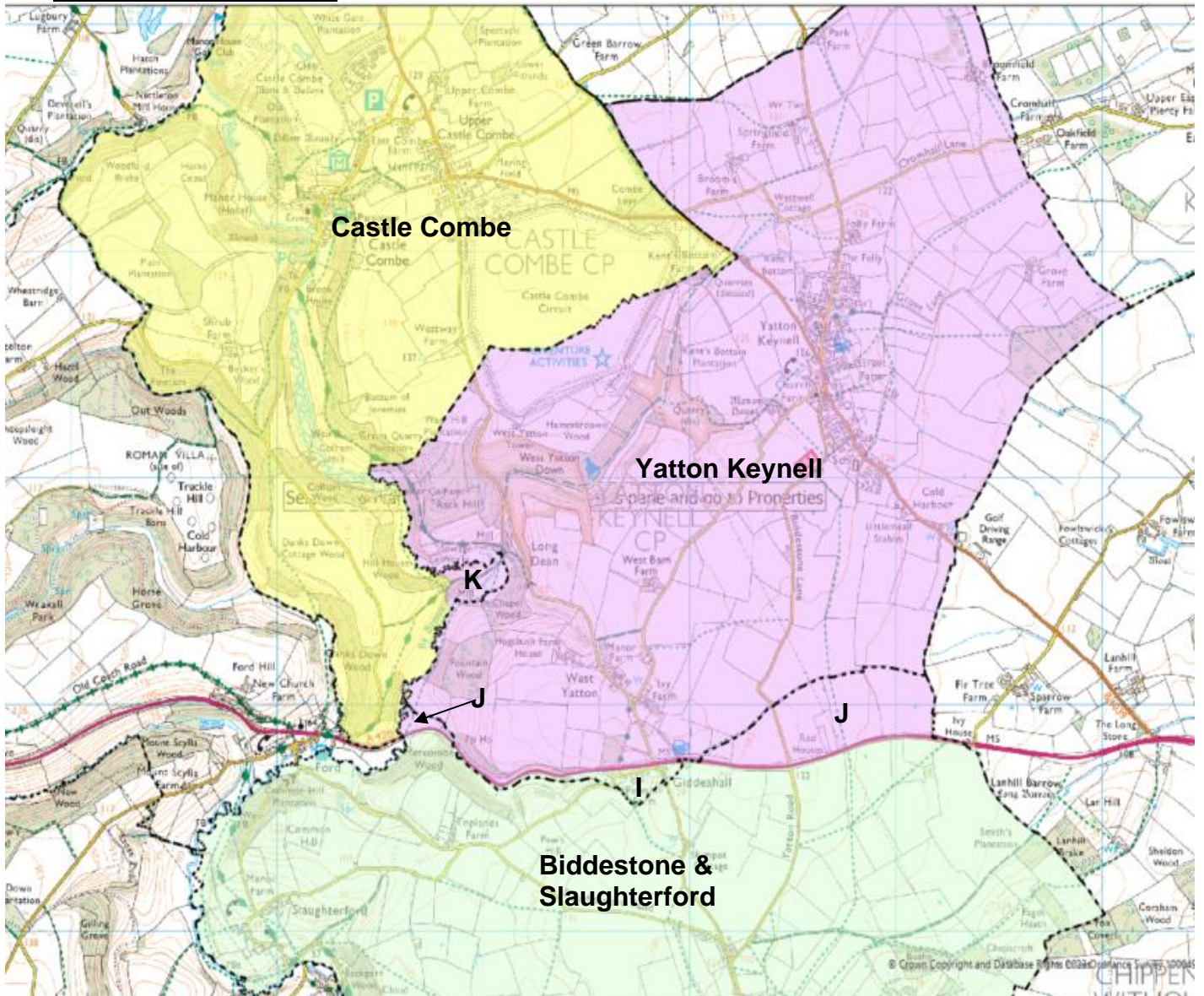
Map of proposed boundary between Yatton Keynell and Castle Combe Parishes



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Dotted line is existing parish boundary. Shaded areas showing new parish proposal.



Wider Map of proposed boundary between Yatton Keynell, Biddestone & Slaughterford, and Castle Combe Parishes



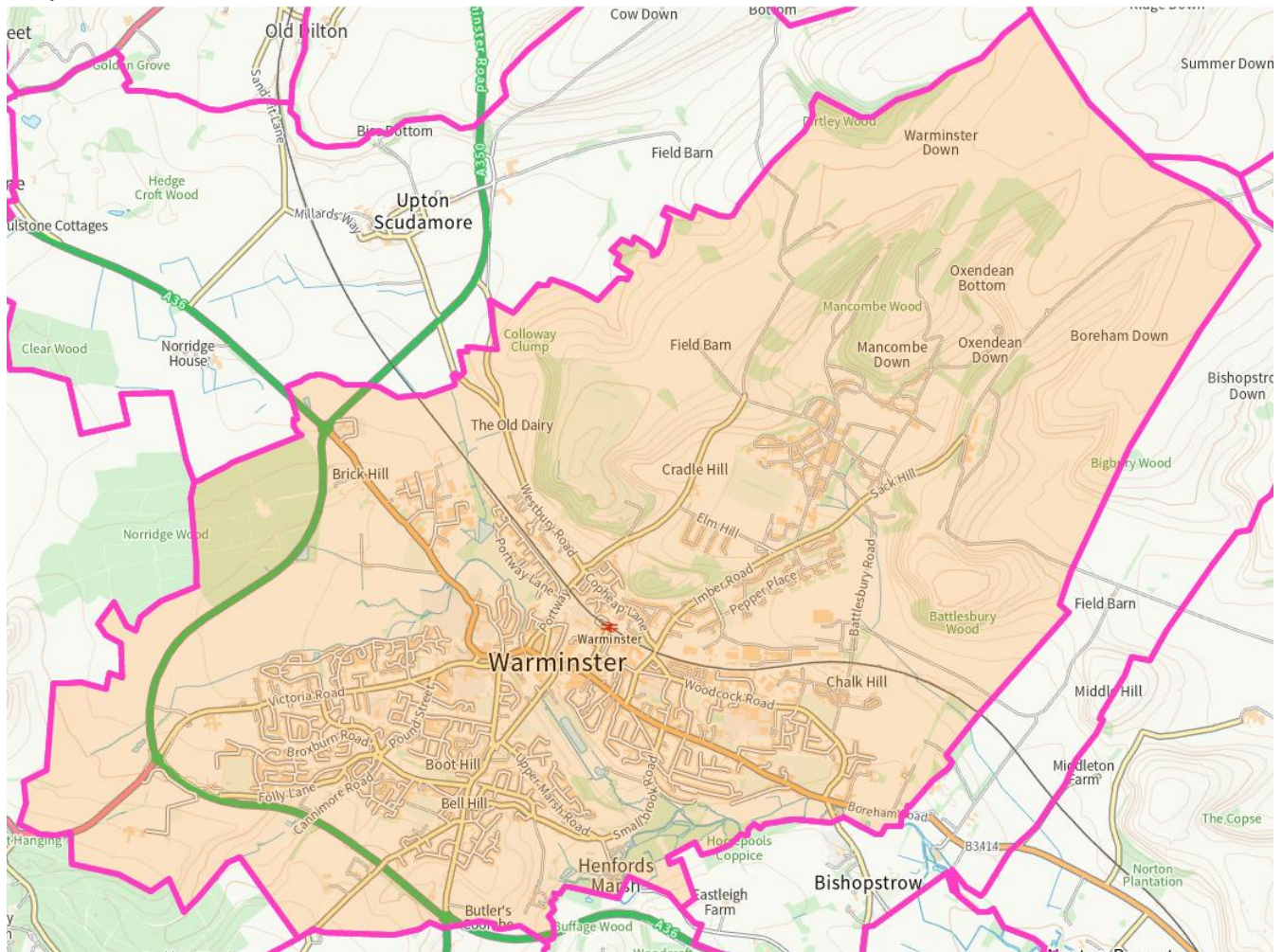
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Dotted line is existing parish boundary. Shaded areas showing new parish proposal.



**Warminster**  
**Background**

171. Warminster is a medium sized town south of Westbury at the connection of the A350 and A36 roads close to the western boundary of Wiltshire and Frome. It is bordered by Upton Scudamore and Bratton to the North, Bishopstrow and Sutton Veny to the East, Longbridge Deverill to the South, and Corsley to the West. As of August 2022, it was estimated to contain approximately 13,852 electors. It is represented by a Town Council of up to 13 councillors across four wards.

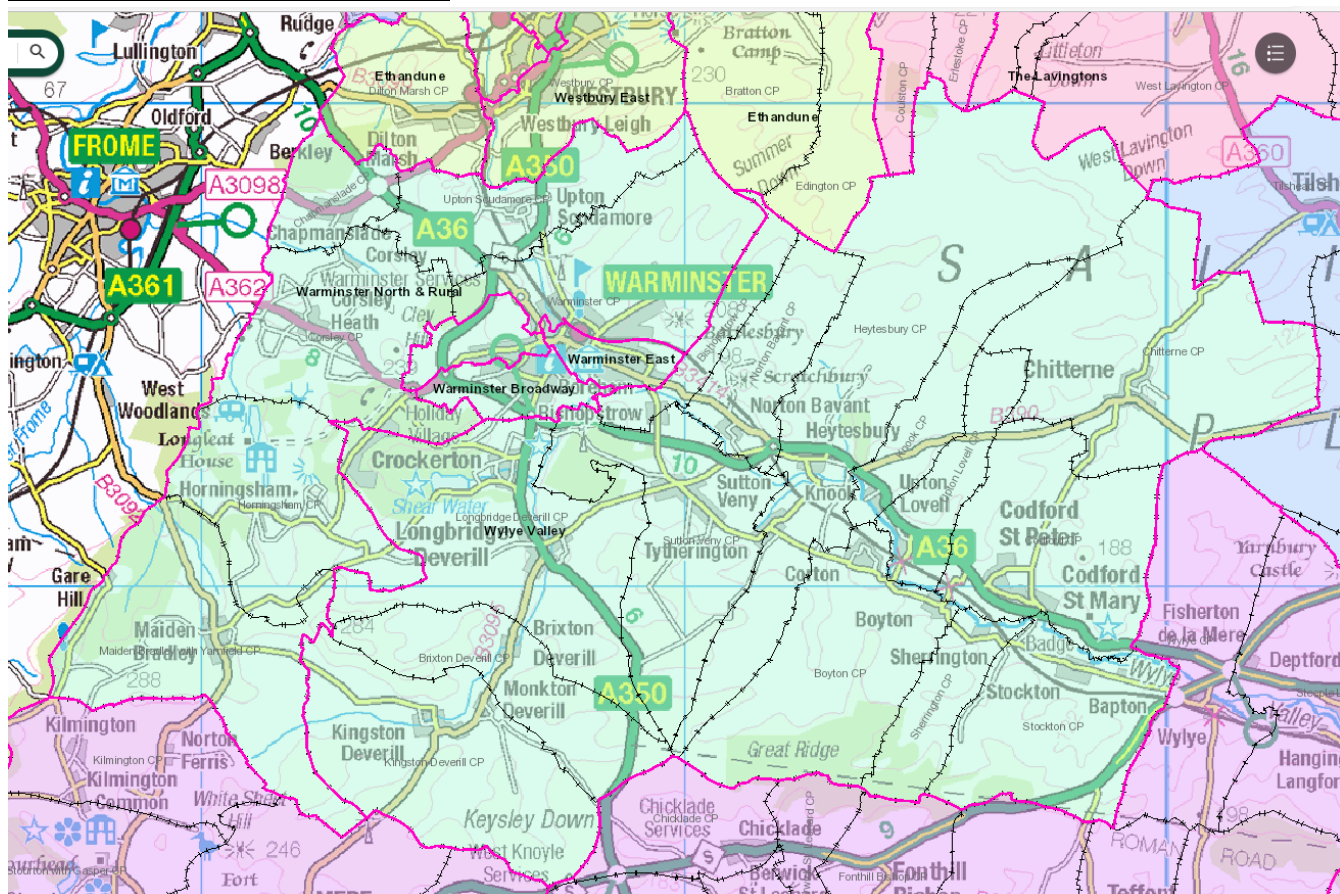
**Map of Warminster town**



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

172. Three of the wards are coterminous with Wiltshire Council Electoral Divisions of the same name, whilst a fourth town ward is included with a number of rural parishes as part of the Warminster North & Rural Division. Together with the Wylde Valley Division these make up the Warminster Area Board on Wiltshire Council.

## Map of Warminster Area Board



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### Initial Proposals and Pre-consultation information gathering

173. Warminster Town Council requested an increase in the overall number of town councillors from 13 to 14. These would be distributed 2,4,4,4 amongst the wards of North, East, West, and Broadway. At present the distribution was 2,4,4,3.
174. The Town Council requested the increase as they considered Warminster had an insufficient number of councillors to ensure effective governance. They provided comparisons with other town councils in Wiltshire who either had a greater number of councillors, or a number more proportionate to their populations than Warminster had.
175. The Committee noted the comments in the original submission that even at 14 councillors Warminster would have fewer than most other comparator towns in Wiltshire. During further information gathering the Town Council was asked if it still considered 14 to be an appropriate number, or if more councillors would be reasonable. The Town Council confirmed it was satisfied 14 would be appropriate.
176. An online survey was set up for November 2022 to allow comments on the submitted proposals. The councils in the area were asked to promote this, to assist the committee with any local views at this stage. One comment was received, in agreement with the proposal.

### Committee Discussion

177. The Committee reviewed the wider area and did not believe there were any issues of boundaries or other governance arrangements which needed to be addressed, and therefore focused solely upon the request of the Town Council to increase its councillor numbers.
178. No official guidance or rules set out how many councillors a council should have or how these should be distributed. As the statutory guidance set out parishes ranged in size from those with a handful of electors to those with over 40,000. Five councillors was a minimum, but there were councils in Wiltshire with as many as 24 councillors. There were councils with the same number of councillors as others which were ten times their size in number of electors. Accordingly, the Committee would need to consider the specific situation and needs of Warminster, taking account of its current arrangements.
179. It was correct to note that, at 13 councillors, Warminster Town Council was smaller than any similarly sized councils in Wiltshire. Although electoral equality, the number of electors per councillor, was not a requirement with town or parish wards, it was the case that at present the Broadway Ward represented significantly more electors per councillor than the other wards. West Ward represented the fewest, however this would increase due to incoming development.
180. A comment was received stating there was no evidence of a demand for more councillors beyond the proposed 14, noting there were 17 candidates for 13 seats at the last election. It argued wards 5 or above could be confusing to the electorate.

### Committee Draft Recommendation Proposal and Consultation

181. The Committee determined that Warminster had, comparatively, a low number of councillors for the scale of the town. The request from the Town Council was only a marginal increase, aligned with current wards and so did not negatively impact effective or convenient governance, and the proposal would provide a more effective spread of councillors across the town. The Committee therefore agreed to recommend and consult on the request.
182. No additional responses were received in relation to the proposal during the consultation, and the Committee was satisfied the reasoning and evidence previously considered was sufficient to confirm its initial recommendation.
183. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore proposed the following:

### Recommendation 6

**6.1 That Warminster Town Council be increased from thirteen councillors to fourteen.**

**6.2 That Warminster Town Council continue to comprise four wards, with councillor numbers as follows:**

- i) **Warminster North – 2 Councillors**

- ii) Warminster West – 4 Councillors**
- iii) Warminster East – 4 Councillors**
- iv) Warminster Broadway – 4 Councillors**

*Reasons: Paragraphs 79 and 157 of the Guidance on Community Governance Reviews*

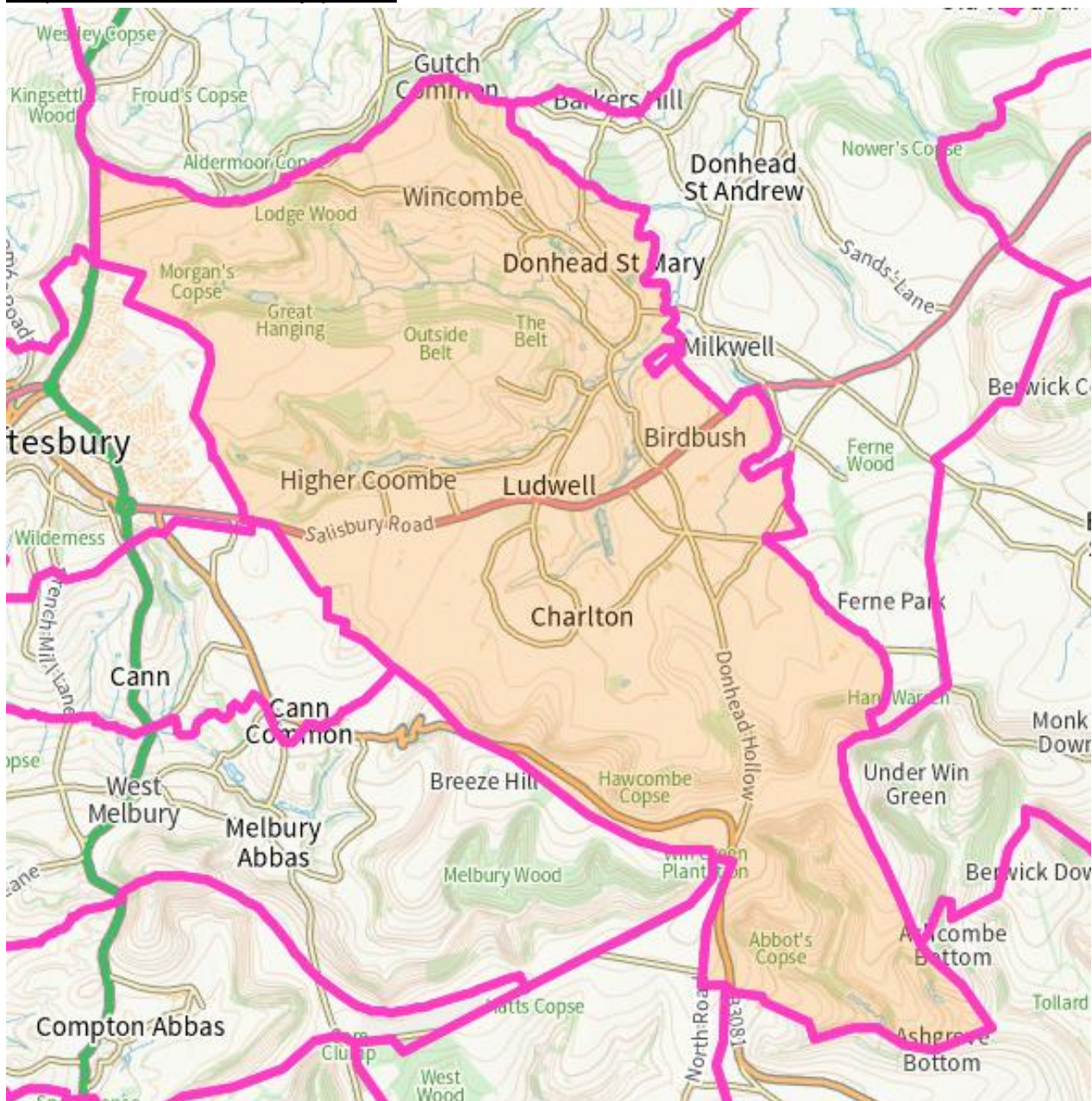


## **Donhead St Mary, Monkton Farleigh**

### **Background**

184. Several rural parish councils submitted similar, limited requests relating to their governance arrangements only. These are set out together, though geographically they are in different areas.
185. Donhead St Mary is a moderately sized parish near Tisbury, on the southern border of Wiltshire. It is bordered by Sedgemoor and Semley to the North, Donhead St Andrew and Berwick St John to the East, Toller Royal and Ashmore in Dorset to the South, and Motcombe, Shaftesbury, Melbury Abbas, and Cann, all of Dorset, to the West. As of August 2022 the parish had an approximate electorate of 851. It is served by a parish council of up to 13 councillors, and is unwarded.

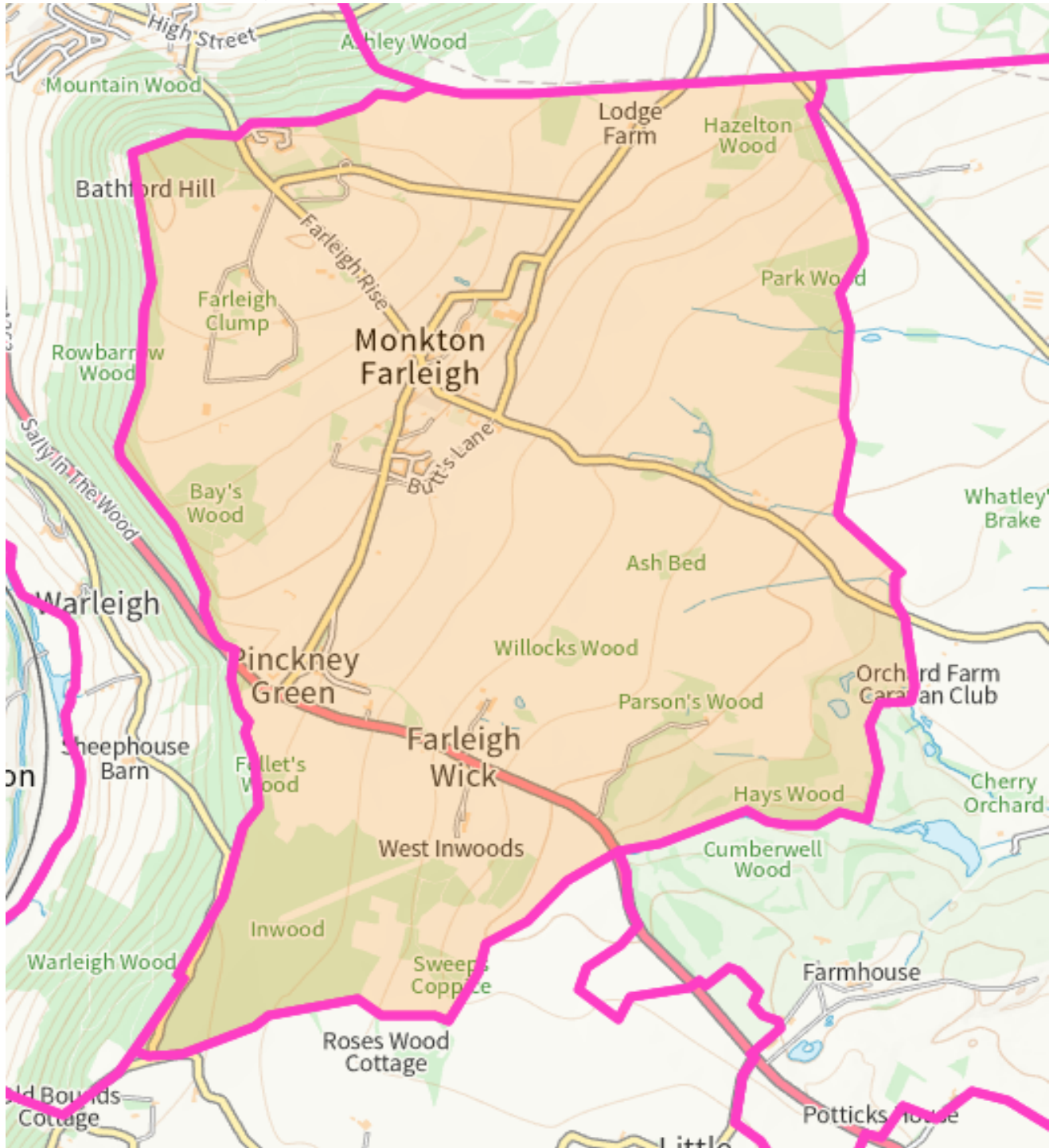
### **Map of Donhead St Mary parish**



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

186. Monkton Farleigh is a small parish on the western border of Wiltshire, north of Bradford-on-Avon and east of Bath. It is bordered by Box to the North, South Wraxall to the East, Winsley to the South, and Bathford in Somerset to the West. As of August 2022, it had an electorate of approximately 358. It is served by a parish council of up to 7 councillors, and is unwarded.

Map of Monkton Farleigh parish



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

187. Requests had also been received from Fovant, and Grimstead, however these were later withdrawn and are addressed in the Draft Recommendations.



Initial Proposals and Pre-consultation information gathering

188. Donhead St Mary Parish Council requested the total number of councillors be reduced from 13 to 11. They stated this was because there had been long periods of vacancies on the council.
189. Monkton Farleigh Parish Council requested the total number of councillors be increased from 7 to 8. They stated that they had occasions of difficulty being quorate, and that an extra councillor would reduce that risk.
190. An online survey was set up for November 2022 to allow comments on the submitted proposals. The councils in the area were asked to promote this, to assist the committee with any local views at this stage. Only one comment was received, expressing support for the proposal to reduce the councillors for Donhead St Mary.

Committee Discussion

191. In reviewing the areas, the Committee did not consider there were any issues relating to boundaries or other governance arrangements that needed to be resolved. It therefore needed to consider each area on their local characteristics and circumstances against the statutory criteria and determine if the requests were reasonable and appropriate against the criteria.
192. There was no statutory or other guidance on appropriate councillor numbers for councils, which in Wiltshire ranged from the minimum of 5, to 24. Even small councils could operate effectively with a large number of councillors, if it was appropriate for their community and led to effective and convenient governance.
193. Accordingly, the Committee needed to determine if the requests, or other options, would lead to more effective and convenient governance, or better reflect the identity and interests of the areas in question.

Committee Draft Recommendation Proposal and Consultation

194. The Committee accepted that 13 was a high number of councillors for a rural parish such as Donhead St Mary. Whilst it had a reasonable population, the Committee was persuaded that a reduction would be a more effective arrangement and increase the possibility of future elections being contested for the parish.
195. In respect of Monkton Farleigh, the Committee considered the electoral situation, the scale of the parish, and whether it was necessary or appropriate to make even the minor change requested. On balance, the Committee was persuaded to recommend the increase as requested by the parish council.
196. 3 responses were received in relation to the proposals during the consultation, all in favour and relating to Monkton Farleigh. The Committee was satisfied with the reasoning and evidence behind each proposal, and so confirmed them for a Final Recommendation. It also remained satisfied that the reasoning for a reduction in Donhead St Mary was suitable

under the criteria.

197. Having considered the evidence, statutory criteria, guidance, and other relevant information, the Committee therefore proposed the following:

**Recommendation 7**

**7.1 That Donhead St Mary Parish Council be decreased from thirteen councillors to eleven councillors.**

**7.2 That Monkton Farleigh Parish Council be increased from seven councillors to eight councillors.**

*Reasons: Paragraphs 79 and 157 of the Guidance on Community Governance Reviews*

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**Wiltshire Council**

**Full Council**

**17 October 2023**

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## **Proposed Changes to the Constitution – Part 12: Code of Conduct**

### **Summary**

This report asks Full Council to consider recommendations of the Standards Committee on proposed changes to Part 12 of the Constitution.

### **Proposals**

**That Council approve the following updated section of the Constitution:**

- **Part 12 – Code of Conduct**

### **Reason for Proposals**

To ensure that the constitution remains up to date and effective.

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

## **Proposed Changes to the Constitution**

### **Purpose of Report**

1. This report asks the Council to consider proposed changes to the following section of the Constitution:
  - Part 12 – Code of Conduct
2. The changes have been recommended by the Standards Committee.

### **Background**

3. The Standards Committee has responsibility for oversight of the Council's constitution and making recommendations to Council.
4. The Standards Committee has established the Constitution Focus Group to review sections of the Constitution and present it with proposals to consider.
5. The Focus Group met on 3 May, 19 May, and 7 June 2023 to consider the above section of the Constitution, among others.
6. The Standards Committee met on 20 June 2023 to consider the proposed changes.

### **Main Considerations**

7. Following review by a working group and recommendation from the Committee, Full Council adopted a revised Code of Conduct, including within the constitutional text associated guidance, at its meeting on 18 October 2022. This was based upon and adapted from the Local Government Association's Model Code of Conduct.
8. The new Code has been in operation for 12 months. The Committee on Standards in Public Life, in its 2019 report on Local Government Ethical Standards, suggested as best practice that principal authorities review their Code of Conduct each year.
9. As a number of practical considerations have arisen with the revised Code within that period, these were reviewed by the Focus Group and the Standards Committee. A number of amendments is proposed to address these practical considerations, whilst retaining the behavioural aspects which Council approved.
10. The Code is principally focused with setting out standards to which Members are to adhere, and guidance as to how to determine whether behaviour rises to a level in breach of those standards. However, it also includes various procedural requirements in the event of declaration of certain types of interest.

11. In particular, the adapted LGA Code and guidance includes requirements for Members to leave the room if a matter relating to an interest arises at a meeting. As membership of a town or parish council would be considered a disclosable interest under the Code, this in effect requires a significant increase in Members being required to leave a room, or a dispensation in order to remain, with a particular impact upon Area Boards. By their nature as area committees, the possibility of a local matter arising in which some or all of the Members are members of a local council is high.
12. Full Council adopted revised arrangements for the granting of dispensations in such a circumstance on 16 May 2023 in order to provide an expedited process given the increase in non-pecuniary interest dispensations that would be required.
13. The Focus Group reviewed the procedural aspects further, noting the focus of the initial working group on behavioural aspects. They concluded that it would be reasonable to amend the Code and its guidance to enable Members to remain in the room when they had an interest which was not a disclosable pecuniary interest. This would obviate the need for a dispensation purely to resolve issues of quorum which would obstruct reasonable decision making processes.
14. They also noted that over half the members of the council were members of city, town, or parish councils, with dispensations being a necessity in order to transact business at Area Boards where such an interest would frequently arise. As such they considered it would be reasonable to set out a standing dispensation for Members with such an interest, feeling that the local circumstances in Wiltshire were not suitable for that aspect of the LGA Code guidance.
15. The result would be that dispensations could still be requested if considered appropriate for non disclosable pecuniary interests which would prevent voting participation, but that there would no requirement to leave the room unless the Member considered this to be reasonable in the circumstances. Accordingly, the level of dispensations required would be significantly reduced.
16. The revisions, if adopted, would therefore retain the majority of the Code as recommended by Standards Committee and approved by Council, but would update its procedural requirements to be more efficient and effective. It seeks to do this by:
  - Providing a general exemption for those with town and parish council membership from the requirement to seek a dispensation to remain in the room, participate, or vote on matters relating to that council. This would not prevent an individual determining it was not appropriate in a particular circumstance to not participate, for example due to their close involvement in a matter.
  - Removing the requirement to leave the room for any category of interest other than Disclosable Pecuniary Interest, thus removing any impact on quoracy and reducing the need for most dispensation requests.
  - Including an updated flowchart within the body of the constitution to assist Members in understanding what to do in particular circumstances, and text to make clearer that the guidance is itself part of the Code, as was set out when the Code was adopted.
  - Reiterating that voluntary declarations, that is interests which are not required to be disclosed but where the Members has done so in the interests of openness and transparency, do not require further action, for example leaving the room.

- Other general clarifications or updates for consistency.

17. The Standards Committee considered the proposals and considered them to be appropriate. The proposed revised Part 12 is set out in **Appendix A**.

### **Overview and Scrutiny Engagement**

18. A representative from the Overview and Scrutiny Management Committee is appointed to the Constitution Focus Group.

### **Safeguarding Implications**

19. There are no safeguarding implications.

### **Public Health Implications**

20. There are no public health implications.

### **Procurement Implications**

21. There are no procurement implications at present.

### **Equalities Impact of the Proposal**

22. There are no equalities implications.

### **Environmental and Climate Change Considerations**

23. There are no environmental or climate change implications.

### **Risks that may arise if the proposed decision is not taken**

24. The Constitution would remain out of date or not as effective as it could be.

### **Risks that may arise if the proposed decision is taken**

25. No risks have been identified.

### **Finance Implications**

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

### **Legal Implications**

27. There are no legal implications.

### **Workforce Implications**

28. There are no workforce implications.



## **Conclusions**

29. The Standards Committee considers the proposals to improve the effectiveness of the Constitution and the Code.

## **Proposal**

30. To recommend Full Council approve changes to the following section of the Constitution:

- Part 12 – Code of Conduct

## **Perry Holmes - Director, Legal and Governance (and Monitoring Officer)**

Report Author: Kieran Elliott, Democracy Manager (Democratic Services)

5 October 2023

## **Appendices**

Appendix A – Proposed Part 12 of the Constitution

## **Background Papers**

[Minutes of the meeting of Council on Tuesday 18 October 2022](#)

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**Wiltshire Council  
Constitution  
Part 12A  
Wiltshire Council Code of  
Conduct for Members**

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# PART 12

## WILTSHIRE COUNCIL CODE OF CONDUCT FOR MEMBERS

As a Member or Co-opted Member of Wiltshire Council, I shall have regard to the following principles:

- **Selflessness**
- **Integrity**
- **Objectivity**
- **Accountability**
- **Openness**
- **Honesty**
- **Leadership**

To uphold these principles, I will follow the below Code of Conduct whilst carrying out my role.

### 1. **Respect**

- 1.1 I treat other Councillors and members of the public with respect.
- 1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

### 2. **Bullying, harassment, and discrimination**

- 2.1 I do not bully any person.
- 2.2 I do not harass any person.
- 2.3 I promote equality and do not discriminate unlawfully against any person.

### 3. **Impartiality of officers of the council**

- 3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

### 4. **Confidentiality and access to information**

- 4.1 I do not disclose information:
  - 4.1.1 given to me in confidence by anyone;
  - 4.1.2 acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless:
    - 4.1.2.1 I have received the consent of a person authorised to give it;
    - 4.1.2.2 I am required by law to do so;

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4.1.2.3 The disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or

4.1.2.4 The disclosure is:

- a) Reasonable and in the public interest; and
- b) made in good faith and in compliance with the reasonable requirements of the local authority; and
- c) I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests

4.3 I do not prevent anyone from getting information that they are entitled to by law

## 5. **Disrepute**

5.1 I do not bring my role or local authority into disrepute

## 6. **Use of position**

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

6.2 I do not place myself under a financial or other obligation to outside individuals or organisations that might seek to influence me in the performance of my official duties.

## 7. **Use of local authority resources and facilities**

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

7.2.1 act in accordance with the local authority's requirements; and

7.2.2 ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

## 8. **Complying with the Code of Conduct**

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

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

## 9. Interests

9.1 I register and disclose my interests, **as defined under Part 12B.**

**Commented [EK1]:** For clarification - council approved the Code and guidance as one document in two parts, 12A and 12B is simply a formatting approach for consistency with the rest of the constitution.

## 10. Gifts and Hospitality

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority, or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept

## 11. Taking Decisions

11.1 When carrying out my public duties, I make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

11.2 I am as open as possible about my decisions and actions and the decisions and actions of my authority, and am prepared to give reasons for those decisions and actions.

11.3 I am accountable for my decisions to the public and will co-operate fully with whatever scrutiny is appropriate to my office.

This Code of Conduct sets out the minimum standards of conduct required of you as a Councillor.

**This Code of Conduct should be read in conjunction with the guidance set out in this constitution as well as the following appendices:**

Appendix 1 – [Roles and Responsibilities of Members](#)

Appendix 2 – [Wiltshire Council EPIC Values](#)



## **Appendix 1 – Roles and Responsibilities of Members (Part 11 of the Constitution)**

### **1. Purpose and background**

- 1.1 This is a description of the role that all Members will be expected to perform. Members may have additional regulatory, licensing or scrutiny responsibilities or be a member of the Cabinet – there will be specific role descriptions drawn up for them, and each of these responsibilities is likely to attract additional time commitments.

### **2. Size of the role**

- 2.1 The number of voters in each division from 2021 onwards will be in the order of 4,268; you will be accountable to them for any issue relating to the council's activities and, through the area boards, for the much broader concerns of the community.

### **3. Breadth of the role**

- 3.1 Members will be responsible for helping constituents to resolve problems associated with, amongst other things:

- 3.1.1 Planning
- 3.1.2 Housing
- 3.1.3 Licensing
- 3.1.4 Environmental health
- 3.1.5 Car parking and enforcement
- 3.1.6 Protecting the environment
- 3.1.7 Leisure
- 3.1.8 Refuse collection and recycling
- 3.1.9 Community planning
- 3.1.10 Council tax collection
- 3.1.11 Housing benefit
- 3.1.12 Education
- 3.1.13 Social services
- 3.1.14 Libraries
- 3.1.15 Roads
- 3.1.16 Consumer protection
- 3.1.17 Children's services
- 3.1.18 Health scrutiny
- 3.1.19 Transport
- 3.1.20 Economic development

### **4. Allowances**

- 4.1 Allowances to Members are as set out in Part 13 – Members' Allowances Scheme.

### **5. Anticipated hours required to perform the role**

- 5.1 The time unitary Members will need to carry out the role will depend on many things:

- 5.1.1 If you have a rural division, you will spend more time travelling;
- 5.1.2 If you are a new Member you will have to spend a lot of time being trained to enable you to carry out the role;
- 5.1.3 If you have a particular interest you may choose to become more involved in committees associated with these matters;
- 5.1.4 If there are important or controversial issues in your division they may occupy a lot of your time.

5.2 National figures show that unitary Members spend on average 27 hours a week on the role. There are formal meetings you will be expected to attend, but much of the work will be in your division when constituents contact you with a problem. The work includes:

- 5.2.1 Resolving problems raised by your constituents;
- 5.2.2 Attending council and policy making meetings;
- 5.2.3 Being a member of an area board;
- 5.2.4 Attending Town and Parish council meetings in your division;
- 5.2.5 Representing the council on outside bodies.

5.3 Members who have additional regulatory, licensing or scrutiny responsibilities or who are on the Cabinet will be expected to work additional hours.

## 6. **Timing of meetings**

6.1 Daytime meetings at Trowbridge:

- 6.1.1 Attendance at council meetings four-five times a year;
- 6.1.2 Attendance at Cabinet, quasi-judicial and regulatory meetings when items of interest to the division are under discussion;
- 6.1.3 Approximately two meetings a month.

6.2 Afternoon or evening meetings within an area or on a district basis:

- 6.2.1 Attendance at bi-monthly area boards;
- 6.2.2 Attendance at planning committees and other regulatory committees when items of interest to the division are under discussion;
- 6.2.3 Attendance at town and/or parish meetings;
- 6.2.4 Attendance at meetings of outside bodies, some of these might be in the day
- 6.2.5 Approximately four meetings a month.

## 7. **Principal roles**

7.1 To champion the division:

- 7.1.1 To represent constituents and to act as the link between them and the council;
- 7.1.2 To keep up-to-date with local concerns, including those of hard to reach groups;
- 7.1.3 To identify and help to resolve local concerns.

7.2 To be a community leader:

- 7.2.1 To mediate fairly and constructively between people and groups with conflicting needs;
- 7.2.2 To create effective partnerships with all sections of the community;
- 7.2.3 To work with partners to build strong and cohesive communities with a long-term vision and direction;
- 7.2.4 Act as the focus for consultation and discussion of local issues.

7.3 To keep in touch with constituents:

- 7.3.1 To communicate regularly with the community using newsletters, emails, phone, or local media and through local surgeries and meetings;
- 7.3.2 To create opportunities to communicate, including hard-to-reach groups;
- 7.3.3 To provide regular feedback.

7.4 To contribute to decision making:

- 7.4.1 By contributing to and informing debate at council meetings;
- 7.4.2 Through membership of a community area board;
- 7.4.3 By influencing and shaping services;
- 7.4.4 By monitoring performance of local services to ensure that they are held to account;
- 7.4.5 By providing for more effective working between the council and partners.

7.5 To fulfil responsibilities as a 'Corporate Parent' for children and young people in the care of the local authority:

- 7.5.1 By having an understanding of the profile and needs of the children in the care of the local authority;
- 7.5.2 By being aware of the impact on looked-after children of all council decisions;
- 7.5.3 By considering whether this would be good enough for their own child;
- 7.5.4 By ensuring that action is taken to address shortcomings in the service and to improve outcomes for looked-after children.
- 7.5.5 By being aware of the work and aims of the Corporate Parenting Panel and, if nominated by a group leader, attend meetings of the Corporate Parenting Panel as a panel member.

7.6 The Council has established a Corporate Parenting Panel, whose role is to secure Member involvement and commitment throughout the council to deliver better outcomes for children and young people who are looked after. The Terms of Reference are attached at Part 11A, and the Terms of Reference of the Safeguarding Children and Young People Panel at Part 11B.

7.7 To represent the council externally by sitting on outside bodies and attending seminars on behalf of the council.

7.8 Unitary Members will be expected to:

- 7.8.1 Commit to a programme of continuing learning and development provided by the council;

7.8.2 Comply with the Council's Code of Conduct and other protocols set out within the Constitution and to maintain the highest; standards of conduct and ethics in the performance of your duties

7.8.3 To acknowledge any enquiries normally within four working days of receipt, and provide a substantive response, where required, within fifteen working days, if possible.

## 8. **Personal Skills**

8.1 To fulfil the role of an effective unitary Member, candidates should have:

8.1.1 Knowledge of current issues for constituents;

8.1.2 Good advocacy and listening skills;

8.1.3 Good communication, presentation skills, mediation and conflict resolution skills;

8.1.4 Integrity and the ability to set aside own views and act impartially;

8.1.5 Good awareness of equality and diversity issues;

8.1.6 An understanding of the roles of officers and Members;

8.1.7 Knowledge of meetings rules and conventions;

8.1.8 The ability to challenge ideas and contribute positively to policy;

8.1.9 A desire to learn.

# EPIC VALUES

Supporting us to build stronger communities



As an organisation we are continually having to adapt to new ways of working to deliver our services to the residents of Wiltshire.

Our values define who we are, what we stand for and how we are expected to work to deliver our priorities.







Whilst we work in different professions and teams, our values are what we have in common. They are there to support us in creating positive ways of working across the organisation regardless of the challenges or changes, or the teams we are working with.

It's about how we respond to colleagues, situations and challenges in our culture of empowering people, innovation and collaboration to deliver our vision of strong communities.

We are all expected to understand what these values mean to us and ensure we reflect on them within our teams.

LIVE·WORK·INNOVATE

Wiltshire Council

EPIC values				
	Trust and respect 	Excellence 	Responsibility 	Engaged leaders
<b>Empowering people</b> 	We value and encourage others to share their ideas and opinions and trust in their capability to take decisions within their roles.	We focus on developing our skills to empower our colleagues and deliver great services in our communities.	We take responsibility for our actions and ensure we protect the council, we learn from our challenges and share our experiences to continually improve our services.	We give our teams responsibility and trust them to deliver great service. We give our teams the support and encouragement they need and take the time to understand their strengths and how to get the best out of them. We are open and honest and share information and the council's expectations, ensuring there is transparent decision making.
<b>Innovation</b> 	We respect, consider and value different opinions, perspectives and ideas to drive innovation in our services.	We continually look to identify new creative and commercial opportunities to improve how we work and deliver our services.	We identify and drive digital and creative improvements to ensure that our customers get the best value from our services.	We create an environment where teams can take informed risks and are encouraged to learn and develop. We inspire our teams to find new ways of working to improve the customer experience and to maximise service delivery. We listen and allow everyone to participate, ensuring all voices are heard.
<b>Collaboration</b> 	We collaborate in an open and honest way, recognising each other's challenges and contributions, and celebrating successes. We are respectful and supportive of each other and work together to find solutions.	We expect and encourage high standards from ourselves and others and share ideas and information to improve the delivery of services in our communities and how we work together.	We share knowledge, constructively challenge and feedback with each other, and take ownership to ensure we all deliver the best outcomes in our communities.	We role model excellent communication and teamwork with other teams and our partners to build effective working relationships in order to deliver a great service and our corporate priorities.

LIVE·WORK·INNOVATE

Wiltshire Council

**Wiltshire Council  
Constitution  
Part 12B  
Wiltshire Council Code of  
Conduct Guidance for  
Members**



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[Tables of Interests](#)  
[Flowchart on Interests](#)

Appendix 1 – Social media guidance for Members

Appendix 2 – Openness and transparency on personal interests – a guide for Members

Appendix 3 – Standards and Complaints Assessment Criteria

# PART 12B

## WILTSHIRE COUNCIL CODE OF CONDUCT GUIDANCE FOR MEMBERS

### 1. Purpose

- 1.1 This guidance is intended to assist you in meeting your obligations under the Council's Code of Conduct.
- 1.2 You are encouraged to seek advice from the Monitoring Officer if you are unclear about any aspect of the Code or how it applies in your particular situation.
- 1.3 The statutory framework for standards in local government is contained in Part 7 of the Localism Act 2011, which can be found at:  
<http://www.legislation.gov.uk/ukpga/2011/20/part/1/chapter/7/enacted>

### 2. The Principles of Public Life

#### 2.1 Selflessness

Holders of public office should act solely in terms of the public interest.

#### 2.2 Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work.

They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### 2.3 Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### 2.4 Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### 2.5 Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### 2.6 Honesty

Holders of public office should be truthful.

#### 2.7 Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Part 12B

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### 3. Application of the Code of Conduct

- 3.1 The Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Member or attend your first meeting as a Co-opted Member and continues to apply to you until you cease to be a Member.
- 3.2 This Code of Conduct applies to you when you are acting in your capacity as a Member which may include when:
  - 3.2.1 you misuse your position as a Member;
  - 3.2.2 Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Member.
- 3.3 The Code applies to all forms of communication and interaction, including:
  - 3.3.1 at face-to-face meetings;
  - 3.3.2 at online or telephone meetings;
  - 3.3.3 in written communication;
  - 3.3.4 in verbal communication;
  - 3.3.5 in non-verbal communication;
  - 3.3.6 in electronic and social media communication, posts, statements and comments.
- 3.4 You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Member.
- 3.5 The Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from the Monitoring Officer on any matters that may relate to your Code of Conduct.

### 4. Code of Conduct Guidance

- 4.1 This section sets out further guidance relating to your obligations, which are the minimum standards of conduct required of you as a Member. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.
- 4.2 Guidance is included to help explain the reasons for the obligations set out in the Code of Conduct and how they should be followed.
- 4.3 **Respect**
  - 4.3.1 Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Member, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.
  - 4.3.2 In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Members.
  - 4.3.3 In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any

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conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow Members, where action could then be taken under the Member Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's Member-Officer protocol.

#### 4.3-14.4 Bullying, harassment, and discrimination

4.4.1 The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

4.4.2 The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

4.4.3 Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

4.4.4 The Equality Act 2010 places specific duties on local authorities. Members have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

4.4.5 An objective test is applied in determining whether conduct amounts to bullying or intimidation; in other words the conduct will be looked at through the eyes of a notional reasonable member of the public with knowledge of all the facts, and who looks at the conduct objectively.

#### 4.3-24.5 Impartiality of officers of the council

4.5.1 Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

#### 4.3-34.6 Confidentiality and access to information

4.6.1 Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

#### 4.3.44.7 Disrepute

4.7.1 As a Member, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Members and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

4.7.2 You are able to hold the local authority and fellow Members to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

#### 4.3.54.8 Use of position

4.8.1 Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you must not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

#### 4.3.64.9 Use of local authority resources and facilities

4.9.1 You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Member.

4.9.2 Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

4.9.3 These are given to you to help you carry out your role as a Member more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

#### 4.3.74.10 Complying with the Code of Conduct

4.10.1 It is extremely important for you as a Member to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

##### 4.10.2 Complaints Procedure

The Council's arrangements for dealing with complaints under the Code of Conduct are set out in Protocol 11 of the Council's Constitution.

##### 4.10.3 Local Assessment Criteria

Complaints under the Code are assessed or reviewed in accordance with the criteria attached at Appendix 3.

#### 4.3-84.11 Interests

4.11.1 Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

4.11.2 You need to register your interests so that the public, local authority employees and fellow Members know which of your interests might give rise to a conflict of interest.

4.11.3 The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable.

4.11.4 You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise.

4.11.5 It is also important that the public know about any interest that might have to be disclosed by you or other Members when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

4.11.6 You should note that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

4.11.7 The Register of Interests section below sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

#### 4.3-94.12 Gifts and hospitality

4.12.1 In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Member.

4.12.2 -The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered.

4.12.3 However, you do not need to register gifts and hospitality which are not related to your role as a Member, such as Christmas gifts from your friends and family.

4.12.4 It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Member. If you are unsure, do contact your Monitoring Officer for guidance.

#### 4.3-104.13 Taking decisions

4.13.1 The decisions you take whilst undertaking your public duties should be made on an objective basis, using the best information available whilst avoiding discrimination, or bias.

4.13.2 To ensure public confidence in the decision-making process, you should be willing to make the reasons for your decisions, as well as those of Wiltshire Council, publicly available.

4.13.3 Information about why decisions have been taken should only be withheld in cases where there are clear and lawful reasons for doing so. As a holder of public office, you must be accountable for your decisions and actions and must submit yourself to the level of scrutiny commensurate with your position. It is important that the public are able to constructively challenge and express concern about the process by which decisions are made.

#### 4.14 Bias and Predetermination

4.14.1 Decisions, particularly in regulatory matters such as planning and licensing, may be challenged and ruled unlawful on the ground of bias.

4.14.2 The test is whether a fair minded and informed observer, having considered the facts, would conclude that there was a real possibility that the Member was biased.

4.14.3 In particular, under the Council's Code of Conduct for Members, bias would occur if you placed yourself under a financial or other obligation to third parties that might seek to influence you in the performance of your official duties. The rules on registration and declaration of interests are intended to protect Members against allegations of bias and predetermination.

4.14.4 The Localism Act 2011 has clarified the rules on predetermination. Predetermination occurs where someone has a closed mind so that they are unable to apply their judgment fully and properly to the issue requiring a decision. This can lead to legal challenges and decisions being set aside.

4.14.5 The Act makes it clear that a Member is not deemed to have had a closed mind on an issue just because they have indicated what view they have taken or may take before the issue is decided. A Member is not, for example, prevented from participating in discussion of an issue or voting on it if they have campaigned on the issue or made public statements about their approach to it.

4.14.6 The general position, however, remains that, whatever their views, Members must approach their decision-making with an open mind in the sense that they must have regard to all material considerations and must be prepared to change their views if persuaded that they should.

4.14.7 Whether or not there is actual or apparent bias or predetermination is a question of fact to be considered in each case. Where this may be an issue for a Member advice should be sought at an early stage and in any event before the decision concerned is made.

## 5. Register of Interest

5.1 Your registration of personal interests should be guided by your duty to act in conformity with the Principles of Public Life.

5.2 The rules on registering and declaring interests are intended to promote openness and transparency to give the public confidence that councillors are putting the public interest first and are not benefiting their own financial affairs from being a councillor.

5.3 You should consider your obligations in respect of registering and declaring interests within this context. As a general rule, if you are in any doubt about your situation you should

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register or declare an interest. This provides openness and transparency, protects the public interest, the local authority's decision and your own position.

- 5.4 Your register of interests is a public document available on the Council's web site and should contain sufficient details to ensure that the nature of your interest is clear to members of the public. In the case of an interest in land this should include a sufficient description of the land to enable it to be identified.
- 5.5 Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.
- 5.6 "**Disclosable Pecuniary Interest**" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.
- 5.7 "**Partner**" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.
- 5.8 You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
- 5.9 A 'sensitive interest' is as an interest which, if disclosed, could lead to the Councillor, or a person connected with the Councillor, being subject to violence or intimidation.
- 5.10 Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

#### Declaration of Interests at Meetings

- 6.1 This section sets out actions which must be taken if a matter arises at a meeting in which you have a Disclosable Pecuniary Interest (DPI), Other Registerable Interest (ORI), or Non-Registerable Interest (NRI).
- 6.2 There may be occasions where you have an interest which does not fall into any of the categories above, such as if you have previously expressed opinions or campaigned on an issue, or being acquainted with persons or groups relevant to the matter, without being a close associate.
- 6.3 You are encouraged to consider whether it is appropriate to declare such an interest at a meeting in the interests of openness and transparency.
- 6.4 If making such a declaration you would not be prevented from remaining in the room, participating, or voting, unless you considered it would be appropriate in the circumstances in accordance with the principles of conduct in public life.

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6.5 ~~Non-participation in case of d~~Disclosure of Disclosable Pecuniary Interests  
Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest.

6.6 ~~You must and~~ not participate in any discussion or vote on the matter and must not remain in the room ~~for the entirety of the item~~ unless you have been granted a dispensation.

6.7 If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

6.4.6.8 Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5.4.6.9 Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

#### Disclosure of Other Registerable Interests

6.10 Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests as set out in **Table 2**, you must disclose the interest.

6.5.6.11 ~~You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. You must withdraw from the meeting in your capacity as a councillor but may remain in the room, unless you consider it appropriate to leave the room in the circumstances in accordance with the principles of conduct in public life.~~

6.6 6.12 If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

#### Disclosure of non-registerable interests

6.13 Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest.

6.14 You may speak on the matter only if members of the public are also allowed to speak at the meeting. ~~Q, but~~ otherwise you must not take part in any discussion or vote on the matter ~~and must not remain in the room~~ unless you have been granted a dispensation. You must withdraw from the meeting in your capacity as a councillor but may remain in the room, unless you consider it appropriate to leave the room in the circumstances in accordance with the principles of conduct in public life.

5.3.6.15 If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

5.4.6.16 Where a matter arises at a meeting which affects rather than directly relates to:

5.4.16.16.1 your own financial interest or well-being and is not a Disclosable Pecuniary Interest set out in Table 1;

5.4.26.16.2 a financial interest or well-being of a relative or close associate; or

**Commented [EK1]:** As detailed in Protocol 4, not being able to speak even as a member of the public, was the position of the government in its guidance on the Act, in the 'Openness and Transparency on Personal interests'.

The Monitoring Officer has confirmed the council takes a strict interpretation of what constitutes a Disclosable Pecuniary Interest, given the potential criminal sanctions involved. That is, the matter being discussed/determined must be *about* the DPI, not simple relating to it in some way, which might be a lesser form of interest

Other interests would not have to leave the room under these changes

**Commented [EK2]:** This would mean people have to make declarations, and have to have a dispensation to vote (not to include town or parish council membership), but can remain for discussion, debate and vote - and can speak in any public section.

Town and parish council membership not included - see table 2 - only that it be declared.

Withdraw in capacity as a councillor was the standard from the old code

**Commented [EK3]:** So wording is consistent with the above. Eg it is the planning application of an old business associate.

'Withdrawing in your capacity as a councillor' mirrors pre Oct 2022 wording

**Commented [EK4]:** To draw attention to the distinction from above - affects could mean a planning application which impacts on your own property, but is not a DPI as it is not *about* your property

~~5.4.36.16.3~~ a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

~~5.5.16.17~~ Where a matter (referred to in paragraph ~~5.4.36.16~~ above) affects the financial interest or well-being:

~~5.5.16.17.1~~ to a greater extent than it affects the financial interests of the majority of inhabitants of the ~~ward~~ Division for which you have been elected or otherwise of the authority's administrative area affected by the decision and;

~~5.5.26.17.2~~ a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. ~~but~~ otherwise you must not take part in any discussion or vote on the matter ~~and must not remain in the room~~ unless you have been granted a dispensation. You must withdraw from the meeting in your capacity as a councillor but may remain in the room, unless you consider it appropriate to leave the room in the circumstances in accordance with the principles of conduct in public life.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

6.18 You may participate, vote and remain in the room if the matter does not affect the financial interest or wellbeing set out in the tests at Paragraphs 6.17.1 and 6.17.2. The provisions of the Localism Act 2011, as summarised at Paragraph 4.14, should be taken into account in any such assessment.

#### Cabinet

~~5.6.18~~ Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

#### Table 1 – Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

**Commented [EK5]:** Adapted from Durham Code - more precise in the event of a non-local decision

**Commented [EK6]:** So wording is consistent with the above.

**Commented [EK7]:** For avoidance of doubt - ie if a reasonable member knowing the facts would not think it would affect your view of the wider interest, you can participate.

Basically this bookends the opening section about voluntary declarations

Table 1: Disclosable Pecuniary Interests

Subject	Description
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain.
<b>Sponsorship</b>	<p>Any payment or provision of any other financial benefit (other than from the council) made to the Councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Councillor, or towards his/her election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
<b>Contracts</b>	<p>Any contract made between the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>

Table 1: Disclosable Pecuniary Interests

Subject	Description
<b>Land and property</b>	Any beneficial interest in land which is within the area of the council.  'Land' excludes an easement, servitude, interest or right in or over land which does not give the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
<b>Corporate tenancies</b>	Any tenancy where (to the Councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
<b>Securities</b>	Any beneficial interest in securities* of a body where— (a) that body (to the Councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the Councillor, or his/ her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

**Table 2 – Other Registerable Interests**

You must register as an Other Registerable Interest:

- a) Any unpaid directorships;
- b) Any body of which you are a member or are in a position of general control or management, and to which you are nominated or appointed by your authority;
- c) Any body:
  - i) exercising functions of a public nature;
  - ii) directed to charitable purposes; or,
  - iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Membership of a City, Town, or Parish Council must be included on your register as an interest in accordance with c)i) above. This must be declared at any meeting which relates to it.

However, other provisions relating to Other Registerable Interests at paragraph 6 shall not apply, and you may participate fully and vote without a dispensation, and remain in the room, unless you consider it appropriate not to do so in the circumstances in accordance with the principles of conduct in public life.

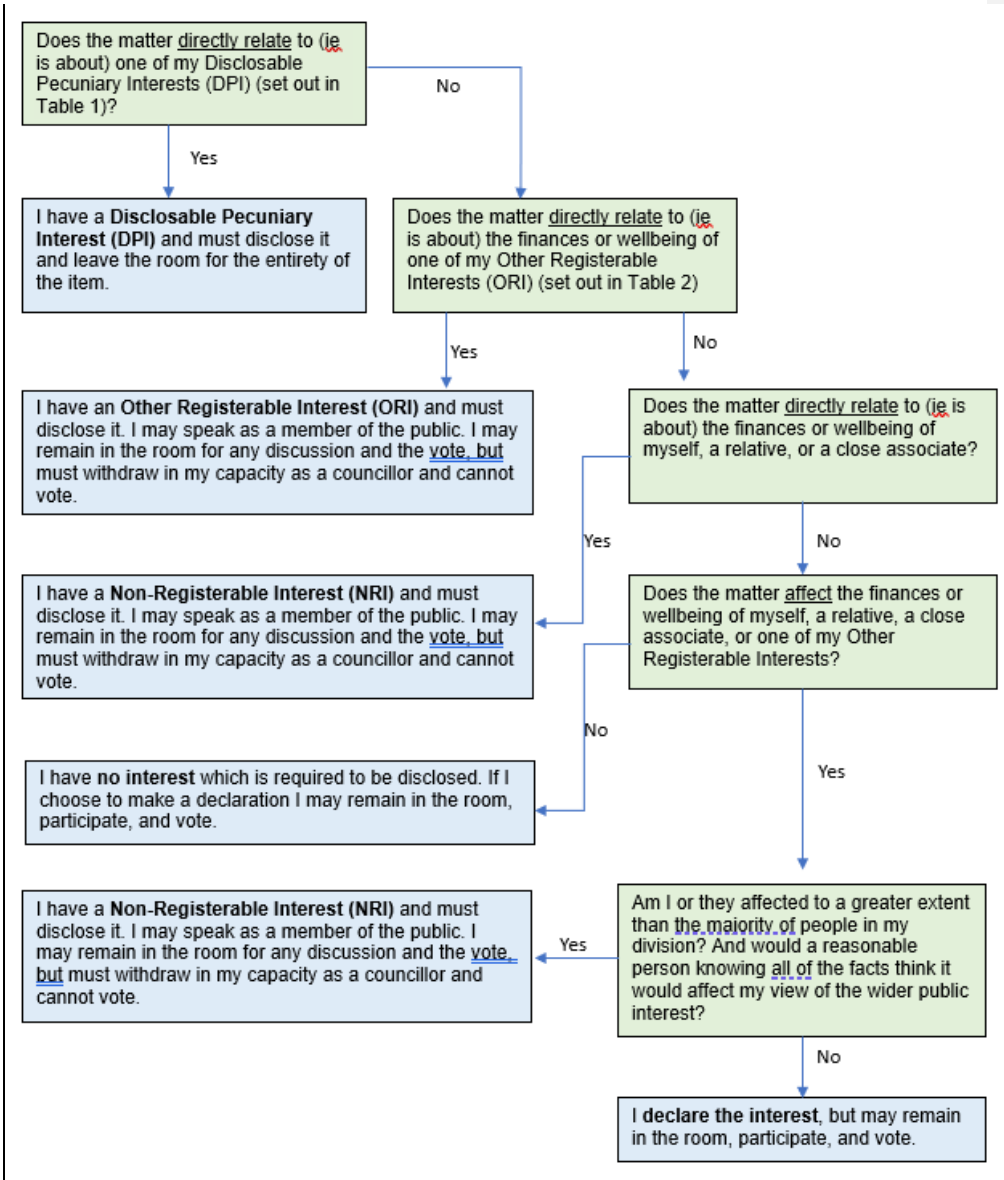
**Commented [EK8]:** To apply in effect a blanket dispensation on Members for being members of a town or parish council.

They would need to declare their membership at a meeting where it was relevant, and would then state whether they intended to participate or vote or leave the room.

This reverts to the previous position of being able to participate unless they decide otherwise - the only difference being 'must' declare rather than 'should'

**Flowchart on Interests**

**Commented [EK9]:** Adapted from Briefing Note 23-05, to align to proposed new position on leaving the room etc





**Wiltshire Council**

**Full Council**

**17 October 2023**

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**Proposed Changes to the Constitution - Protocol 12: Police and Crime Panel Arrangements and Procedure Rules**

**Summary**

This report asks Full Council to consider recommendations of the Standards Committee on proposed changes to the Constitution.

**Proposals**

**That Council approve the following updated section of the Constitution:**

- **Protocol 12 – Wiltshire Police and Crime Panel Protocol**

**Reason for Proposals**

To ensure that the constitution remains up to date and effective.

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

## **Proposed Changes to the Constitution**

### **Purpose of Report**

1. This report asks the Council to consider proposed changes to the following section of the Constitution:
  - Protocol 12 – Wiltshire Police and Crime Panel Protocol
2. The changes have been recommended by the Standards Committee and the Wiltshire Police and Crime Panel.

### **Background**

3. The Standards Committee has responsibility for oversight of the Council's constitution and making recommendations to Council.
4. The Standards Committee has established the Constitution Focus Group to review sections of the Constitution and present it with proposals to consider.
5. The Focus Group met on 3 May, 19 May, and 7 June 2023 to consider the above sections of the Constitution, among others.
6. Standards Committee met on 20 June 2023 to consider the proposed changes. Wiltshire Police and Crime Panel met on 13 June 2023 to consider Protocol 12.

### **Main Considerations**

7. Protocol 12 sets out the panel arrangements and procedure for the Wiltshire Police and Crime Panel, which is a joint committee with Swindon Borough Council.
8. The protocol has not been updated since 2014. The Chairman of the Panel undertook a review of the arrangements with officers and other Panel members, and then attended a meeting of the Focus Group to discuss the changes.
9. The Focus Group noted that the Panel was required to agree to any changes to its arrangements, and that Wiltshire Council and Swindon Borough Council would also then need to agree any changes.
10. The Focus Group was satisfied with the revisions proposed by the Chairman of the Panel, and content that Standards and Council should approve the changes subject to any changes the Panel might make at its meeting on 13 June 2023 or subsequently.
11. It was therefore recommended that the Committee support recommending approval of Protocol 12 to Council, in whatever form the Panel, as a distinct body of both authorities, considered appropriate.

## 12. Changes within the Protocol included:

### General Changes

- The order has been changed to place the panel arrangements before the rules of procedure as it is the more strategic document.
- General updated for clarification, fewer sections to aid readability.

### Panel Arrangements

- An overview of the powers of the Panel has been included.
- It is stated explicitly that the Panel is not responsible for scrutinising operational police matters.
- The documents have been updated to reflect that Swindon Borough Council has a fourth Panel member.
- The restriction in appointing members for a maximum of two four-year terms has been removed.
- Detail on the process for the appointment of members has been updated to reflect the Police and Crime Panels (Nominations, Appointments and Notifications) Regulations 2012.
- The measures to promote the Panel have been streamlined to remove the specific requirement to provide briefing notes and host a dedicated website – however, there is continued intention to provide greater briefing information and updated website material on hosted sites such as on the lead authority.
- There is a commitment to publish minutes and agendas on the host authority's (Wiltshire Council's) website.

### Rules of Procedure

- There has been a greater focus on the procedures specific to the Police and Crime Panel. The procedure rules which apply to all of Wiltshire Council's committees have been referenced from Part 4 of Wiltshire Council's constitution allowing much of the existing text to be removed.
- Co-opted Panel members are now eligible to be Chair. Under the existing Protocol the Chair must be drawn from the councillors on the Panel.
- Public participation deadlines have been brought in line with those of Wiltshire Council's other committees, i.e., four working days to be guaranteed of a written response and two for a verbal response.
- The requirement to provide statements in writing has also been removed, as per Wiltshire Council's other committees.
- The document has been updated to reflect the Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012, including timelines and confirmation that the Panel is only able to veto the Commissioner's first precept proposal and nomination for Chief Constable.
- Guidance is included about the process for further scrutiny should the Panel exercise its vetoes.
- Clarification is provided that the Panel must make a recommendation about the appointment of the Deputy PCC, Chief Executive of the OPCC and Chief Financial Officer of the OPCC, as well as of the Chief Constable. The Panel only has a veto over the appointment of the Chief Constable.

13. The Standards Committee was informed that at its meeting on 13 June 2023 the Wiltshire Police and Crime Panel resolved to adopt the proposed changes, subject to minor amendments further clarifying details of membership of the Panel. The Committee was content to recommend adoption of the protocol as approved by the Panel.
14. Swindon Borough Council approved the arrangements at its own Full Council meeting on 13 July 2023. Were Council to seek amendment to the proposed new Protocol this would need to be agreed by Swindon and the Panel.
15. Proposed and current versions of the Protocol are included at **Appendix A**. Due to the level of changes and moving of existing text, the documents are separate not tracked changes.

### **Overview and Scrutiny Engagement**

16. A representative from the Overview and Scrutiny Management Committee is appointed to the Constitution Focus Group.

### **Safeguarding Implications**

17. There are no safeguarding implications.

### **Public Health Implications**

18. There are no public health implications.

### **Procurement Implications**

19. There are no procurement implications at present.

### **Equalities Impact of the Proposal**

20. There are no equalities implications.

### **Environmental and Climate Change Considerations**

21. There are no environmental or climate change implications.

### **Risks that may arise if the proposed decision is not taken**

22. The Constitution would remain out of date or not as effective as it could be.

### **Risks that may arise if the proposed decision is taken**

23. No risks have been identified.

### **Finance Implications**

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

## **Legal Implications**

25. There are no legal implications.

## **Workforce Implications**

26. There are no workforce implications.

## **Conclusions**

27. The Standards Committee considers the proposals to improve the effectiveness of the Constitution.

## **Proposal**

28. To recommend Full Council approve changes to the following section of the Constitution:

- Protocol 12 – Wiltshire Police and Crime Panel Protocol

## **Perry Holmes - Director, Legal and Governance (and Monitoring Officer)**

Report Author: Kieran Elliott, Democracy Manager (Democratic Services)

5 October 2023

## **Appendices**

Appendix A1 – Proposed Protocol 12 of the Constitution

Appendix A2 – Current Protocol 12 of the Constitution

## **Background Papers**

[Minutes of the meeting of Swindon Borough Council 13 July 2023](#)

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**Wiltshire Council  
Constitution  
Protocol 12  
Police and Crime Panel  
Arrangements and  
Procedure Rules**



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# PROTOCOL 12A

## WILTSHIRE POLICE AND CRIME PANEL

### ARRANGEMENTS

#### 1. Purpose

- 1.1 Wiltshire Council and Swindon Borough Council have agreed the following arrangements to establish and maintain a Police and Crime Panel ('the Panel') for their police force area as per the requirements of The Police Reform and Social Responsibility Act 2011 ('The Act')<sup>1</sup>
- 1.2 The purpose of this arrangement is to support the functions of the Panel as specified in the Act and as agreed by respective Full Council meetings of both Authorities. These functions are outlined in Part 3 Section 5 of Wiltshire Council's Constitution.
- 1.3 Both Authorities and each Member of the Panel must comply with these Panel arrangements.
- 1.4 Both Authorities must agree to any modification to the Panel arrangements.<sup>2</sup>
- 1.5 The Panel is a joint committee of the Authorities.<sup>3</sup> The Panel may not exercise any functions other than those conferred to it by the Police Reform and Social Responsibility Act 2011.<sup>4</sup>
- 1.6 The Panel has been given authority by the Act to review and scrutinise the decisions and actions taken by the Police and Crime Commissioner for Wiltshire ('the Commissioner') in connection with the discharge of the Commissioner's functions. These give it certain powers including:
  - 1.6.1 To review the draft Police and Crime Plan and make recommendations to the Commissioner, who must consider them.
  - 1.6.2 To review the Commissioner's annual report, on the progress made towards their plan, and make recommendations at a public meeting, which the Commissioner must attend.
  - 1.6.3 Responsibility for complaints about the Commissioner, although serious complaints and conduct matters must be passed to the Independent Office for Police Conduct in line with legislation.
  - 1.6.4 To require the Commissioner to attend the Panel to answer questions.
  - 1.6.5 To veto the Commissioner's proposed precept, the amount people pay through their council tax for policing, by a two-thirds majority of its total Membership.
  - 1.6.6 To veto by a two-third's majority of its total Membership the Commissioner's proposed candidate for Chief Constable

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<sup>1</sup> Police Reform and Social Responsibility Act 2011, Schedule 6, Part 2, Para 3 (2)

<sup>2</sup> Ibid Schedule 6, Part 2, Para 3 (3)

<sup>3</sup> Ibid, Schedule 6, Part 2, Para 4 (5b)

<sup>4</sup> Ibid, Schedule 6, Part 2, Para 4 (6)

- 1.6.7 To appoint an acting Commissioner where the incumbent Commissioner is incapacitated, resigns or is disqualified.
  - 1.6.8 To make recommendations about the appointment of the Deputy Commissioner as well as the Chief Executive and Chief Financial Officer of the Commissioner's Office.
  - 1.6.9 To support the effective exercise of the functions of the Commissioner.
- 1.7 The Panel is not responsible for the scrutiny of operational police matters.
- 1.8 The Panel must have regard to the Policing Protocol Order 2011, or any successor Protocol, which sets out the ways in which the Home Secretary, the Commissioner, the Chief Constable and the Panel should exercise, or refrain from exercising, functions.
- 1.9 The conduct of the Panel and the content of these arrangements shall be subject to the legislative provisions in the Act, and any Regulations made in accordance with it, and in the event of any conflict between the Act or Regulations, and these arrangements, the requirements of the legislation will prevail.

## **2. Membership and Political Balance**

- 2.1 A person may not be a Member of the Panel if they are the following:
- 2.1.1 The Commissioner.<sup>5</sup>
- 2.2 A person may not be a Co-opted Member if they are also any of the following:
- 2.2.1 A Member of Parliament.
  - 2.2.2 A Member of the National Assembly for Wales.
  - 2.2.3 A Member of the Scottish Parliament.
  - 2.2.4 A Member of the Office of the Commissioner.
  - 2.2.5 A Member of the civilian staff of Wiltshire Police.
  - 2.2.6 A Member of the European Parliament.<sup>6\*</sup>
- 2.3 The balanced appointment objective requires that the Local Authority Members of the Panel (which includes Members appointed by the Authorities and Co-opted Members who are elected Members of any of the Authorities) should:
- 2.3.1 represent all parts of the police force area;
  - 2.3.2 represent the political make-up of the Authorities; and,
  - 2.3.3 taken together have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.<sup>7</sup>

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<sup>5</sup> Police Reform and Social Responsibility Act 2011, Schedule 6, Part 4 (21)

<sup>6</sup> Ibid, Schedule 6, Part 4 (22)

<sup>7</sup> Ibid, Schedule 6, Part 4, Para 31 (5)

\*Please note that the Police Reform and Social Responsibility Act was written when the United Kingdom was a European Union member state.

- 2.4 When considering the balanced appointment objective appointments should, where possible, reflect the diversity of the communities within the police force area.
- 2.5 The Panel shall consist of 11 Members appointed by the Authorities in accordance with the requirements of the balanced appointment objective contained within the Act, as follows:
- 2.5.1 Wiltshire Council - seven Members
  - 2.5.2 Swindon Borough Council - four Members
- 2.6 The Panel shall also include a minimum of two independent Members Co-opted by the Panel.
- 2.7 Co-opted Members shall serve for a period of four years on the Panel. There is no restriction on the number of terms that any Co-opted Member can serve.
- 2.8 The validity of the proceedings of the Panel is not affected by a vacancy in the Membership of the Panel or a defect in appointment.<sup>8</sup>
- 2.9 All Members shall observe the Code of Conduct of the host authority. Swindon Borough Council Members are also bound by their own Code.

### **3. Appointment, Resignation and Removal of Members**

#### Appointment

- 3.1 The Panel shall put in place arrangements to ensure that appointments of Co-opted Members are undertaken following public advertisement in accordance with the following principles:
- 3.1.1 The appointment will be made on merit of candidates whose skills, experience and qualities are considered best to ensure the effective functioning of the Panel;
  - 3.1.2 The selection process must be fair, objective, impartial and consistently applied to all candidates who will be assessed against the same pre-determined criteria; and,
  - 3.1.3 The selection process will be conducted transparently with information about the requirements for the appointment and the process being publicly advertised and made available with a view to attracting a strong and diverse field of suitable candidates. It will be made clear that candidates from all backgrounds are welcome when advertising the post
- 3.2 Appointments of elected Members to the Panel shall be made by each of the Authorities in accordance with their own procedures and with a view to ensuring that the balanced appointment objective of the Act is met so far as is reasonably practicable. All Members of the Authorities are eligible to be Members of the Panel. The Host Authority shall take steps to coordinate the Authorities with a view to ensuring that the balanced appointment objective is achieved.<sup>9</sup>

<sup>8</sup> Police Reform and Social Responsibility Act 2011, Schedule 6, Part 4, Para 30

<sup>9</sup> Ibid, Schedule 6, Part 2, Para 4a and Ibid, Schedule 6, Part 3, Para 13 (2)

- 3.3 The Authorities shall both nominate elected Members to be Members of the Panel. If a nominated Member agrees to the appointment the Authority may appoint the Member as a Member of the Panel.
- 3.4 If an Authority fails to nominate a Member within 21 days of either their annual Full Council, or after the first meeting of the Authority to be held after the power to nominate arose, they must notify the Home Office.<sup>10</sup>
- 3.5 The relevant Authority must notify the Home Office where they fail to appoint a Councillor to the Panel within 14 days of the Councillor accepting nomination to the Panel.<sup>11</sup>
- 3.6 In the event that an Authority does not appoint a Member or Members in accordance with their procedures, and there are fewer than 10 Members on the Panel appointed by the Authorities the Secretary of State must appoint a Member to the Panel from the defaulting Authority/Authorities in accordance with the provisions in the Act.<sup>12</sup>
- 3.7 In the event that an Authority does not appoint a Member in accordance with their procedures, and there are 10 Members on the Panel appointed by the Authorities the Secretary of State may appoint a Member to the Panel to achieve the balance appointment objective.
- 3.8 The Panel must from time to time decide whether the Panel should exercise its power to change the number of Co-opted Members of the Panel to enable the balanced appointment objective to be met, or be more effectively met, and if so, it must exercise that power accordingly.<sup>13</sup>
- 3.9 The Panel may resolve to have more than two Co-opted Members, subject to the agreement of the Secretary of State and as long as the total Membership of the Panel, including Co-opted Members, would not exceed 20.<sup>14</sup>
- 3.10 An elected Member of any of the Authorities may not be a Co-opted Member of the Panel where the number of Co-opted Members is two. If the Panel has three or more Co-opted Members an elected Member of any of the Authorities may be a Co-opted Member of the Panel provided that at least two of the other Co-opted Members are not elected Members of any of the Authorities.<sup>15</sup>
- 3.11 Additional elected Members may be requested to ensure the Panel represents all parts of the relevant police area and the political make-up of the relevant local authorities.<sup>16</sup> Co-option of individual additional Local Authority Members must be unanimously

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<sup>10</sup> The Police and Crime Panels (Nominations, Appointments and Notifications) Regulations 2012 Guidance, pg.1

<sup>11</sup> Ibid, pg.2

<sup>12</sup> Police Reform and Social Responsibility Act 2011, Schedule 6, Part 3, Para 18

<sup>13</sup> Ibid, Schedule 6, Part 4, Para 31 (4a)

<sup>14</sup> Ibid, Schedule 6, Part 2, Para 4 (4)

<sup>15</sup> Ibid, Schedule 6, Part 4, Para 23 (2)

<sup>16</sup> Ibid, Schedule 6, Part 2, Para 5 and

<https://www.gov.uk/government/publications/police-and-crime-Panels/police-fire-and-crime-Panels-guidance#Panels-in-england>

agreed by the Panel.<sup>17</sup> An increase in Membership from 11 elected Members would also require agreement by both Authorities to the amendment to these Panel Arrangements to reflect the new total.

#### Resignation and Removal

- 3.12 A Member may resign from the Panel by giving written notice to the Proper Officer at Wiltshire Council.
- 3.13 In the event that an appointed Member resigns or is removed from the Panel, the relevant Authority shall immediately take steps to nominate and appoint an alternative Member to the Panel.
- 3.14 Where a Co-opted Panel Member fails to attend at least two meetings of the Panel over a six-month period then the Lead authority shall recommend that due consideration is given to removing the Member from the Panel and to the appointment of a replacement Member.
- 3.15 If they are a Co-opted Member, then the Panel shall make arrangements to appoint a replacement. The only exception to this would be if the Panel were to have more than two Co-opted Members and wished to reduce the number of Co-opted Members. Should the Panel wish to change the number of Co-opted Members it must notify the Home Office.<sup>18</sup>
- 3.16 An Authority may decide in accordance with their procedures to remove their appointed Member from the Panel at any point and on doing so shall give notice to the Proper Officer at Wiltshire Council.
- 3.17 The Panel may decide to terminate the appointment of a Co-opted Member of the Panel if at least two-thirds of the persons, present and voting, who are Members of the Panel at the time when the decision is made, vote in favour of making that decision at any time for the reasons set out below and on doing so shall give written notice to the Co-opted Member:
- 3.17.1 if the Co-opted Member has been absent from the Panel for more than six months, missing at least two meetings during that time, without the consent of the Panel;
  - 3.17.2 if the Co-opted Member has been convicted of a criminal offence but not automatically disqualified;
  - 3.17.3 if the Co-opted Member is deemed to be incapacitated by physical or mental illness or is otherwise unable or unfit to discharge his or her functions as a Co-opted Member of the Panel; or,
  - 3.17.4 if the Co-opted Member's Membership of the Panel no longer achieves the meeting of the balanced appointment objective.

#### **4. The Host Authority**

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<sup>17</sup> The Police and Crime Panels (Nominations, Appointments and Notifications) Regulations 2012 Guidance, pg.1

<sup>18</sup> The Police and Crime Panels (Nominations, Appointments and Notifications) Regulations 2012 Guidance, pg.2)

- 4.1 Wiltshire Council shall be the host authority for the Panel and shall provide such administrative and other support as will be necessary to enable the Panel to undertake its functions.
- 4.2 Support and guidance will be provided to Members and Officers at both Authorities as well as Co-opted Members of the Panel in relation to the Panel's functions.<sup>19</sup>

## **5. Promotion of the Panel**

- 5.1 The Panel shall take measures to promote its role including through the publication of its minutes and agendas on the host Authority's website.
- 5.2 A copy of the Panel Arrangements and Procedure Rules is to be made available on the part of the host Authority's website relating to the Panel.

## **6. Budget and Costs of the Panel**

- 6.1 The annual costs of the Panel shall be contained within the Home Office grant.
- 6.2 The payment of a responsibility allowance to Panel Members shall be considered and a recommendation sought from the Independent Remuneration Panel of each council as to whether the payment of such an allowance is appropriate.
- 6.3 Reasonable expenses will be reimbursed by each authority with the host Authority reimbursing the expenses of the Co-opted independent Members.

## **7. Modification of the Procedure Rules**

- 7.1 The Rules of Procedure shall not be amended unless notification of a proposed amendment is received by the Proper Officer Wiltshire Council at least 10 working days prior to a Panel meeting.
- 7.2 A report on the implications of the proposed amendment shall be considered by the Panel and the amendment shall require the agreement of at least two thirds of the persons who are Members of the Panel at the time when the decision is made.
- 7.3 No amendment may be considered by the Panel which does not comply with the Act, relevant Regulations or Panel Arrangements.

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<sup>19</sup> Police Reform and Social Responsibility Act 2011, Schedule 6, Part 4, Para 29



# **PROTOCOL 12B**

## **WILTSHIRE POLICE AND CRIME PANEL**

### **RULES OF PROCEDURE**

#### **1. Meetings of the Police and Crime Panel**

- 1.1 The Police and Crime Panel (The Panel) will follow the procedure rules of the Host Authority, found in Part 4 of Wiltshire Council's Constitution.
- 1.2 Where the Procedure Rules differ from those of the Host Authority then the Panel's Procedure Rules shall apply in place of those of the Host.
- 1.3 The Panel's agendas and minutes will be published in accordance with the statutory requirements set out in Section 100 Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (as reflected in Part 5 of Wiltshire Council's Constitution).
- 1.4 The Panel shall hold a minimum of four meetings per year.
- 1.5 An extraordinary meeting may be called by the Chairman or by four Members of the Panel, or the Monitoring Officer of Wiltshire Council.
- 1.6 Any Member of the Panel shall be entitled to give notice to the Director, Legal and Governance, Wiltshire Council, that they wish an item relevant to the functions of the Panel to be included on the agenda for the next available meeting.
- 1.7 Items will be rejected where they do not relate to a matter for which the Panel has a responsibility for, require confidential information to be disclosed or are deemed improper or inappropriate for the meeting.
- 1.8 The Chairman's ruling will be final.

#### **2. The Chairman**

- 2.1 The Chairman and Vice-Chairman of the Panel will be appointed at the first meeting of the Panel following the annual confirmation of Members to the Panel by the constituent councils. Any Member of the Panel, including Co-opted Members, may be elected as Chairman or Vice-Chairman.
- 2.2 In the event of the resignation of the Chairman or removal of the Chairman, a new Chairman will be appointed.
- 2.3 The Chairman may be removed by a majority vote of the Panel. In the event the Chairman is removed, the Panel will vote to appoint a replacement.
- 2.4 The Panel will elect a person to preside at a meeting if the Chairman and Vice-Chairman are not present.

### **3. Public Participation**

- 3.1 Members of the public are able to ask questions or make a statement in relation to the responsibilities and functions of the Panel at each meeting.
- 3.2 A question will be rejected where it:
  - 3.2.1 does not relate to the responsibilities and functions of the Panel;
  - 3.2.2 directly relates to operational Police matters;
  - 3.2.3 is defamatory, frivolous, offensive, vexatious, unlawful or otherwise improper;
  - 3.2.4 relates to any non-determined planning or licensing application;
  - 3.2.5 requires the disclosure of confidential or exempt information;
  - 3.2.6 names or identifies individual service users, Members of staff or Members of staff of partner agencies, other than the Police and Crime Commissioner ('the Commissioner') or Chief Constable;
  - 3.2.7 is considered by the Chairman to be inappropriate for the particular meeting.
- 3.3 The Chairman's ruling on rejection of a question will be final following consultation with the Monitoring Officer.
- 3.4 The rules and deadlines relating to public participation contained within Part 4 of Wiltshire Council's Constitution will apply.
- 3.5 The Chairman may reject a supplementary question on the grounds listed in paragraph 3.2 above (reasons for rejection). A supplementary question may not include an additional preceding statement.
- 3.6 Ordinarily, no debate shall be allowed on questions presented or responses given. In exceptional circumstances only, the Chairman may allow discussion.

### **4. Decision Making**

- 4.1 All Panel Members may vote in the proceedings of the Panel.<sup>20</sup>
- 4.2 The rules of debate of the Panel shall be governed by the rules relating to meetings of Wiltshire Council committees in Part 4 of Wiltshire Council's constitution.

### **5. Special Functions of the Panel**

- 5.1 The Panel has the below special functions derived from the Police Reform and Social Responsibility Act 2011:<sup>21</sup>
  - 5.1.1 Scrutiny of the Commissioner's draft Police and Crime Plan.<sup>22</sup>
  - 5.1.2 Scrutiny of the Commissioner's annual report.<sup>23</sup>
  - 5.1.3 Scrutiny of senior appointments in the Office of the Commissioner.<sup>24</sup>

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<sup>20</sup> Police Reform and Social Responsibility Act 2011, Schedule 6, Part 4, Para 26

<sup>21</sup> Ibid, Schedule 6, Part 4, Para 27 (2)

<sup>22</sup> Ibid, Part 1, Chapter 4, Section 28 (3)

<sup>23</sup> Ibid, Part 1, Chapter 4, Section 28 (4)

<sup>24</sup> Ibid, Schedule 1, Paras 10 and 11

5.1.4 Scrutiny of Precepts.<sup>25</sup>

5.1.5 Scrutiny of the appointment of the Chief Constable.<sup>26</sup>

## **6. Police and Crime Plan**

6.1 The Panel must review the draft Police and Crime Plan, or draft variation, given to the Panel by the Commissioner and make a report or recommendations on the draft plan or variation to them.<sup>27</sup>

## **7. Annual Report**

7.1 The Commissioner must produce an annual report about the exercise of his/her functions in the financial year and progress in meeting police and crime objectives in the year. The report must be sent to the Panel for consideration.<sup>28</sup>

7.2 The Panel must comment upon the annual report of the Commissioner, and for that purpose must:

7.2.1 Arrange for a public meeting of the Panel to be held as soon as practicable after the Panel receives the annual report.

7.2.2 require the Commissioner to attend the meeting to present the annual report and answer questions about the annual report as the Members of the Panel think appropriate.

7.2.3 make a report or recommendations on the annual report to the Commissioner.<sup>29</sup>

## **8. Senior Appointments**

8.1 The Panel must review the Commissioner's proposed appointments of the:

8.1.1 Chief Constable

8.1.2 Deputy Commissioner

8.1.3 Chief Executive of the Commissioner's Office

8.1.4 Chief Finance Officer of the Commissioner's Office<sup>30</sup>

8.2 In each case, the Panel is required, within three weeks of notification of the proposed appointment by the Commissioner, to hold a confirmation hearing in public. It will be requested that the candidate appears, either virtually or in person, for the purposes of answering questions relating to their employment.<sup>31</sup>

8.3 After holding the confirmation hearing, but still within three weeks of notification of the proposed appointment by the Commissioner, the Panel must make a report on the

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<sup>25</sup> Police Reform and Social Responsibility Act 2011, Schedule 5

<sup>26</sup> Ibid, Schedule 8, Part 1

<sup>27</sup> Ibid, Chapter 4, Section 28 (3)

<sup>28</sup> Ibid, Chapter 3, Section 12 (2)

<sup>29</sup> Ibid, Part 1, Chapter 4, Section 28 (4)

<sup>30</sup> Ibid, Part 1, Chapter 4, Section 28 (5)

<sup>31</sup> Ibid, Schedule 8, Part 1, Paragraph 6 (3) for the Chief Constable and Ibid, Schedule 1, Part 11 for other senior appointments

proposed senior appointment including a recommendation as to whether the candidate should be appointed.<sup>32</sup> The Panel must publish its report to the Commissioner.

- 8.4 For the purposes of calculating three weeks any relevant post-election period is to be ignored. For that purpose, “relevant post-election period” means the period that begins with the day of the poll at an ordinary Commissioner’s election and ends with the day on which the person elected as Commissioner delivers their declaration of acceptance of office.<sup>33</sup>
- 8.5 In the cases of the appointment of the Deputy Commissioner, Chief Executive of the Commissioner’s Office or Chief Finance Officer of the Commissioner’s Office the Commissioner may accept or reject the Panel’s recommendation as to whether the candidate should be appointed. The Commissioner must notify the Panel of their decision whether to accept or reject the recommendation.<sup>34</sup>

#### Veto of the Chief Constable’s Appointment

- 8.6 In the case of the Chief Constable the Panel may, having reviewed the proposed appointment, veto the appointment of the candidate if at least two-thirds of the persons who are Members of the Panel at the time when the decision is made vote in favour of making that decision. The Panel will lose its veto if it fails to make a recommendation within three weeks of notification of the proposed appointment (excluding any relevant post-election period).<sup>35</sup>
- 8.7 Where the Panel exercises its veto within the required timeframe, the Commissioner shall propose another person for appointment as chief constable (“a reserve candidate”).<sup>36</sup> Within the period of three weeks, beginning with the day on which the Panel receives notification of the proposed reserve candidate, the Panel shall review the proposed appointment following the same procedure as for the original candidate.
- 8.8 The Panel must hold a confirmation hearing and make a report to the Commissioner containing a recommendation as to whether the reserve candidate should be appointed.<sup>37</sup>
- 8.9 The Panel does not have authority to veto a reserve candidate for Chief Constable.<sup>38</sup> However, the Commissioner must have regard to the Panel’s report and notify the Panel of their decision as to whether they accept or reject their recommendation.<sup>39</sup>

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<sup>32</sup> Police Reform and Social Responsibility Act 2011, Schedule 8, Part 1, Paragraph 4 (6) for the Chief Constable and Ibid, Schedule 1, Part 10 (2:5) for other senior appointments

<sup>33</sup> Ibid, Schedule 8, Part 1, Paragraph 4 (10) for the Chief Constable and Ibid, Schedule 1, Part 10 (9) for other senior appointments

<sup>34</sup> Ibid, Schedule 1, Part 12

<sup>35</sup> Ibid, Schedule 8, Part 1, Paragraph 5

<sup>36</sup> The Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012, Part 3, Paragraph 9

<sup>37</sup> Ibid, Part 3, Paragraph 10, pg. 2 [Police and crime Panel scrutiny of chief constable appointments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/248424/police_and_crime_panel_scrutiny_of_chief_constable_appointments.pdf)

<sup>38</sup> Police and Crime Panels – Scrutiny of Chief Constable Appointments Guidance

<sup>39</sup> The Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012, Part 3, Paragraph 11

## 9. Precepts

- 9.1 The Commissioner will notify the Panel of the precept which the Commissioner is proposing to issue for the forthcoming financial year by 1 February.<sup>40</sup> The Panel must review the proposed precept and make a report on whether to accept the proposals by 8 February.<sup>41</sup>
- 9.2 Having considered the precept, the Panel will do one of the following:
- 9.2.1 support the precept without qualification or comment;
  - 9.2.2 support the precept and make recommendations, or
  - 9.2.3 veto the proposed precept (by the required majority of at least two thirds of the persons who are Members of the Panel at the time when the decision is made).
- 9.3 If the Panel fails to report to the Commissioner by 8 February the scrutiny process comes to an end, even if the Panel have voted to veto the proposed precept, and the Commissioner may issue the proposed precept.

### If the Panel Does Not Use its Veto

- 9.4 The Commissioner will have regard to the Panel's report and publish their response. The Commissioner may then issue to proposed precept as the precept for the financial year. Alternatively, the Commissioner may issue a different precept but only if it is in accordance with the recommendation/s made in the Panel's report.<sup>42</sup>

### If the Panel Vetoes the Precept

- 9.5 If the Panel vetoes the proposed precept, the report to the Commissioner must include a statement that the Panel has vetoed the proposed precept with reasons. The Panel will require a response to its report, which the Commissioner must publish by 15 February.<sup>43</sup> The Commissioner's response shall include details of a revised proposed precept.<sup>44</sup> It is for the Panel to determine the manner in which the response to its report or recommendations is to be published.<sup>45</sup>
- 9.6 Where the Panel's report:
- 9.6.1 indicates that the Panel vetoes the proposed precept because it is too high, the revised precept shall be lower than the proposed precept;

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<sup>40</sup> The Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012, Part 2 Paragraph 3

<sup>41</sup> Ibid, Part 2, Paragraph 4 (1)

<sup>42</sup> Police Reform and Social Responsibility Act 2011, Schedule 5, Para 5 (3)

<sup>43</sup> Scrutiny of Precept Guidance [Police and crime Panel scrutiny of the precept - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/231111/Police_and_crime_Panel_scrutiny_of_the_precept_-_GOV.UK_(www.gov.uk).pdf) pg.1

<sup>44</sup> The Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012, Part 2, Para 5(2)

<sup>45</sup> Police Reform and Social Responsibility Act 2011, Schedule 5, Part 6(4)

9.6.2 indicates that the Panel vetoes the proposed precept because it is too low, the revised precept shall be higher than the proposed precept.<sup>46</sup>

9.7 Upon receiving the Commissioner's revised precept, the Panel shall, by 22 February, review it and make a report which may indicate whether the Panel accepts or rejects the revised precept and make recommendations about whether the precept should be issued for the forthcoming financial year.<sup>47</sup>

9.8 The Panel is not able to veto the revised precept, but the Commissioner must have regard to their report, and any recommendations they make, and publish a response to it as long as the Panel's report is published by 22 February. The Commissioner should publish their response by 1 March.<sup>48</sup>

## 10. Complaints

10.1 Criminal and non-criminal complaints in relation to the Commissioner or other office holders will be dealt with and/or delegated in accordance with the Act and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 and Policing and Crime Act 2017.

10.2 The process for dealing with complaints about the Commissioner shall be undertaken in accordance with the arrangements published on Wiltshire Council's website, with the implementation of the complaints process delegated to the Monitoring Officer at Wiltshire Council.

10.3 The Panel will maintain oversight of and retain ultimate responsibility for the complaints procedure.

## 11. Suspensions

### The Commissioner

11.1 Panel may suspend the Commissioner if it appears to the Panel that:

11.1.1 the Commissioner has been charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence, and

11.1.2 the offence is one which carries a maximum term of imprisonment exceeding two years.<sup>49</sup>

11.2 The suspension of the Commissioner ceases to have effect upon the occurrence of the earliest of these events:

11.2.1 the charge being dropped;

11.2.2 the Commissioner being acquitted of the offence;

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<sup>46</sup> The Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012, Part 2, Para 5 (3)

<sup>47</sup> Ibid, Part 2, Para 6 (2)

<sup>48</sup> Ibid, Part 2, Para 7

<sup>49</sup> Police Reform and Social Responsibility Act 2011, Part 1, Chapter 4, Section 30 (1)

- 11.2.3 the Commissioner being convicted of the offence but not being disqualified under section 66 by virtue of the conviction;
- 11.2.4 the termination of the suspension by the Panel.<sup>50</sup>

### Chief Constable

- 11.3 If the Commissioner proposes to call upon the Chief Constable to retire or resign they must also notify the Panel in writing of their proposal together with a copy of the reasons given to the Chief Constable in relation to that proposal.<sup>51</sup>
- 11.4 The Commissioner must provide the Panel with a copy of any representations from the Chief Constable about the proposal to call for their resignation or retirement.<sup>52</sup>
- 11.5 If the Commissioner is still proposing to call upon the Chief Constable to resign, they must notify the Panel accordingly (the 'further notification').<sup>53</sup>
- 11.6 Within six weeks from the date of receiving the further notification the Panel must make a recommendation in writing to the Commissioner as to whether they should call for the retirement or resignation. Before making any recommendation, the Panel may consult the Chief Inspector of Constabulary, and must hold a scrutiny meeting.<sup>54</sup> The Panel must publish its recommendation.
- 11.7 For the purposes of calculating six weeks any relevant post-election period is to be ignored. For that purpose, "relevant post-election period" means the period that begins with the day of the poll at an ordinary Commissioner's election and ends with the day on which the person elected as Commissioner delivers their declaration of acceptance of office.<sup>55</sup>
- 11.8 The scrutiny hearing which must be held by the Panel is a Panel meeting in private to which the Commissioner and Chief Constable are entitled to attend to make representations.<sup>56</sup>
- 11.9 The Commissioner must consider the Panel's recommendation and may accept or reject it, notifying the Panel accordingly.
- 11.10 The Commissioner may not call upon the Chief Constable to retire or resign until the end of the scrutiny process which will occur:
- 11.10.1 at the end of six weeks (excluding the relevant post-election period) from the Panel having received notification if the Panel has not by then given the Commissioner a recommendation as to whether they should call for the retirement or resignation, or

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<sup>50</sup> Police Reform and Social Responsibility Act 2011, Part 1, Chapter 4, Section 30 (2)

<sup>51</sup> Ibid, Schedule 8, Part 2, Para 13 (3)

<sup>52</sup> Ibid, Schedule 8, Part 2, Para 13 (5b)

<sup>53</sup> Ibid, Schedule 8, Part 2, Para 14

<sup>54</sup> Ibid, Schedule 8, Part 2, Para 15

<sup>55</sup> Ibid, Schedule 8, Part 2, Para 15 (8)

<sup>56</sup> Ibid, Schedule 8, Part 2, Para 15



11.10.2 the Commissioner notifies the Panel of a decision about whether they accept the Panel's recommendations in relation to the Chief Constable's resignation or retirement.<sup>57</sup>

11.10.3

## **12. Appointment of an Acting Commissioner**

12.1 The Panel must appoint a Member of the Commissioner's staff to act as Commissioner if:

12.1.1 no person holds the office of Commissioner

12.1.2 the Commissioner is incapacitated, or

12.1.3 the Commissioner is suspended.<sup>58</sup>

12.2 In appointing a person as acting Commissioner in a case where the Commissioner is incapacitated, the Panel must have regard to any representations made by the Commissioner in relation to the appointment.

12.3 The appointment of an acting Commissioner ceases to have effect upon the occurrence of the earliest of these events:

12.3.1 the election of a person as Commissioner;

12.3.2 the termination by the Panel, or by the acting Commissioner, of the appointment of the acting Commissioner;

12.3.3 in a case where the acting Commissioner is appointed because the Commissioner is incapacitated, the Commissioner ceasing to be incapacitated, or

12.3.4 in a case where the acting Commissioner is appointed because the P Commissioner is suspended, the Commissioner ceasing to be suspended.<sup>59</sup>

12.4 There is a six-month time limit on how long the Commissioner can be incapacitated before their role becomes vacant. Once the six-month limit has been reached, a by-election would need to be conducted to fill the vacancy.<sup>60</sup>

## **13. Sub Committees and Task Groups**

13.1 Sub-committees or time limited task groups may be established from time to time by the Panel to undertake specific task-based work.

13.2 The work undertaken by a sub-committee or task group will be scoped and defined beforehand, together with the timeframe within which the work is to be completed and the reporting time for the outcome of the work.

13.3 The special functions of the Panel, as defined in Section 5, may not be discharged by a sub-committee or a task group, of the Panel.<sup>61</sup>

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<sup>57</sup> Police Reform and Social Responsibility Act 2011, Schedule 8, Part 2, Para 15

<sup>58</sup> Ibid, Chapter 6, Section 62 (1)

<sup>59</sup> Ibid, Chapter 6, Section 62 (6)

<sup>60</sup> [Police, fire and crime Panels guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/610000/Police_fire_and_crime_Panels_guidance_-_GOV.UK_(www.gov.uk).pdf)

<sup>61</sup> Police Reform and Social Responsibility Act 2011, Schedule 6, Part 4, Para 27 (1)

**Wiltshire Council  
Constitution  
Protocol 12  
Police and Crime Panel  
Procedure Rules and Panel  
Arrangements**

# **PROTOCOL 12**

## **POLICE AND CRIME PANEL**

### **PROCEDURE RULES AND PANEL ARRANGEMENTS**

#### **1. Chairman Of The Police And Crime Panel:**

- The chairman of the Police and Crime Panel will be appointed in June of each year or at the first meeting of the panel following the annual appointment of members to the panel by constituent councils. The chairman will be drawn from amongst the councillors sitting on the panel.
- The vice-chairman will be appointed in June of each year or at the first meeting of the panel following the annual appointment of members to the panel by constituent councils and will be drawn from amongst the councillors sitting on the panel.
- In the event of the resignation of the chairman or removal of the chairman, a new chairman will be appointed and will be drawn from amongst the councillors sitting on the panel.
- The chairman may be removed by the agreement of a majority of the whole membership of the panel and in that event the panel will appoint a replacement chairman from amongst the councillors sitting on the panel.
- The panel will elect a person to preside at a meeting if the chair and vice-chairman are not present.

#### **2. Meetings Of The Police And Crime Panel:**

- There shall be a minimum of four ordinary meetings of the Police and Crime Panel held in public in each municipal year to carry out the functions of the panel. In addition, extraordinary meetings may be called from time to time.
- An extraordinary meeting may be called by the chairman or by four members of the panel.
- An extraordinary meeting may also be called by the Monitoring Officer to the panel.
- Ordinary meetings will take place in accordance with a programme decided by the panel, and will start at the time decided by the panel.
- Ordinary meetings of the panel will:
  - receive any declarations of interest from members
  - approve the minutes of the last meeting
  - consider reports from officers and panel members

- Panel members will be notified of the time and place at least 5 clear working days before an ordinary meeting, and as soon as known in the event of an extraordinary meeting. Public notice of Panel meetings will be given in accordance with the normal arrangements for local authority meetings including the provisions of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

### **3. Quorum**

- A meeting of the Police and Crime Panel cannot take place unless one third of the whole number of its members is present.

### **4. Voting**

- Voting will normally be by a show of hands.
- All panel members may vote in the proceedings of the panel.
- All matters to be considered by the Police and Crime Panel shall be decided by a majority of the members of the Police and Crime Panel present and voting at the meeting. This will be done following the moving of a motion by any member of the Police and Crime Panel. A simple majority is required to confirm a decision, except in the specific circumstances of the PCP seeking to veto the Police and Crime Commissioner's proposed precept or the Police and Crime Commissioner's proposed appointment of a Chief Constable or as otherwise specified in these Procedure Rules.
- Any member may request a recorded vote and, if one quarter of the members present signifies its support, such a vote will be taken.
- In the event of a tie in voting, the Chairman of the meeting shall have a second or casting vote.

### **5. Work Programme**

- The Police and Crime Panel will be responsible for setting its own work programme taking into account the priorities defined by the Police and Crime Commissioner. In setting the work programme the Police and Crime Panel will also take into account the wishes of its members.
- The work programme must include the functions described in the terms of reference for the panel.

### **6. Agenda Items**

- The Panel agenda will be issued to Panel members at least 5 clear working days before the meeting. It will also be published on the Panel's website and by sending copies to each of the authorities and by any other means the panel considers appropriate.

- Any member of the Panel shall be entitled to give notice to the Head of Democratic Services at Wiltshire Council that he or she wishes an item relevant to the functions of the panel to be included on the agenda for the next available meeting.
- Items will be rejected where they do not relate to a matter for which the panel has a responsibility for, require confidential information to be disclosed or are deemed improper or inappropriate for the meeting. The Chairman will take this decision, and their decision is final.

## **7. Reports from the Police and Crime Panel**

- Where the Police and Crime Panel makes a report to the Police and Crime Commissioner, it may publish the report or recommendations.
- The Police and Crime Panel must by notice in writing require the Police and Crime Commissioner, as appropriate, within one month of the date on which it receives the report or recommendations to:
  - Consider the report or recommendations.
  - Respond to the Police and Crime Panel indicating what (if any) action the Police and Crime Commissioner proposes to take.
  - Where the Police and Crime Panel has published the report or recommendations, publish the response.
  - Where the Police and Crime Panel has provided a copy of the report or recommendations to a member, provide a copy of the response to the member.
- The publication of reports or recommendations is subject to the exclusion of any exempt or confidential information as defined in the rules on access to information in the Local Government Act 1972 (as amended).
- If the Police and Crime Panel cannot unanimously agree on one single final report to the Police and Crime Commissioner then one separate report may be prepared and submitted for consideration along with the majority report.

## **8. Police and Crime Commissioner and Officers Giving Account**

- The Police and Crime Panel may scrutinise and review decisions made or actions taken in connection with the Police and Crime Commissioner's role. As well as reviewing documentation, in fulfilling its scrutiny role it may require the Police and Crime Commissioner, and members of that commissioner's staff, to attend before the panel (at reasonable notice) to answer any questions which appear to the panel to be necessary in order to carry out its functions.
- Where the Police and Crime Commissioner, or a member of that commissioner's staff, is required to attend the panel under this provision the chairman will inform them in writing giving, where practical, 15 days notice of the meeting. The notice will state the nature of the item on which

he or she is required to attend to give account and whether any papers are required for production for the panel. Where it is necessary to produce a report, sufficient time will be given to allow preparation of that report.

- Where, in exceptional circumstances, the Police and Crime Commissioner is unable to attend on the required date, then an alternative date for attendance may be arranged following consultation with the chairman of the panel.
- If the Police and Crime Panel require the Police and Crime Commissioner to attend before the panel, the panel may (at reasonable notice) request the Chief Constable to attend before the panel on the same occasion to answer any questions which appears to the panel to be necessary in order for it to carry out its functions.

## **9. Attendance by others**

- The Police and Crime Panel may invite people other than those referred to above to address it, discuss issues of local concern and/or answer questions. It may, for example, wish to hear from residents, stakeholders, councillors who are not members of the panel and officers in other parts of the public sector and may invite such people to attend.

## **10. Sub-Committees and Task Groups**

- Sub Committees or time limited task groups may be established from time to time by the Police and Crime Panel to undertake specific task based work.
- The special functions of the Police and Crime Panel may not be discharged by a sub-committee of the panel or a task group.
- In this paragraph 'special functions' means the functions conferred on a Police and Crime Panel by:
  - Section 28(3) of Police Reform and Social Responsibility Act (scrutiny of Police and Crime Plan).
  - Section 28 (4) of Police Reform and Social Responsibility Act (scrutiny of annual report)
  - Paragraphs 10 and 11 of Schedule 1 of Police Reform and Social Responsibility Act (review of senior appointments).
  - Schedule 5 of Police Reform and Social Responsibility Act (issuing precepts)
  - Part 1 of Schedule 8 of Police Reform and Social Responsibility Act (scrutiny of appointment of the Chief Constable).
- The work undertaken by a sub-committee or task group will be scoped and defined beforehand, together with the timeframe within which the work is to be completed and the reporting time for the outcome of the work.

## 11. Carrying Out 'Special Functions'

Reports and recommendations made in relation to the special functions outlined in the terms of reference will be carried out in accordance with the procedure outlined at Section 5.18

- Police and crime plan
  - The panel is a statutory consultee on the development of the Police and Crime Commissioner's police and crime plan and will receive a copy of the draft police and crime plan, or a draft of any variation to it, from the Police and Crime Commissioner.
  - The panel must:
    - hold a public meeting to review the draft police and crime plan (or a variation to it), and
    - report or make recommendations on the draft plan which the PCC must take into account.
- Annual report
  - The Police and Crime Commissioner must produce an annual report about the exercise of his/her functions in the financial year and progress in meeting police and crime objectives in the year. The report must be sent to the panel for consideration.
  - The panel must comment upon the annual report of the Police and Crime Commissioner, and for that purpose must:
    - Arrange for a public meeting of the panel to be held as soon as practicable after the panel receives the annual report
    - require the Police and Crime Commissioner to attend the meeting to present the annual report and answer questions about the annual report as the members of the panel think appropriate
    - make a report or recommendations on the annual report to the PCC.
- Senior appointments
  - The panel has powers to review the Police and Crime Commissioner's proposed appointments of Chief Constable, Chief Executive, Chief Finance Officer and Deputy Police and Crime Commissioner. The panel is required to hold public confirmation hearings for these posts.



- The panel will be notified of the need for a confirmatory hearing in respect of proposed senior appointments made by the Police and Crime Commissioner. This will be held at the next available meeting of the panel unless the appointment timescale requires an earlier hearing, in which case an extraordinary meeting will be arranged.
  - With regards to the appointment of the Chief Constable, the panel is required to hold a hearing within the period of three weeks from the day on which the panel receives notification from the Police and Crime Commissioner.
  - Confirmatory hearings will be held in public, where the candidate is requested to appear for the purpose of answering questions relating to the appointment. Following this hearing, the panel is required to review the proposed appointment and make a report to the commissioner on the appointment.
  - For a confirmatory hearing for the proposed appointment of the Chief Constable, in addition to the requirement to review and report, the panel has the requirement to make a recommendation on the appointment and the power to veto the appointment.
  - Having considered the appointment, the panel will be asked to either:
    - support the appointment without qualification or comment;
    - support the appointment with associated recommendations, or
    - veto the appointment of the Chief Constable (by the required majority of at least two thirds of the persons who are members of the panel at the time when the decision is made).
  - If the panel vetoes the appointment of the candidate, the report to the commissioner must include a statement that the panel has vetoed the appointment with reasons.
- Appointment of an Acting Police and Crime Commissioner
    - The Police and Crime Panel must appoint a person to act as Police and Crime Commissioner if:
      - no person holds the office of Police and Crime Commissioner
      - the Police and Crime Commissioner is incapacitated, or
      - the Police and Crime Commissioner is suspended.
    - The Police and Crime Panel may appoint a person as acting commissioner only if the person is a member of the Police and Crime Commissioner's staff at the time of the appointment.
    - In appointing a person as acting commissioner in a case where the Police and Crime Commissioner is incapacitated, the Police and Crime Panel must have regard to any representations made by the commissioner in relation to the appointment.

- The appointment of an acting commissioner ceases to have effect upon the occurrence of the earliest of these events:

- the election of a person as Police and Crime Commissioner;
- the termination by the Police and Crime Panel, or by the acting commissioner, of the appointment of the acting commissioner;

Note: this section may have to be varied in the light of Home Office Regulations expected in March on the exercise of the veto.

- in a case where the acting commissioner is appointed because the Police and Crime Commissioner is incapacitated, the commissioner ceasing to be incapacitated, or
- in a case where the acting commissioner is appointed because the Police and Crime Commissioner is suspended, the commissioner ceasing to be suspended.

- Proposed precept

- The Police and Crime Commissioner will notify the Police and Crime Panel of the precept which the commissioner is proposing to issue for the financial year. The panel must review the proposed precept and make a report including recommendations.
- Having considered the precept, the Police and Crime Panel will either:
  - support the precept without qualification or comment;
  - support the precept and make recommendations, or
  - veto the proposed precept (by the required majority of at least two thirds of the persons who are members of the panel at the time when the decision is made).
- If the panel vetoes the proposed precept, the report to the commissioner must include a statement that the panel has vetoed the proposed precept with reasons. The panel will require a response to the report and any such recommendations.

- Complaints

- Criminal and non-criminal complaints in relation to the Police and Crime Commissioner or other office holders should be dealt with and/or delegated in accordance with the Act and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012

- Suspension of the Police and Crime Commissioner

- A Police and Crime Panel may suspend the Police and Crime Commissioner if it appears to the panel that:
  - the commissioner has been charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence, and

- the offence is one which carries a maximum term of imprisonment exceeding two years.
- The suspension of the Police and Crime Commissioner ceases to have effect upon the occurrence of the earliest of these events:
  - the charge being dropped
  - the Police and Crime Commissioner being acquitted of the offence (Note: this section may have to be varied in the light of Home Office Regulations expected in March on the exercise of the veto)
  - the Police and Crime Commissioner being convicted of
  - the offence but not being disqualified under Section 66 of the Police Reform and Social Responsibility Act by virtue of the conviction, or
  - the termination of the suspension by the Police and Crime Panel.
- In this section references to an offence which carries a maximum term of imprisonment exceeding two years are references to:
  - an offence which carries such a maximum term in the case of a person who has attained the age of 18 years, or
  - an offence for which, in the case of such a person, the sentence is fixed by law as life imprisonment.
- Suspension and removal of the Chief Constable
  - The panel will receive notification if the Police and Crime Commissioner suspends the Chief Constable.
  - The Police and Crime Commissioner must also notify the panel in writing of his/her proposal to call upon the Chief Constable to retire or resign together with a copy of the reasons given to the Chief Constable in relation to that proposal.
  - The Police and Crime Commissioner must provide the panel with a copy of any representations from the Chief Constable about the proposal to call for his/her resignation or retirement.
  - If the Police and Crime Commissioner is still proposing to call upon the Chief Constable to resign, she/he must notify the panel accordingly (the 'further notification').
  - Within six weeks from the date of receiving the further notification the panel must make a recommendation in writing to the Police and Crime Commissioner as to whether or not she/he should call for the retirement or resignation. Before making any recommendation the panel may consult the chief inspector of constabulary, and must hold a scrutiny meeting.

- The scrutiny hearing which must be held by the panel is a panel meeting in private to which the Police and Crime Commissioner and Chief Constable are entitled to attend to make representations in relation to the proposal to call upon the Chief Constable to retire or resign. Appearance at the scrutiny hearing can be by attending in person, or participating by telephone or video link.
- The panel must publish the recommendation it makes on its website and by sending copies to each of the authorities, and by any other means the panel considers appropriate.
- The Police and Crime Commissioner may not call upon the Chief Constable to retire or resign until the end of the scrutiny process which will occur:
  - at the end of six weeks from the panel having received notification if the panel has not by then given the Police and Crime Commissioner a recommendation as to whether or not she/he should call for the retirement or resignation, or
  - the Police and Crime Commissioner notifies the panel of a decision about whether she/ he accepts the panel's recommendations in relation to resignation or retirement.
- The Police and Crime Commissioner must consider the panel's recommendation and may accept or reject it, notifying the panel accordingly.
- In calculating the six week period, the period between the day of the poll at an ordinary election of a Police and Crime Commissioner and the day on which the Police and Crime Commissioner delivers a declaration of acceptance of office shall be ignored.

## 12. Public Participation

- Members of the public are able to ask questions or make a statement in relation to the responsibilities and functions of the Panel at each meeting. A maximum of 30 minutes will be allocated to this at the start of each meeting, and each question or statement should last no longer than 3 minutes.
- Questions must be put in writing to the Democratic Services Officer on behalf of the Proper Officer at Wiltshire Council no later than 5 clear working days before the meeting, to allow a response to be formulated, and are limited to a maximum of 2 per person / organisation. A response will be given as either a direct oral answer or a written reply.
- The questioner is able to ask one supplementary question after receiving a response. There is usually no debate on questions; however this is at the Chairman's discretion.
- Statements must be given in writing and can be received up to 10 minutes before the start of the meeting.

### **13. Decision Making and Rules of Debate**

- Principles of Decision Making

These principles will underpin the way the Police and Crime Panel makes its decisions:

- Appropriate consultation will have been carried out and decisions will take account of its results and any professional advice given by officers
- The presumption that whenever possible, all decisions made by the Police and Crime Panel should be made in public and ensure open, fair and honest administration
- Decisions will be clear about what they aim to achieve and the results that can be expected
- Due respect for human rights will be shown and provision given to equality of opportunity
- Decisions will be efficient, effective and economic, and obtain best value
- Determination of decisions will be at the lowest level commensurate with their importance
- Decisions will produce action that is proportionate to the desired outcome, and state the reasons for the action
- All options considered and discarded when making a decision will be recorded

- Rules of Debate

The rules of debate of the Police and Crime Panel shall be governed by the rules relating to meetings of Council committees (section 102 to 106 of part 4 of the Council Constitution).

### **14. Minutes**

The Chairman will sign the minutes of the proceedings at the next meeting. The only part of the minutes that can be discussed is their accuracy and any question as to their accuracy must be raised by motion.

### **15. Members' Conduct**

- Speaking

When a member speaks at PCP meetings, he/she must address the meeting through the Chairman.

- **Chairman Requiring Silence**  
When the Chairman so indicates during a debate, any member speaking at the time must stop and the meeting must be silent.
- **Member not to be heard further**
  - If a member persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman may move that the member be not heard further. If seconded, the motion will be voted on without discussion.
  - If the member continues to behave improperly after such a motion has been carried, the Chairman may adjourn the meeting for a specified period or move that the member leaves the meeting. If seconded, the motion will be voted on without discussion. If the member continues to behave improperly, the Chairman may give such direction as he/she considers appropriate for the removal of the member and the restoration of order.

## **16. Disturbance**

- If there is a disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she considers necessary, or if occurring in a part of the meeting room open to the public may call for that part to be cleared.
- If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If he/she continues to interrupt, the Chairman will order his/her removal from the meeting room.

## **17. Suspension and Amendment of Procedure Rules**

- Suspension  
These rules may be suspended by motion on notice, or without notice if at least one half of the whole number of members of the PCP is present. Suspension can only be for the duration of the meeting. A motion to suspend any of these rules must specify the rule to be suspended and must be moved in terms limited to an explanation of the reasons for the suspension. It will be seconded in formal terms only and will be put to the Police and Crime Panel without debate. No suspension may be considered by the Police Crime Panel which does not comply with the Police Reform and Social Responsibility Act 2011, relevant Regulations, statutory guidance or the Panel Arrangements.
- Amendment  
The Rules of Procedure shall not be amended unless notification of a proposed amendment is received by the Proper Officer Wiltshire Council at least 10 working days prior to a PCP meeting. A report on the implications

of the proposed amendment shall be considered by the PCP and the amendment shall require the agreement of at least two thirds of the persons who are members of the PCP at the time when the decision is made vote in favour of it. No amendment may be considered by the PCP which does not comply with the Police Reform and Social Responsibility Act 2012, relevant Regulations or statutory guidance or Panel Arrangements.

## **18. Adjournment of Panel Meetings**

When the PCP adjourns, whether by resolution or by decision of the Chairman, the adjournment will by decision taken at that time be to a date, time and place specified, provided that where this is not practicable and a meeting is adjourned for an unspecified period and/or to an unspecified place, all members of the Police and Crime Panel will be notified of the new date, time and place when these have been determined.

## **19. Interpretation**

- The ruling of the Chairman as to the construction or application of these rules or as to the proceedings of the Police and Crime Panel will be final for the purposes of the meeting at which it is given.
- If there is any conflict in interpretation between these Rules and the Act or Regulations made under the Act, the Act and Regulations will prevail.

General Note: Various functions of the PCP are subject to Regulations that are not yet available and the content of the Rules may therefore need to change before the final version is determined

# Wiltshire Police and Crime Panel

## Panel Arrangements

This Agreement is dated 5 December 2012.

The Agreement is made between Wiltshire Council and Swindon Borough Council (“the Authorities”)

### 1.0 Background

1.1 The Police Reform and Social Responsibility Act 2011 (‘the Act’) introduces new structural arrangements for national policing, strategic police decision making, neighbourhood policing and police accountability.

1.2 The Act provides for the election of a Police and Crime Commissioner (‘the PCC’) for a police force area, responsible for securing an efficient and effective police force for their area, producing a police and crime plan, recruiting the Chief Constable for an area, and holding him/her to account, publishing certain information including an annual report, setting the force budget and police precept and requiring the Chief Constable to prepare reports on police matters. The PCC must co-operate with local community safety partners and criminal justice bodies.

1.3 The Act requires the local authorities in each police force area to establish and maintain a Police and Crime Panel (‘the Panel’) for its police force area. It is the responsibility of the Authorities for the police force area to make arrangements for the Panel (‘Panel Arrangements’).

1.4 The Authorities, as the relevant local authorities within the area must agree to the making and modification of the Panel Arrangements. Where an authority has refused to nominate a member to a panel, then the remaining councils in an area can agree the panel arrangements without the need to get the agreement of the council that is refusing to participate.

1.5 Each Authority and each Member of the Panel must comply with the Panel Arrangements.

1.6 The functions of the Panel must be exercised with a view to supporting the effective exercise of the functions of the PCC for that police force area.

1.7 The Panel must have regard to the Policing Protocol issued by the Home Secretary, which sets out the ways in which the Home Secretary, the PCC, the Chief Constable and the Panel should exercise, or refrain from exercising, functions so as to encourage, maintain or improve working



relationships (including co-operative working); and limit or prevent the overlapping or conflicting exercise of functions.

1. 8 The Panel is a scrutiny body with responsibility for scrutinising the PCC and promoting openness in the transaction of police business in the police force area.

1. 9 The Panel is a joint committee of the Authorities.

## **2.0 Lead Authority**

2. 1 Wiltshire Council shall be lead authority for the Panel and shall provide such administrative and other support as will be necessary to enable the Panel to undertake its functions.

## **3.0 Membership**

### 3.1 General

3. 2 Appointments of elected members to the Panel shall be made by each of the Authorities in accordance with their own procedures and with a view to ensuring that the balanced appointment objective of the Act is met so far as is reasonably practicable. All members of the Authorities are eligible to be members of the Panel. The Lead Authority shall take steps to coordinate the Authorities with a view to ensuring that the balanced appointment objective is achieved. The balanced appointment objective requires that the local authority Members of the Panel (which includes Members appointed by the Authorities and co-opted Members who are elected Members of any of the Authorities) should:

- a) represent all parts of the police force area;
  - b) represent the political make-up of the Authorities; and,
  - c) taken together have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.
- Where an Authority fails to nominate, or having nominated then fails to appoint, a member to a panel the Lead authority shall notify the Home Office.

3. 3 In appointing co-opted Members who are not elected members of any of the Authorities, the Panel must secure, so far as is reasonably practicable that the appointed and co-opted Members of the Panel, together have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.

3. 4 The Panel shall consist of ten Members appointed by the Authorities in accordance with the requirements of the balanced appointment objective contained within the Act, as follows:

Wiltshire Council = 7 members

Swindon Borough Council = 3 members

3.5 The Panel shall also include two independent Members co-opted by the Panel.

3.6 The Panel may also resolve to co-opt further Members with the agreement of the Secretary of State provided that the number of co-opted Members included in the Membership of the Panel shall not exceed 10. A panel cannot co-opt a councillor unless all the panel members agree, and any councillor co-options have to be notified to the Home Office as do any resolutions to co-opt additional members.

3.7 The current arrangements that exist within the Authorities for the appointment of substitute members/deputies will apply to the Panel.

### 3.8 Appointed Members

3.9 The Authorities shall each nominate elected members to be Members of the Panel. If a nominated Member agrees to the appointment the Authority may appoint the Member as a Member of the Panel.

3.10 In the event that an Authority does not appoint a Member or Members in accordance with these requirements, the Secretary of State must appoint a Member to the panel from the defaulting authority in accordance with the provisions in the Act.

3.11 With a view to ensuring continuity of membership as far as possible, an appointed Member shall be a Member of the Panel for four years unless s/he ceases to be an elected Member, or is removed by their Authority.

3.12 An Authority may decide in accordance with their procedures to remove their appointed Member from the Panel at any point and on doing so shall give notice to the Proper Officer at Wiltshire Council.

3.13 Where a Panel member fails to attend meetings of the Panel over a six month period then the Lead authority shall recommend to the relevant authority that due consideration is given to removing the member from the Panel and to the appointment of a replacement member.

3.14 An appointed Member may resign from the Panel by giving written notice to the Proper Officer at Wiltshire Council and to their Authority.

3.15 In the event that any appointed Member resigns from the Panel, or is removed from the Panel by an Authority, the Authority shall immediately take steps to nominate and appoint an alternative Member to the Panel.

3.16 Members appointed to the Panel may be re-appointed to the Panel for a further term of four years provided that the balanced appointment objective is met by that re-appointment.

### 3. 17 Co-opted Members

3. 18 The following may not be co-opted Members of the Panel:

- a) the PCC for the Police Area.
- b) a member of staff of the PCC for the area.
- c) a member of the civilian staff of the Police Force for the area.
- d) a Member of Parliament.
- e) a Member of the National Assembly for Wales
- f) a Member of the Scottish Parliament.
- g) a Member of the European Parliament
- h) a serving police officer

3. 19 An elected member of any of the Authorities may not be a co-opted Member of the Panel where the number of co-opted Members is two.

3. 20 If the Panel has three or more co-opted Members an elected member of any of the Authorities may be a co-opted Member of the Panel provided that at least two of the other co-opted Members are not elected members of any of the Authorities.

3. 21 A co-opted Member shall be a Member of the Panel for four years.

3. 22 The Panel shall put in place arrangements to ensure that appointments of co- opted Members are undertaken following public advertisement in accordance with the following principles:

- a) The appointment will be made on merit of candidates whose skills, experience and qualities are considered best to ensure the effective functioning of the Panel;
- b) The selection process must be fair, objective, impartial and consistently applied to all candidates who will be assessed against the same pre determined criteria; and,
- c) The selection process will be conducted transparently with information about the requirements for the appointment and the process being publicly advertised and made available with a view to attracting a strong and diverse field of suitable candidates.

3. 23 A co-opted Member of the Panel may resign from the Panel by giving written notice to the Head of Democratic Services at Wiltshire Council.

3. 24 The Panel must from time to time decide whether the Panel should exercise its power to change the number of co-opted Members of the Panel to enable the balanced appointment objective to be met, or be more effectively met, and if so, it must exercise that power accordingly.

3. 25 The Panel may decide to terminate the appointment of a co-opted Member of the Panel if at least two-thirds of the persons, present and voting,

who are Members of the Panel at the time when the decision is made, vote in favour of making that decision at any time for the reasons set out below and on doing so shall give written notice to the co-opted Member:

- a) if the co-opted Member has been absent from the Panel for more than six months without the consent of the Panel;
- b) if the co-opted Member has been convicted of a criminal offence but not automatically disqualified;
- c) if the co-opted Member is deemed to be incapacitated by physical or mental illness or is otherwise unable or unfit to discharge his or her functions as a co-opted Member of the Panel;
- or,
- d) if the co-opted Member's membership of the Panel no longer achieves the meeting of the balanced appointment objective.

3.26 In the event that a co-opted Member resigns from the Panel or is removed from the Panel following a decision of the Panel, the Panel shall ensure that at least two independent co-opted Members remain appointed to the Panel, and in the absence of two such Members shall make arrangements to ensure that two co-opted Members are appointed.

3.27 Co-opted Members appointed to the Panel may be re-appointed for a further term of four years provided that the balanced appointment objective is met by that re-appointment.

#### 3.28 Behaviour

3.29 All Panel members, including co-opted members, shall observe the Code of Conduct in force for their respective authorities and for the co-opted members the Lead authority's code of conduct, and any related protocols agreed by the Panel.

### **4.0 Budget and Costs of the Panel**

4.1 The annual costs of the Panel shall be contained within the Home Office grant.

### **5.0 Rules of Procedure**

5.1 The Panel shall determine its Rules of Procedure which shall include arrangements in relation to the:

- a) the appointment and removal of the Chairman;
- b) the formation of sub-committees;
- c) the making of decisions;
- d) the arrangements for convening meetings; and,
- e) the circulation of information.

## **6.0 Allowances**

6.1 The payment of a responsibility allowance to Panel Members shall be considered and a recommendation sought from the Independent Remuneration Panel of each council as to whether the payment of such an allowance is appropriate.

6.2 Reasonable expenses will be reimbursed by each authority with the lead authority reimbursing the expenses of the co-opted independent members.

## **7.0 Promotion of the Panel**

7.1 The role and work of the Panel shall be promoted by:

- a) the establishment and maintenance of a dedicated open-access website including information about the role and work of the Panel, Panel Membership, all non-confidential Panel and sub-committee meeting papers, press releases and other publications;
- b) the issuing of regular press releases about the Panel and its work; and,
- c) the Authorities will each include information about the Panel on their websites, and will also include a link to the Panel website.

7.2 Support and guidance shall be provided to executive and non-executive elected members and officers of the Authorities in relation to the functions of the Panel as follows:

- a) by the provision of initial briefing sessions for elected members and relevant officers of the Authorities before the election of the PCC, and the provision of annual briefing sessions thereafter; and,
- b) by the provision of written briefing notes for elected members and relevant officers of the Authorities at least three times per year.

## **8.0 Validity of Proceedings**

8.1 The validity of the proceedings of the Panel shall not be affected by a vacancy in the Membership of the Panel or a defect in appointment.

8.2 The conduct of the Panel and the content of these arrangements shall be subject to the legislative provisions in the Police Reform and Social Responsibility Act 2011, and any Regulations made in accordance with that

Act, and in the event of any conflict between the Act or Regulations, and these arrangements, the requirements of the legislation will prevail.

Current Version

**Wiltshire Council**

**Full Council**

**17 October 2023**

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## **Designation of statutory functions following changes to council structure**

### **Purpose of Report**

1. For Council to consider the redesignation of a statutory role following a change to the senior management structure of the council.

### **Background**

2. The statutory role of Section 151 officer is currently designated to the post of Corporate Director of Resources & Deputy Chief Executive.

### **Main Considerations for the Council**

3. There was a requirement to review the structure of the procurement and commissioning functions following the resignation of the Head of Procurement in November 2022 and the long term sickness absence of the Director for Commissioning and Procurement. The Procurement Service was temporarily moved to Director of Finance. The commissioning function has continued under interim Directors.
4. The decision has now been made to permanently bring together the procurement and finance functions under a single new post of Director of Finance and Procurement.
5. It is proposed that the statutory role of Section 151 officer should transfer from Corporate Director Resources & Deputy Chief Executive to the position of Director of Finance & Procurement. This enables a strengthened collaborative and accountable senior management structure, supports succession planning and provides resilience and stability for the Council in relation to financial leadership.

### **Proposal**

6. That Council:
  - 1) Approve the designation of statutory role of Section 151 Officer to the Director of Finance and Procurement.
  - 2) Note that other designated statutory roles are unchanged as a result of the restructure and remain with existing posts.
  - 3) Authorise the Monitoring Officer to make any consequential changes to the Constitution arising from the designation of the statutory function outlined.

**Tamsin Kielb**  
**Director - HR&OD**

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Report author: Jane Tagg, Senior Strategic Business Partner, HR&OD

**Appendices**

None

**Background Papers**

None



Wiltshire Council

Full Council

17 October 2023

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## **S85 Local Government Act 1972 - Extension of Office**

### **Summary**

To consider requests from the following Members for an extension of office beyond the six-month period of non-attendance:

Councillor Charles McGrath  
Councillor Ian Thorn

### **Proposals**

**1) That Council approves the requests for the Members listed below for an extension beyond the six-month period of non-attendance on the grounds of ill health:**

**Councillor Charles McGrath  
Councillor Ian Thorn**

**2) That such an extension be granted until the end of May 2024, which would allow for any request for a further extension being considered by Council at its meeting in May 2024. In the event of that meeting either being cancelled or postponed, such an extension to remain in place until after the next available meeting of the Council.**

### **Reason for Proposals**

To enable Councillors McGrath and Thorn to remain in office during periods of illness.

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

**S85 Local Government Act 1972 - Extension of Office**

**Purpose of Report**

1. To ask Council to consider requests from the following Members for an extension of office beyond the six-month period of non-attendance:
  - Councillor Charles McGrath
  - Councillor Ian Thorn

**Background**

2. Under Section 85(1) of the Local Government Act 1972, if a Member fails throughout six consecutive months to attend any meeting of the council or of its committees or its sub-committees of which they are a member, they shall, unless due to a reason approved by the council before the end of that period, cease to be a member of the council.
3. Since 6 May 2021, *The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020* permitting online meetings ceased to be in effect. As a result, attendance at an online meeting would not meet the requirements of S85 of the LGA 1972. Attendance at a physical meeting would be necessary.
4. Additionally, as specified in the Act, attendance by a Member must be of a committee or sub-committee to which they have been appointed by Full Council, not simply attendance at any council meeting.

**Main Considerations**

5. Councillor McGrath represents Salisbury Milford Division, and last attended a meeting on 9 March 2023. He has recently been receiving further treatment relating to a serious medical condition and is unable to attend physical meetings.
6. Councillor McGrath is a member of Environment Select Committee, Salisbury Area Board and Southern Area Planning Committee, and is a substitute on the Licensing Committee.
7. At Council on 18 July 2023 an extension of office was granted for Cllr McGrath until the end of October 2023.
8. Due to his continued ill health, Councillor McGrath has requested Council to approve a further extension to the usual six-month rule to enable him to remain in office. As his current extension lapses at the end of October 2023, this meeting would therefore be the last opportunity for Council to consider such a request before the expiry of that period.

9. Councillor Thorn, representing Calne Central, has been unwell for a period of several months which has resulted in stays in hospital. Cllr Thorn last attended a meeting on 23 May 2023.
10. Councillor Thorn is a member of Calne Area Board and the Electoral Review Committee. Cllr Thorn is a substitute on Health Select Committee, Investment Sub-Committee, Overview and Scrutiny Management Committee and Wiltshire Pension Fund Committee.
11. Councillor Thorn has requested Council to approve an extension to the usual six-month rule to enable him to remain in office, in the event he is not well enough to attend the meeting on 17 October 2023. Council can only consider approval of any reasons for non-attendance before the end of the relevant six-month period, which would be 22 November 2023.
12. S85 does not proscribe the reasons Council may approve an extension of office.

### **Safeguarding Implications**

13. There are no safeguarding implications.

### **Public Health Implications**

14. There are no implications.

### **Equalities Impact**

15. Personal circumstances would need to be taken into account.

### **Environment and Climate Change considerations**

16. There are no implications.

### **Risk Assessment**

17. There are no risk implications to the council.

### **Financial Implications**

18. There are no financial implications.

### **Procurement Implications**

19. There are no procurement implications.

### **Legal implications**

20. Section 85(1) of the Local Government Act 1972 enables a local authority to approve the reason(s) for non-attendance of a Member at any meeting of the authority throughout a period of six consecutive months, provided that approval is given by the authority before the expiry of the six month period.
21. Should the approval of Council not be given at this meeting, if any of the Members listed are not well enough to resume the duties of a Member before the expiry of

the six-month period, and be unable to attend a required meeting, they would be disqualified from office. Full Council is unable to grant retrospective approval.

## **Proposals**

22. That Council approves the requests for the Members listed below for an extension beyond the six-month period of non-attendance on the grounds of ill health:

**Councillor Charles McGrath**  
**Councillor Ian Thorn**

23. That such an extension be granted until the end of May 2024, which would allow for any request for a further extension being considered by Council at its meeting in May 2024. In the event of that meeting either being cancelled or postponed, such an extension to remain in place until after the next available meeting of the Council.

**Perry Holmes**

**Director - Legal & Governance (and Monitoring Officer)**

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## **Appendices**

None

## **Background Papers**

None