



MELKSHAM WITHOUT PARISH COUNCIL

Clerk: Mrs Teresa Strange

Sports Pavilion, Westinghouse Way
Bowerhill, Melksham
Wiltshire. SN12 6TL
Tel: 01225 705700

Email: clerk@melkshamwithout.co.uk
Web: www.melkshamwithout.co.uk

Tuesday, 11 May 2021

Dear members

You are summoned to attend the **Annual Council Meeting** of Melksham Without Parish Council which will be held on **Monday 17 May 2021 at 7pm** at the **MWPC meeting space at 1 Swift Way, off Westinghouse Way, Bowerhill Industrial Estate, Melksham, Wiltshire, SN12 6GX**, to consider the agenda below.

MEMBERS OF THE PUBLIC ARE MORE THAN WELCOME TO ATTEND THE FACE TO FACE MEETING, BUT ARE ENCOURAGED TO PARTICIPATE VIA ZOOM, DUE TO LIMITED SPACE AVAILABLE IN OUR MEETING SPACE TO COMPLY WITH COVID RESTRICTIONS (Maximum number in room is 18). MEMBERS OF THE PUBLIC ARE ALSO ENCOURAGED TO SUBMIT ANY QUESTIONS IN WRITING. Please be aware that the doors and windows will be open for ventilation and so the room may be cold. Masks will need to be worn on moving around the room, but can be taken off when the meeting begins and you are seated.

TO ACCESS THE MEETING PLEASE FOLLOW THE ZOOM LINK BELOW. THE MEETING WILL ALSO BE STREAMED LIVE ON YOUTUBE, THE LINK WILL BE POSTED ON THE PARISH COUNCIL WEBSITE WHEN IT GOES LIVE SHORTLY BEFORE 7PM.

Join Zoom Meeting

<https://us02web.zoom.us/j/2791815985?pwd=Y2x5T25DRlVWVU54UW1YWWE4NkNrZz09>

Or go to www.zoom.us or Phone 0131 4601196 and enter:
Meeting ID: 279 181 5985 Passcode: 070920

Instructions on how to access zoom are on the parish council website www.melkshamwithout.co.uk. If you have difficulties accessing the meeting please call (do not text) the out of hours mobile: 07341 474234

Yours sincerely

Teresa Strange, Clerk

Serving rural communities around Melksham

AGENDA

1. **Welcome, Announcements & Housekeeping**
 - a) To note outcome of Wiltshire Council Unitary elections for the Melksham Community Area & Area Board meeting 18th May for election of Chair & Vice Chair online at 11am
2. **Appointment of Chair**
3. **To receive the Chair's Declaration of Acceptance of Office**
4. **Appointment of Vice Chair**
5. **To receive Apologies and approval of reasons given**
6. **To consider holding items in Committee due to confidential nature**
Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted
7. **Standing Orders:** To note Melksham Without Parish Council Standing Orders and consider if any updates are required (*amendments to stand adjourned for adoption at June Full Council meeting*)
8. **Code of Conduct:** To adopt Code of Conduct (various examples provided) and review and adopt Protocol for Member Officer Relationship
9. **Declarations of Interest:**
 - a) To note requirement under the Code of Conduct for Register of Interests to be displayed online (Melksham Without Parish Council & Wiltshire Council website) & Guide for Awarding Dispensations
 - b) To consider dispensations for term of new Council (2021-2025)
 - c) To receive declarations of interest
 - d) To consider for approval any Dispensation Requests received by the Clerk and not previously considered.
10. **Public Participation & Invited Guests**
 - Wiltshire Councillor Nick Holder, Bowerhill
 - Wiltshire Councillor Phil Alford, Melksham Without North & Shurnhold
 - Wiltshire Councillor Jonathan Seed, Melksham Without West & Rural

- 11. Virtual Meetings**
 - a) To note latest High Court Judgement regarding remote/virtual meetings and subsequent NALC advice, and confirm that the parish council is adhering to latest guidance
 - b) To submit comments to Government's "Call for Evidence" re virtual meetings <https://www.gov.uk/government/consultations/local-authority-remote-meetings-call-for-evidence/local-authority-remote-meetings-call-for-evidence>
- 12. Parish Council Objectives:**
 - a) To note Melksham Community Area Joint Needs Assessment (2020) <https://www.wiltshireintelligence.org.uk/community-area/melksham/>
 - b) To review Objectives for 2019/20 & 2020/21 and set Parish Council Objectives for 2021/22 and Priorities for Term of Council (2021-2025)
- 13. To resolve that the parish council meets eligibility criteria to use the General Power of Competence**
- 14. Appointment of Committees & Working Parties 2021/22**
 - a) Asset Management Committee
 - b) Finance Committee
 - c) Highways & Streetscene Committee
 - d) Planning Committee
 - e) Staffing Committee
 - f) Working Parties
- 15. To review and adopt revised "Committee Structure & Terms of Reference"**
- 16. Appointment of Organisation Representatives 2021/22**
- 17. To approve dates of meetings for 2021/22**

Option One: Schedule using Monday evenings
Option Two: Schedule using Monday evenings but avoiding clash with Melksham Town Council full council meetings
Option Three: As option One, but on a Tuesday evening
- 18. To approve the Minutes of the Full Council meeting held on 26 April 2021**
- 19. Planning:**
 - a) To approve the Minutes of the Planning Committee meeting held on 4 May 2021
 - b) To formally approve Planning Committee Recommendations of 4 May 2021
- 20. IT Working Party**
 - a) To approve recommendations of the IT Working Party held 22 March
 - b) To note electronic versions of this agenda pack
 - c) To receive update and consider any actions required further to Campus meeting re: technology requirements

21. Finance:

- a) To note Income/Expenditure reports for April
- b) To appoint cheque signatories/online authority for April payments
- c) To approve delegated powers for the Finance Committee (Monday 24th May) to review and approve the cover, and authorise the payment for the parish council's insurance cover before 1st June deadline
- d) To approve the setting up of new Finance Committee members on the bank mandate for authorising online payments and signing cheques, and to remove from the bank mandate any members that are no longer Finance Committee members (following Agenda Item 14b)

22. New Berryfield Village Hall project

- a) To note "Guidance for Town and Parish Councils on receiving and use of CIL (Community Infrastructure Levy)
- b) To note current funding streams and timescales for Berryfield Village Hall project
- c) To note tender process undertaken for Berryfield Village Hall project and cost indication
- d) To note guidance and template application form for Public Works Loan
- e) To consider in principle decision to consult residents on use of Public Works Loan for new Berryfield Village Hall construction this year, to enable decision at June Full Council meeting
- f) To note Notes form Berryfield Village Hall art project steering group meeting to approve concept design

23. Highways:

- a) Temporary Traffic Regulation Order. To note temporary closure of Woodrow Road (part) from its junction with Woodcombe for a distance of approx. 130 metres in a southerly direction from 31 May 2021 until 12 July to enable Wessex Water to carry out new sewer construction and associated works.

24. Community projects/partnership organisations:

- a) To note updates on new ownership of the Toast Office and plans from the Whitley Hub and local landowner re shop proposals
- b) To note update from Melksham Information & Community Hub meeting (13 May)

Teresa Strange

From: Teresa Strange
Sent: 08 May 2021 14:06
To: Alan Baines; david.pafford@melkshamwithout.co.uk; John Glover; Mary Pile; 'Richard Wood'; Robert Shea-Simonds; Stefano Patacchiola (stefano.patacchiola@melkshamwithout.co.uk); Terry Chivers
Cc: Lorraine McRandle; Marianne Rossi
Subject: Wiltshire Council election results are in.....

Dear Councillors

Here are the Wiltshire Council election results hot off the press as the Melksham News report them!..... (these are the 6 making up the Melksham Area Board)

Unitary Council (Wiltshire Council) result declared – Melksham Without West & Rural division

Syrie Gregory-Wood (LD) - 279

Sean McWhinnie (Lab) - 169

Jonathon Seed (Con) - 870

Sue Tweedie (GP) - 236

Jonathon Seed (Con) is elected

Unitary Council (Wiltshire Council) result declared – Melksham Without North & Shurnhold division

Phil Alford (Con) - 890

Kevin Cottrell (LD) - 263

Saffi Rabey (Ind) - 232

Phil Alford (Con) is elected

Unitary Council (Wiltshire Council) result declared – Bowerhill division

Malcolm Hewson (LD) - 253

Nick Holder (Con) - 799

Nick Holder (Con) is elected

Unitary Council (Wiltshire Council) result declared – Melksham Forest division

Pat Aves (LD) - 397

Claire Forgacs (Con) - 375

Jack Oatley (Ind) - 519

Jack Oatley (Ind) is elected

Unitary Council (Wiltshire Council) result declared – Melksham South division

Jacqui Crundell (Con) - 429

Dominic Francocci (GP) - 100

Jon Hubbard (Ind) - 670

Terri Welch (LD) - 173

Jon Hubbard (Ind) is elected

Unitary Council (Wiltshire Council) result declared – Melksham East division

Ryan Clarke (Ind) - 67

Vanessa Fiorelli (Ind) - 88

Louisa Lewis (Ind) - 192

Mike Sankey (Con) - 335

Nigel White (LD) - 219

Mike Sankey (Con) is elected

Town and parish councils tomorrow, not sure on the PCC announcement, I will keep you posted.
Kind regards, Teresa

Teresa Strange
Clerk
Melksham Without Parish Council
Sports Pavilion
Westinghouse Way
Melksham
Wiltshire
SN12 6TL
01225 705700



MODEL STANDING ORDERS 2018 (ENGLAND)

**Melksham Without Parish Council
Standing Orders**

Adopted by Full Council 24th June 2019

For Review at Annual Council 17th May 2021

National Association of Local Councils (NALC)
109 Great Russell Street
London
WC1B 3LD
020 7637 1865 | nalc@nalc.gov.uk | www.nalc.gov.uk

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INTRODUCTION

These model standing orders update the National Association of Local Council (NALC) model standing orders contained in “Local Councils Explained” by Meera Tharmarajah (© 2013 NALC). This publication contains new model standing orders which reference new legislation introduced after 2013 when the last model standing orders were published.

HOW TO USE MODEL STANDING ORDERS

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

DRAFTING NOTES

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word “councillor” is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

A model standing order that includes brackets like this '()' requires information to be inserted by a council. A model standing order that includes brackets like this '[]' and the term 'OR' provides alternative options for a council to choose from when determining standing orders.

1. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- h If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- i Subject to standing order 1(j), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- j One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- k A councillor may not move more than one amendment to an original or substantive motion.
- l The mover of an amendment has no right of reply at the end of debate on it.
- m Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- n Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;

- ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- o During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- p A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- q When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed (5) minutes without the consent of the chairman of the meeting.

2. **DISORDERLY CONDUCT AT MEETINGS**

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the

meeting shall request such person(s) to moderate or improve their conduct.

- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion. It is desirable that the following matters be treated as confidential a) engagement, terms of service, conduct and dismissal of employees; b) terms of tenders and proposals and counter proposals in negotiations for contracts; c) preparation of cases in legal proceedings; d) the early stages of any dispute.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed (15) minutes unless

- directed by the chairman of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than (5) minutes.
 - h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
 - i A person shall raise his hand when requesting to speak.
 - j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
 - k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
 - l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
 - m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
 - n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
 - o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
 - p **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
 - q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
 - r **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his**

- **casting vote whether or not he gave an original vote.**

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.

- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

t The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of the meeting;
- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

- u **A councillor or a non-councillor with voting rights who has a**
- **disclosable pecuniary interest or another interest as set out in the**
- **Council's code of conduct in a matter being considered at a meeting is**
- subject to statutory limitations or restrictions under the code on his**
- right to participate and vote on that matter.**

- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.

- w **If a meeting is or becomes inquorate no business shall be transacted**
 ● and the meeting shall be closed. The business on the agenda for the meeting
 ● shall be adjourned to another meeting.
- x A meeting shall not exceed a period of (3) hours and shall finish no later than 10pm

4. **COMMITTEES AND SUB-COMMITTEES**

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer () days before the meeting that they are unable to attend;
 - vi. shall permit a committee to appoint its own chairman at the first meeting of the committee;
 - vii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
 - viii. shall determine if the public may participate at a meeting of a committee;

- ix. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- x. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xi. may dissolve a committee or a sub-committee.

5. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 7pm**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of**

votes.

- j Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
- i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4;
 - ix. Review and adoption of appropriate standing orders. NB: Financial Regulations are reviewed by the Finance Committee held in May and adopted at the June Full Council meeting.
 - x. . NB: Review of arrangements (including legal agreements) with other local authorities, not for profit bodies and businesses to be reviewed by the appropriate committee.
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;
 - xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
 - xiii. NB: Review of inventory of land and other assets including buildings and office equipment to be reviewed by Asset Management Committee in May/June and approved at June Full Council meeting. NB: Confirmation of arrangements for insurance cover in respect of all insurable risks to be undertaken by the Finance Committee in May under delegated powers.; NB: Council's and/or staff subscriptions to other bodies to be reviewed at the Finance Committee in May and approved by the June Full Council.
 - xiv. Review of the Council's complaints procedure;

- xv. NB: Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*); to be reviewed by the Finance Committee in May and approved by the June Full Council.
- xvi. NB: Council's policy for dealing with the press/media to be reviewed by the Staffing & Resources Committee and approved by the following Full Council meeting. NB: Council's employment policies and procedures to be reviewed by the Staffing & Resources Committee and approved by the following Full Council meeting. NB: Council's expenditure incurred under s137 of the Local Government Act 1972 or the general power of competence to be reviewed by the Finance Committee in May and be approved by the June Full Council. Confirming the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council. NB: The dates are determined earlier in the council calendar to ensure that diary commitments are made.

6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee may convene an extraordinary meeting of the committee at any time.
- d If the chairman of a committee does not call an extraordinary meeting within (3) days of having been requested to do so by (2) members of the committee any (2) members of the committee may convene an extraordinary meeting of the committee

7. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least (5) councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved

in pursuance of the recommendation of a committee or a sub-committee.

- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. **VOTING ON APPOINTMENTS**

- a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

9. **MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER**

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least (10) clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least (8) clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g The Clerk shall date and time every motion received. Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

a The following motions may be moved at a meeting without written notice to the Proper Officer:

- i. to correct an inaccuracy in the draft minutes of a meeting;
- ii. to move to a vote;
- iii. to defer consideration of a motion;
- iv. to refer a motion to a particular committee or sub-committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. MANAGEMENT OF INFORMATION

See also standing order 20.

a **The Council shall have in place and keep under review, technical and**

organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

- b The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**
- e Confidential Notes:
 - (i) A Confidential Note for a related Minute will be marked "confidential", produced on pink paper and circulated to Members AT THE MEETING. It will be signed with the public Minute of the same number. MEMBERS MUST RETURN THE CONFIDENTIAL NOTE AT THE END OF THE MEETING FOR CONFIDENTIAL DISPOSAL
 - (ii) The Council Master Minute Book only will include the letter C next to the open Minute eg. Min. 491/14C.
 - (iii) The Confidential Note for the Minute, along with the public version of the same Minute, will be retained in a separate file marked "Confidential Notes for Minutes" in the Clerk's office, out of reach of the public.
 - (iv) A list to be kept of Confidential Notes for Minutes at the front of the file, to show the date, subject and Minute number.

12. DRAFT MINUTES

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).

- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council’s code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is

required and that decision is final.

- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.
- h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
 - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. it is otherwise appropriate to grant a dispensation.**

14. CODE OF CONDUCT COMPLAINTS

- a Upon notification by the Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to

- investigate the complaint or is a legal requirement;
- ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. **PROPER OFFICER**

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
 - i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;
 - ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least (??) days before the meeting confirming his withdrawal of it;
 - iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
 - iv. **facilitate inspection of the minute book by local government electors;**
 - v. **receive and retain copies of byelaws made by other local authorities;**
 - vi. hold acceptance of office forms from councillors;

- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;
(see also *standing order 23*);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority
- xv. The Clerk shall notify all members of Council of every new planning application and planning application decision made on a weekly basis, by forwarding the local authority notification email to all councillors and add all planning applications received by the Council on the agenda of the Planning Committee who meet every 21 days and have delegated powers to submit comments to the local authority
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also *standing order 23*).

16. **RESPONSIBLE FINANCIAL OFFICER**

- a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. ACCOUNTS AND ACCOUNTING STATEMENTS

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported andwhich includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d At the Finance Committee meeting in May/June, the Responsible Financial Officer shall provide:
 - i. each committee member with a statement summarising the Council's receipts and payments (or income and expenditure) for the year to date for information; and
 - ii. to the committee member the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to the Finance Committee to review in May/June and then to all councillors with the agenda papers for approval by the Full Council in June. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. **FINANCIAL CONTROLS AND PROCUREMENT**

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;

- v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
- vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

NB – I have checked that these are still relevant and they are:

Update from NALC legal team on post-Brexit implications to the sector – Jan 2021

As well as being a New Year with a difference, 31 December 2020 marks the end of the transition period for EU membership purposes. We have received some queries about the references to the EU Procurement thresholds in Model Standing Order 18 and whether they are obsolete as of 1 January 2021. The answer is no. The figures in MSO 18 apply for the purposes of the Public Contract Regulations 2015 and Utilities Contracts Regulations 2016.

19. HANDLING STAFF MATTERS

- a A matter personal to a member of staff that is being considered by a meeting of

the Staffing & Resources committee is subject to standing order 11.

- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of [the Staffing & Resources committee] or, if he is not available, the vice-chairman (if there is one) of [the Staffing & Resources committee] of absence occasioned by illness or other reason and that person shall report such absence to the Full Council at its next meeting.
- c The chairman of [the Council and the chairman of the Staffing & Resources committee or in their absence, the vice-chairmen] shall upon a resolution conduct a review of the performance and annual appraisal of the work of Clerk. The reviews and appraisal shall be reported verbally and are subject to approval by resolution by Full Council.
- d In line with the Council's adopted Grievance Policy, wherever possible, any grievance should be raised informally with the employee's line manager (the Clerk). In the case of the Clerk to the Council raising a grievance this should be directed to the Chairman for the Council unless the complaint is about the Chairman in which case another Member can be identified to handle the Clerk's concerns. The recipient of the grievance from the Clerk should share the grievance with the Staffing & Resources committee and the issues should be treated with discretion and confidentiality at all times.
- e If the employee does not consider it appropriate to raise the grievance informally, or if requested by the person the employee spoke to informally, then the employee should submit a formal grievance in writing to the Clerk, or in the case of the Clerk, to the Chairman.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015 if its gross annual income or expenditure (whichever is higher) exceeds £200,000.

21. **RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**
(Below is not an exclusive list).

See also standing order 11.

- a **The Council shall appoint a Data Protection Officer.**
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

22. **RELATIONS WITH THE PRESS/MEDIA**

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

23. **EXECUTION AND SEALING OF LEGAL DEEDS**

See also standing orders 15(b)(xii) and (xvii).

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **[Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.]**

24. **COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS**

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the Unitary Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.

25. **RESTRICTIONS ON COUNCILLOR ACTIVITIES**

- a. Unless duly authorised no councillor shall:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

26. **STANDING ORDERS GENERALLY**

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least (2) councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

27. ELECTIONS AND CO-OPTION

- a The Council will advertise any vacancy in the local press, council and community noticeboards, council website and social media sites.
- b Polling cards will be issued by Wiltshire Council if a contested election is held for any vacant seat.
- c Prospective candidates being considered for co-option will be required to provide the council with a written statement of interest and to attend the Full Council Meeting when the vote takes place (where possible) to make a short presentation.
- d Co-option voting will take place during the relevant Full Council meeting by a show of hands ballot paper, with councillors being required to put a "X" against the name of the candidate(s) they wish to see co-opted. Candidates will only be accepted if they have received a majority vote.
- e ~~Ballot papers will be collected by the Proper Officer and votes counted in the presence of members. The votes will be verified by another Officer.~~
- ef Candidates with the lowest vote will be eliminated and the Candidate with the highest vote will be duly elected. Where there is a tie, members will be required to repeat the process with just those candidates until a candidate has achieved a majority vote.
- fe The Council reserve the right to not co-opt a prospective candidate, even if they are the only candidate, if they do not consider the candidate to be suitable for the seat.

NB The above changes were agreed by the Full Council in September 2020 Minute 78/20d, and are in line with the latest NALC guidance, regarding "secret ballots" no longer being lawful.



MELKSHAM WITHOUT PARISH COUNCIL

Code of Conduct

You are a member or co-opted member of Melksham Without Parish Council and hence you shall have regard to the following principles - **selflessness, integrity, objectivity, accountability, openness, honesty and leadership**.

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the following requirements, by leadership and example.

Accordingly, when acting in your capacity as a member or co-opted member:

1. You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
2. You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
3. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
4. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
5. You must be as open as possible about your decisions and actions and the decisions and actions of your authority, and should be prepared to give reasons for those decisions and actions.
6. You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties, and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out below.

7. You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

Registering and declaring pecuniary and non-pecuniary interests

8. You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living as a husband or wife, or as if you were civil partners.

9. In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interests which your authority has decided should be included in the register.

10. If an interest has not been entered onto the authority's register you must disclose the interest to any meeting of authority at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a sensitive interest.

11. Following any disclosure of an interest which is not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

12. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your authority.

Wiltshire Council Code of Conduct June 2012

Adopted by Melksham Without Parish Council 14th May 2018

NALC's template code of conduct for parish councils (final version)

Introduction

This Briefing updates L08-12 and it should be read in conjunction with Legal Topic Note 80 dated 21 June 2012. NALC's template code of conduct has been finalised and is attached.

NALC's template code of conduct incorporates a member's new mandatory obligations in the Localism Act 2011 ('the 2011 Act') concerning 'disclosable pecuniary interests' which come into force on 1 July 2012. Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012/1464). They are set out in Legal Briefing L10-12.

Important information (explained in detail in LTN 80 and Legal Briefing L10- 12)

1. The code of conduct adopted by a parish council in satisfying its duties in s.51 of the Local Government Act 2000 **ceases** to have effect on 1 July 2012 (paragraph 56 of schedule 4 of the 2011 Act).
2. An undertaking to comply with a code of conduct given by a person under s.52 of the Local Government Act 2000 or as part of a declaration of acceptance of office in a form prescribed by order under s.83 of the Local Government Act 1972 ceases to have effect when the parish council's existing code **ceases** to have effect on 1 July 2012 (paragraph 56 of schedule 4 of the 2011 Act).
3. The Localism Act 2011 (Commencement No.6 and Transitional, Savings and Transitional Provisions) Order 2012 ('the 2012 Regulations'), brought into force on 7 June 2012, confirms :-
 - a parish council must, pursuant to s.27 of the 2011 Act, adopt a new code of conduct which complies with the provisions of s. 28 of the 2011 Act **to take effect on or after 1 July 2012.**
 - the district/ unitary authority's Monitoring Officer must prepare a register of interests for members of parish councils in the principal authority's area **to take effect on or after 1 July 2012.**
4. The 2012 Regulations also confirm that on 1 July, a member of a parish council is at risk of prosecution for committing criminal offences in s.34 of the 2011 Act if:-
 - he/she, without a dispensation, participates or votes on a matter being considered at a meeting in which he/she has a 'disclosable pecuniary interest' (s.31(4) of the 2011 Act) or
 - written notification of such disclosable pecuniary interest has not already been given to the Monitoring Officer, and the member does not disclose the disclosable pecuniary interest to the meeting and does not provide written notification of the interest to the Monitoring Officer within 28 days of the meeting (ss.31(2) and (3) of the 2011 Act) or

- he/she knowingly or recklessly provides false or misleading information about the above (s.34(2) of the 2011 Act).

Advice

A parish council has a duty to adopt a new code of conduct.

After 6 June 2012, a parish council must adopt a new code of conduct (which may or may not be based on the NALC template code of conduct) to take effect on 1 July 2012 or as soon as possible thereafter. A member's mandatory obligations relating to prescribed disclosable pecuniary interests are incorporated in the NALC template code of conduct. If a parish council adopts the NALC template, its members are also required to register disclosable pecuniary interests within 28 days of adoption of the code.

For the period that a parish council has no code of conduct (because its code ceased to have effect on 1 July 2012 and it has not resolved to adopt a new code of conduct), members of the parish council are still subject to the mandatory obligations in the 2011 Act in relation to disclosable pecuniary interests (summarised above) from 1 July 2012.

Useful reminders

The function of adopting, revising or replacing a code of conduct must be discharged by full council (s.28(13) of the 2011 Act). A parish council must publicise its adoption (and in future any revision or replacement) of a code of conduct in such manner as it considers is likely to bring the adoption, revision or replacement of the code of conduct to the attention of persons who live in its area (s. 28(12)).

Whilst members of a parish council may provide written notification of interests (including disclosable pecuniary interests) to the Monitoring Officer, most Monitoring Officers are likely to prepare a standard register of interests form for members of parish councils to complete. Members of parish councils should liaise directly with the Monitoring Officer about providing written notifications about their interests.

This briefing was issued by Meera Tharmarajah, Solicitor and Head of Legal Services

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FINAL

NALC template code of conduct for parish councils

Introduction

Pursuant to section 27 of the Localism Act 2011, X [Parish/Town/Village/Community/Neighbourhood] Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

Definitions

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

Member obligations

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. He/she shall behave in such a way that a reasonable person would regard as respectful.
2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/she shall use the resources of the Council in accordance with its requirements.
5. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.

Registration of interests

6. Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
7. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.

8. A member shall register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
9. A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

Declaration of interests at meetings

10. Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.
11. Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.
12. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
13. A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.

14. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

Dispensations

15. On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

Appendix A

Interests described in the table below.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses.
	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council —
	(a) under which goods or services are to be provided or works are to be executed; and
	(b) which has not been fully discharged.
Land	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 member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to the member's knowledge)—
	(a) the landlord is the Council; and
	(b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where—
	(a) that body (to the member'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 member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has 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.

Appendix B

An interest which relates to or is likely to affect:

- (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
- (ii) any body—
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which the member of the Council is a member or in a position of general control or management;
- (iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.

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Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

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.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

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. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

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 should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

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 any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 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.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“Disclosable Pecuniary Interest” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

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](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	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.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	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.
Securities	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 has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* '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 Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
 - (i) exercising functions of a public nature
 - (ii) any body 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)

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

Code of Conduct

You are a member or co-opted member of Wonderland Parish Council and hence you shall have regard to the following principles - **selflessness, integrity, objectivity, accountability, openness, honesty and leadership.**

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the following requirements, by leadership and example.

Accordingly, when acting in your capacity as a member or co-opted member:

1. You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
2. You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
3. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.
4. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
5. You must be as open as possible about your decisions and actions and the decisions and actions of your authority, and should be prepared to give reasons for those decisions and actions.
6. You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties, and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out below.
7. You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

[Members of Wiltshire Council will have regard to the Roles and Responsibilities of Wiltshire Councillors according to Appendix 1 and Wiltshire Council Behaviours Framework at Appendix 2.]

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This model document is intended as an example only. Councils
Will need to consider the content carefully and adapt it to meet
Their individual circumstances.

Registering and declaring pecuniary and non-pecuniary interests

8. You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living as a husband or wife, or as if you were civil partners.
9. In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interests which your authority has decided should be included in the register.
10. If an interest has not been entered onto the authority's register you must disclose the interest to any meeting of authority at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a sensitive interest.
11. Following any disclosure of an interest which is not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.
12. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your authority.



MELKSHAM WITHOUT PARISH COUNCIL

PROTOCOL ON MEMBER/OFFICER RELATIONS

1. INTRODUCTION AND PRINCIPLES

- 1.1 The purpose of this Protocol is to guide Members and Officers of the Council in their relations with one another in such a way as to ensure the smooth running of the Council and to satisfy the ethical standards required.
- 1.2 Given the variety and complexity of such relations this Protocol does not seek to be either prescriptive or comprehensive. It simply offers guidance on some of the issues which most commonly arise. It is hoped, however, that the approach which it adopts to these issues will serve as a guide to dealing with other circumstances.
- 1.3 This Protocol is to a large extent a written statement of current practice and convention. It seeks to promote greater clarity and certainty. If the Protocol is followed, it should ensure that Members receive objective and impartial advice and that Officers are protected from accusations of bias and any undue influence from Members.
- 1.4 This Protocol is consistent with the Members' Code of Conduct. Consequently, a breach of the provisions of this Protocol may also constitute a breach of these Codes.
- 1.5 This Protocol should be read in conjunction with the Codes of Conduct, and any guidance issued by the Standards Committee and/or Monitoring Officer of Wiltshire Council.

2. LIMITATIONS OF MEMBERS' AUTHORITY

- 2.1. The authority of Members is collective and, as individuals, they have no authority to issue specific directions to any employee, or make criticism directly. Members must not formally inspect any Parish Council property without authority or issue orders or correspondence.
- 2.2. The long standing requirements on Members, as employers, were re-affirmed in law by an Employment Appeals Tribunal, *Moore v Bude & Stratton Town Council*. This confirmed that the Council collectively was the employer, that the unofficial actions of an individual Member could destroy the entire basis of the employer/employee relationship and that employees were entitled to a "reasonably congenial working relationship".

3. THE RELATIONSHIP: GENERAL POINTS

- 3.1 Whilst both Members and Officers are servants of the public and they are indispensable to one another the responsibilities are distinct. Members are responsible to the electorate and serve only so long as their term of office lasts. Members are responsible for setting policy. Officers are responsible to the Council. Their job is to give advice to Members and the Council, and to carry out the Council's work under the direction and control of the Council and its various bodies.
- 3.2 At the heart of the Codes and this Protocol, is the importance of mutual respect. Member/Officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between Members and Officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.
- 3.3 Members must respect the impartiality and integrity of all the Council's Officers. Similarly, all Officers must respect the role of Members as elected representatives.
- 3.4. Inappropriate relationships can be inferred from language/style. To protect both Members and Officers, Officers should address Members at all formal meetings as Councillor or Chair. Save where circumstances clearly indicate that a level of informality is appropriate. Similarly, when addressing Officers at formal meetings of the Council, Members should address Officers by their post title.
- 3.5 A Member should not raise matters relating to the conduct or capability of an Officer in a manner that is incompatible with the objectives of this Protocol. This is a longstanding tradition in public service. An Officer has no means of responding to criticisms in public. If a Member feels he/she has not been treated with proper respect, courtesy or has any concern about the conduct or capability of an Officer, he/she should raise the matter with the Clerk. Any action taken against an Officer in respect of a complaint, will be dealt with in accordance with this policy. If the concern relates to the Clerk then the Member should raise the issue with the Chairman.
- 3.6 An Officer should not raise matters with a Member relating to the conduct or capability of another Officer in a manner that is incompatible with the overall objectives of this Protocol.
- 3.7 Where an officer feels that he/she has not been properly treated with respect and courtesy by a Member, he/she should raise the matter with the Clerk. In these circumstances the Clerk will take appropriate action either by approaching the individual Member and/or the Chairman or by referring the matter to the Monitoring Officer in accordance with the Code of Conduct.

4. ROLES OF MEMBERS AND OFFICERS

- 4.1 Members have four main roles:
 - Determining the policy of the Council

- Monitoring and reviewing the performance of the Council in implementing that policy and delivering services
- Representing the Council externally
- Acting as advocates on behalf of their constituents and the wider community

4.2 Officers have the following main roles:

- Initiating policy proposals
- Implementing agreed policy, managing and providing services and being accountable for the efficiency and effectiveness of the services provided
- Providing professional advice to the Council, its various bodies and individual members
- Ensuring the Council always acts in a lawful manner

5. THE COUNCIL DECISION MAKING PROCESS

- 5.1 Day to day decision making remains the responsibility of the Clerk as delegated by the Parish Council.
- 5.2 Members must always remember that decisions and policies, once determined by the Parish Council are binding.

6. THE RELATIONSHIP: GENERAL POINTS

- 6.1 Officers are responsible for day-to-day managerial and operational decisions within the Council and will provide support to all Members in their various roles.
- 6.2 In giving such advice to Members and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views and make recommendations. Members should not seek to pressure the Officer to make a recommendation contrary to the Officer's professional view because of their wish to express a contrary view.
- 6.3 The Clerk has certain statutory roles which need to be understood and respected by all Members. Members must respect these statutory obligations, must not obstruct the Clerk in the discharge of his/her responsibilities and must not victimise him/her for discharging his/her responsibilities.
- 6.4 The following key principles reflect the way in which Officers generally relate to Members:-
- All Officers are employed by, and accountable to the Council as a corporate body
 - Support from Officers is needed for all of the authority's functions
 - Day to day managerial and operational decisions should remain the responsibility of the Clerk and other Officers and
 - All Officers will be provided with training and development to help them support the various Member roles effectively.

- 6.5. Finally, it must be remembered that Officers within the Parish Council are accountable to the Clerk and whilst Officers should always seek to assist a Member, they must not, in so doing, go beyond the bounds of whatever authority they have been given by the Clerk.

7. PREPARATION OF COUNCIL AGENDAS, MINUTES AND REPORTS AND CONDUCT OF MEETINGS

- 7.1. The Clerk, or other appointed Officer, although responsible under statute for preparing the Agendas for all meetings of the Parish Council, Committees, Subcommittees and Working Parties and for circulation of them to meet statutory requirements, will normally do so in consideration with the appropriate Chair. Additional matters for discussion may only be considered at the discretion of the Chair, in agreement with the Clerk.
- 7.2 The Clerk, or other appointed Officer, is responsible for the content of all Minutes and for circulation of them to meet statutory requirements.
- 7.3. An Officer will be present at all meetings involving Members of the Parish Council and will advise on any questions relating to Standing Orders, Financial Regulations, legal requirements or committee procedures and will produce formal minutes of the meeting.
- 7.4 When a named Officer has produced a written report for the consideration of Members he/she is known as the “lead Officer” for the particular topic and is always given the opportunity to introduce the report and answer any questions about it, preferably having received notice verbally or in writing.
- 7.5 The lead Officer may not necessarily be the same Officer who attends to give advice on legal requirements or procedures and produce the minutes as referred to in 7.3 above.
- 7.6 All Committee reports will contain a Recommendation where appropriate, which formally sets out the best advice from the Officer concerned, although the decision to accept this or not rests with the Members. Members should raise issues with that Officer prior to the meeting if at all possible.
- 7.7 Any Member is entitled to submit a Notice of Motion relevant to some question over which the Parish Council has power or which affects its area, for inclusion on the Parish Council Agenda. It must be received by letter or email by 7 days before the council meeting. Any such motion, on being adopted, would stand referred to the relevant Committee if it related directly to the Parish Council’s services.
- 7.8 Unless authorised otherwise by the Chair of the meeting concerned, during Committee meetings, all mobile telephones and other electronic devices will be switched to silent.,.
- 7.9 All Members shall seek the advice of the Clerk where they consider there is doubt about the vires for a decision or where they consider a decision might be contrary to pre-determined policies of the Council.
- 7.10 Members and Officers should be mutually supportive in order to minimise any potential embarrassment to the Council. Criticism of officers should be dealt

with in private and, by the same token, Officers will never be publicly critical of the Council or its policies.

8. THE RELATIONSHIP: OFFICER SUPPORT: MEMBER AND PARTY GROUPS

- 8.1 It must be recognised by all Officers and Members that in discharging their duties and responsibilities they serve the Council as a whole.
- 8.2 The only basis on which the Council can lawfully provide support services (e.g. stationery, typing, printing, photo-copying, transport etc) to Members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party political or campaigning activity.

9. MEMBERS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS

- 9.1 Members have the right to ask for information pursuant to their legal rights to information. This right extends to such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as a Member of the Council. This can range from a request for general information about some aspect of the Council's activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the Clerk.
- 9.2 As regards the legal rights of Members to inspect Council documents, these are covered partly by statute and partly by the common law.
- 9.3 Members have a statutory right to inspect any Council document which contains material relating to any business which is to be transacted by the Council.
- 9.4 The common law rights of Members remain intact and are much broader and are based on the principle that any Member has prima facie right to inspect Council documents so far as his/her access to the document is reasonably necessary to enable the Member properly to perform his/her duties as a Member of the Council. This principle is commonly referred to as the 'need to know' principle.
- 9.5 The exercise of this common law right in regard to sensitive information depends therefore, upon an individual Member being able to demonstrate that he/she has the necessary 'need to know'. In this respect a Member has no right to 'a roving commission' to go and examine documents of the Council. Mere curiosity is not sufficient. The crucial question is the determination of the 'need to know'. This question must initially be determined by the Clerk.
- 9.6 In some circumstances (e.g. a meeting of the Council or its bodies and a Member wishing to inspect documents relating to the business of that meeting) a Member's 'need to know' will normally be presumed. In other circumstances (e.g., a Member wishing to inspect documents which contain personal information about third parties) the Member will normally be expected to justify the request in specific terms.

- 9.7 Further and more detailed advice regarding Members rights to inspect Council documents may be obtained from the Clerk.
- 9.8 Finally, any Council information provided to a Member must only be used by Members for the purpose for which it was provided, i.e. in connection with the proper performance of the Member's duties as a Member of the Council. Therefore, for example, early drafts of Committee reports/briefing papers are not suitable for public disclosure and should not be used other than for the purpose for which they were supplied.

10. CORRESPONDENCE

- 10.1 Correspondence between an individual Member and an Officer should not normally be copied (by the Officer) to any other Member. Where exceptionally it is necessary to copy the correspondence to another Member, this should be made clear to the original Member. In other words, a system of 'silent copies' should not be employed.
- 10.2 Official letters on behalf of the Council should normally be sent in the name of the appropriate Officer, rather than in the name of a Member. Letters which, for example, create legal obligations or give instructions on behalf of the Council should never be sent out in the name of a Member.

11. PUBLICITY AND PRESS RELEASES

- 11.1 Local authorities are accountable to their electorate. Accountability requires local understanding. This will be promoted by the Authority by explaining its objectives and policies to the electors and taxpayer. In recent years, all local authorities have increasingly used publicity to keep the public informed and to encourage public participation. Every Council needs to tell the public about the services it provides. Increasingly, local authorities see this task as an essential part of providing services. Good, effective publicity aimed to improve public awareness of a Council's activities is, in the words of the Government, to be welcomed.
- 11.2 Publicity is, however, a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential, therefore, to ensure that local authority decisions on publicity are properly made in accordance with clear principles of good practice. The government has issued a Code of Recommended Practice on Local Authority Publicity. The purpose of the Code is to set out such principles. The Code develops the conventions that should apply to all publicity at public expense and which traditionally have applied in both central and local government. The Code is issued under the provisions of the Local Government Act 1986 as amended by the Local Government Act 1988 which provides for the Secretary of State to issue Codes of Recommended Practice as regards the content, style, distribution and costs of local authority publicity and such other matters as he/she thinks appropriate. That section requires that all local authorities shall have regard to the provisions of any such Code in coming to any decision on publicity.

- 11.3 Officers and Members of the Council will, therefore, in making decisions on publicity, take account of the provisions of this Code. If in doubt, Officers and/or Members should initially seek advice from the Clerk. Particular care should be paid to any such publicity used by the Council around the time of an election. Particular advice will be given on this by the Clerk.
- 11.4 The Clerk is the Parish Council's press officer, and as such all press publications should be issued by the Clerk and be the view of the Council as a Corporate Body. This includes publicity on social media platforms as well as press publications.

12. MEMBERS IN THEIR WARD ROLE AND OFFICERS

- 12.1 Whenever a public meeting is organised by the Council to consider a local issue, all the Members representing the Ward or Wards affected will as a matter of course, be invited to attend the meeting. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue, the Ward Members will be notified at the outset of the exercise.
- 12.2 Should Members or local residents convene a local meeting; Officer attendance will be at the discretion of the Clerk and will take account of the purpose of the meeting.
- 12.3 In all circumstances, the role of Officers at such meetings is to provide information on the topic under consideration and any decision making process which might be relevant, but not to offer or share judgements. Officers will seek to assist in the effective engagement of the community but will be mindful at all times of the integrity of the formal decision making process.
- 12.4 Members attending local consultation meetings, which may on occasion give rise to heated debate, should be mindful of the restrictions on the responses available to Officers and both Officers and Members should act at all times in accordance with their respective Codes of Conduct.

13. ACCESS TO PREMISES

- 13.1 Officers have the right to enter Council land and premises to carry out their work.
- 13.2 Members have a right of access to Council land and premises to fulfil their duties. When making visits as individual members, member should:
- whenever practicable, notify and make advance arrangements with appropriate manager or officer in charge;
 - comply with health and safety, security and other workplace rules;
 - not interfere with the services or activities being provided at the time of the visit;
 - if outside his/her own ward notify the ward members beforehand; and
 - take special care at schools and establishments serving vulnerable sections of society to avoid giving any impression of improper or inappropriate behaviour.

14. USE OF COUNCIL RESOURCES

- 14.1 The Council provides all members with services such as typing, printing and photocopying, and may provide goods such as stationery and computer equipment, to assist in them discharging their roles as members of the Council. These goods and services are paid for from the public purse. They should not be used for private purposes or in connection with party political campaigning activities.
- 14.2 Members should not put pressure on staff to provide resources or support which officers are not permitted to give.

15. CONCLUSION

- 15.1 Mutual understanding and openness on these sort of sensitive issues and basic respect are the greatest safeguard of the integrity of the Council, its Members and Officers.
- 15.2 Questions of interpretation of this Protocol will be determined by the Clerk.
- 15.3 Copies of the Protocol will be issued to all Members, upon election, and all Officers.

*Recommended for approval by the Staffing Committee 12th March 2018 (Min 492/17a)iv)
and approved by Full Council 26th March 2018.*

DISPENSATIONS

A GUIDE FOR TOWN AND PARISH COUNCILS

1. Introduction

The introduction of the Localism Act 2011 has changed the procedure for dealing with dispensations.

Section 27(6)(d) of the Localism Act 2011 defines a town or parish council as a 'relevant authority'. As such, town and parish councils have a responsibility for determining requests for dispensations made by their own elected or co-opted councillors.

Under the previous Standards for England framework the setting of the council tax or a precept was exempt from disclosure as a prejudicial interest. Paragraph 10(2)(c) of the old Code of Conduct set out this exemption. This exemption no longer applies with the introduction of the Localism Act 2011. ***It is the view of Wiltshire Council's Monitoring Officer that a councillor who has any beneficial interest in land which is in the area of the relevant authority (including a home in the area), has a prejudicial interest in the setting of the council tax precept. As such a dispensation would be required to enable any such councillor to participate in any discussions or vote on the setting of the council tax precept.***

This guide sets out:

- The effect of disclosable pecuniary and non-pecuniary interests on participation
- The purpose and effect of dispensations
- The consideration of dispensation requests
- The procedure for requesting a dispensation
- Terms of dispensations
- Notification and disclosure of decision

1. The effect of disclosable pecuniary and non-pecuniary interests on participation

A councillor may not participate in any discussion of, or vote on, any matter in which they have a disclosable pecuniary interest as specified by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

These disclosable pecuniary interests are set out at Appendix A.

If a councillor participates in a meeting or votes on a matter in which they have a disclosable pecuniary interest and have not been granted a dispensation, they will be committing a criminal offence under Section 34 Localism Act 2011. A person found guilty of such a criminal offence can be fined up to £5,000 and disqualified from holding office as a councillor for up to five years.

A relevant authority may have adopted a Code of Conduct which prevents a councillor from speaking or voting on where they have a particular interest which is other than a disclosable pecuniary interest, such as a non-pecuniary interest. The same restrictions would apply with regard to discussion and voting, and a dispensation would be required to enable a councillor with an interest to participate. Without a dispensation, a councillor who participates in a meeting or votes on a matter in which they have such an interest would be in breach of the Code of Conduct.

A relevant authority's standing orders may also provide for the exclusion of a councillor from a meeting in which any discussion or vote is taking place on a matter in which they have a disclosable interest.

2. The purpose and effect of dispensations

Section 33 of the Localism Act allows a relevant authority to grant a dispensation to allow a councillor to participate in the business of the authority even where that councillor has a disclosable pecuniary interest

A dispensation may be granted by the authority which would allow a councillor to:

- a. participate, or participate further, in any discussion of the matter; **and/or**
- b. participate in any vote, or further vote, taken on the matter.

A dispensation would also be required where a council has placed restrictions in respect of participation and voting on additional disclosable pecuniary and non-pecuniary interests.

Where a council's standing orders also require a councillor to leave the room, the dispensation may also allow the councillor to remain in the room where the meeting considering the business is being held.

3. Consideration of dispensation requests

A council can either delegate authority to the Town/Parish Clerk to grant dispensations, or reserve such decisions for the full council or a sub-committee of the council.

A dispensation may be granted to a councillor who has a disclosable pecuniary (or non-pecuniary) interest to participate in any discussion of a matter at a meeting and/or to participate in any vote on the matter if it is considered that -

- (a) without the dispensation so great a proportion of the council or authority would be prohibited from participating in that business as to impede the council's transaction of that business (i.e. the meeting would be inquorate),
- (b) without the dispensation the representation of different political groups on the Council (if these exist) would be so upset as to alter the likely outcome of any particular vote,

- (c) the granting of the dispensation is in the interests of people living in the council's or authority's area, or
- (d) it is otherwise appropriate to grant a dispensation.

It is for each relevant authority to decide whether to delegate the power to grant dispensations to the Clerk. It may decide to do so on certain grounds, such as ground (a) above, which is fairly objective, but deal with other applications through a meeting of the council. Another option is to delegate to the Clerk, after consultation with the Chairman of the Council, or Vice-Chairman, in cases of conflict of interest.

Should a council decide to delegate the decision making to the Clerk then it will need to make a formal resolution to this effect, along the lines of:

'RESOLVE that the Council delegates the power to grant dispensations under Section 33 (1) of the Localism Act 2011 to the Clerk (..... under the following relevant statutory circumstances, where appropriate; e.g. where granting of the dispensation is in the interests of persons living in the authority's area).

In addition to the statutory relevant considerations detailed in (a) to (d) above, the council may wish to take into account the following factors when determining requests for dispensations:

- the nature of the councillor's interest, e.g. is it substantial or remote?
- the need to maintain public confidence in the conduct of the council's business
- the need for efficient and effective conduct of the council's business
- the councillor's particular expertise or knowledge in the matter that may be useful in its consideration (e.g. the councillor could be granted a dispensation to speak but not to vote)
- the interest is common to the councillor and a significant proportion of the inhabitants of the authority's area
- any other relevant circumstances

4. The procedure for requesting a dispensation

Any councillor who wishes to apply for a dispensation must do so in writing. A template Dispensation Request Form is attached to this guidance at Appendix B.

The written request must be made to the Proper Officer of the Council (i.e. the Clerk) as soon as possible before the meeting at which the dispensation is required.

Dispensation applications should be discouraged from being made at the council meeting at which the business itself is to be discussed unless the nature of the interest has only become apparent to the councillor at that meeting. In any event, unless the council has a standing item on its agenda to consider dispensation requests then it will not be possible to consider a dispensation application at the meeting at which the need for it has been identified.

Where a dispensation request is being considered by a meeting of the council, the councillor making the request may participate and vote on the business of whether to grant the dispensation.

5. Terms of dispensations

Dispensations may be granted:

- for one or more meetings of the council, or
- for a period not exceeding four years

In either case, the dispensation must specify the period for which it has effect.

6. Notification and disclosure of decision

The council or Clerk will notify the councillor as soon as possible of the decision taken.

A sample dispensation decision notice is attached to this guidance at Appendix C.

Any councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates.

A copy of any dispensation granted will be forwarded to the Monitoring Officer of Wiltshire Council and kept with the Register of Councillor's interests.

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(3).
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; 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 relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Dispensation Request Form Melksham Without Parish Council

Please give full details of the following in support of your application for a dispensation and return to the parish clerk.

Name	Cllr Richard Wood Cllr Stefano Patacchiola Cllr John Glover Cllr David Pafford Cllr Robert Shea-Simonds Cllr Terry Chivers Cllr Mary Pile Cllr Mark Harris Cllr Shona Holt
The business for which you require a dispensation (refer to agenda item number if appropriate)	Precept setting
Details of your interest in that business	Own property in the Parish Live in the Parish
Date of meeting or time period (up to 4 years) for which dispensation is sought	Until end of Council Term of Office in May 2025
Dispensation requested to participate, or participate further, in any discussion of that business by that body	Yes
Dispensation requested to participate in any vote, or further vote, taken on that business by that body	Yes
Reason(s) for dispensation request:	
a) without the dispensation the number of persons unable to participate in the transaction of business would be so great as to impede the transaction of the business	Yes
b) without the dispensation the representation of different political groups would be affected so as to alter the likely outcome of any vote	
c) the dispensation is in the interests of persons living in the authority's area, or	Yes

d) that it is otherwise appropriate to grant a dispensation	
---	--

Dated: 10th May 2021

Dispensation Request Form Melksham Without Parish Council

Please give full details of the following in support of your application for a dispensation and return to the town/parish clerk.

Your name	Melksham Without Parish Council
The business for which you require a dispensation (refer to agenda item number if appropriate)	1. LAND EAST OF SEMINGTON ROAD (now known as Bowood View): 150 dwellings, village hall (Planning Application No: 16/00497/OUT), 17/10416/VAR & 17/12514/REM 2. LAND SOUTH OF WESTERN WAY, BOWERHILL (PATHFINDER WAY) (now known as Pathfinder Place) 235 dwellings, primary school with early years nursery (Planning Application No: 16/01123/OUT) Reserved Matters Application submitted in relation to access (17/06285/REM) & 18/04477/REM 3. LAND AT SEMINGTON ROAD (adjacent to Bowood View), 144 dwellings approved by Strategic Planning Committee Jan 2021 awaiting decision notice Application Number 20/01938/OUT 4. LAND SOUTH OF WESTERN WAY (adjacent to Pathfinder Place), 240 dwellings and 70 bed care home - awaiting decision) Application Number 20/08400/OUT 5. LAND SOUTH OF WOODROW ROAD, 150 dwellings, awaiting decision Application Number 21/01629

Details of your interest in that business	Planning Applications / Housing Developments that may, or do, name Melksham Without Parish Council as beneficiaries in the S106 agreement.
Date of meeting or time period (up to 4 years) for which dispensation is sought	Until end of Council Term of Office in May 2025
Dispensation requested to participate, or participate further, in any discussion of that business by that body	Yes
Dispensation requested to participate in any vote, or further vote, taken on that business by that body	Yes
Reason(s) for dispensation request:	
a) without the dispensation the number of persons unable to participate in the transaction of business would be so great as to impede the transaction of the business	Yes
b) without the dispensation the representation of different political groups would be affected so as to alter the likely outcome of any vote	
c) the dispensation is in the interests of persons living in the authority's area, or	Yes
d) that it is otherwise appropriate to grant a dispensation	

Dated: 10th May 2021

11a.

Teresa Strange

From: Teresa Strange
Sent: 06 May 2021 16:48
To: Richard Wood; John Glover
Cc: Lorraine McRandle; Marianne Rossi
Subject: FW: ☺ NALC CORONAVIRUS UPDATE
Attachments: RE: Press enquiry: Council meetings post 7th May

Dear Chair and Vice Chair

New guidance following a postscript from the High Court judgement on how to hold meetings, and I am pleased that the information I sent to the Melksham News last night meets the new NALC guidance (see attached); the only thing I haven't encouraged is a written submission from the public.; which I can tidy up for the social media posting and website report.

The additional tables are being delivered tomorrow.

I will put this on the agenda for the Annual Council meeting, so it can be noted that the parish council is meeting the latest guidance. (you need to scroll down and click the blue box "find out more")

Kind regards, Teresa

From: Katie Fielding <kfielding@communityfirst.org.uk>
Sent: 06 May 2021 16:20
Subject: FW: ☺ NALC CORONAVIRUS UPDATE

Hello

Many of you will have received the email below from NALC directly. I have previously emailed about the High Court judgement on remote meeting, however, another court judgement has been released this week.

The Government advice at <https://www.gov.uk/government/publications/covid-19-guidance-for-the-safe-use-of-council-buildings/covid-19-guidance-for-the-safe-use-of-council-buildings> says:

"Continuing to provide remote access to the public

"Local authorities have legal obligations to ensure that members of the public have access to most of their meetings. For physical meetings, the government would actively encourage local authorities to continue to provide remote access until at least 21 June, at which point it is anticipated that all restrictions on indoor gatherings will have been lifted in line with the Roadmap. However, it is for individual local authorities to satisfy themselves that they have met the requirements for public access."

The further court judgement this week has determined, that in order to be in line with The Public Bodies (Admissions to Meetings) Act 1960, a meeting must be physically open to the public (although remote access may also be offered). It is not sufficient to only offer remote access to the public.

Please see below for the link to further information about managing agendas, meeting notices and situations where the number of members of the public exceed the venue capacity (with relevant safety and social distancing measures in place for the venue).

As previously mentioned. Councils with their own buildings can follow the links in the above guidance for information. Councils using Village Halls and Community Buildings will have to bear in mind the Village Hall/Community Building's risk assessment and social distancing measures in place for the capacity of the building. ACRE has provided advice to Village Halls and Community Buildings which can be read at

<https://acre.org.uk/cms/resources/re-opening-information-sheet-v.10-april-2021-2.pdf> – with particular reference to section 2.

I am sorry for yet more information, I appreciate it is frustrating but I can only let you know as I receive updates.

With best wishes

Katie



Coronavirus updates

NALC has reviewed and updated its coronavirus information. Following the recent High Court judgments on remote meetings, we have provided updated information and guidance for local councils on the return to face-to-face meetings. The announcement section now includes the NALC summary position and guidance on return to face-to-face local council meetings. The preparing for the return to face-to-face meetings section has been updated to include both the summary position, further information and guidance, and retains our previous March advice and tips.

This information forms part of a NALC's dedicated webpage on the coronavirus. It should not be used as a substitute for government advice, however, there are some practicalities specific to local (parish and town) councils where we hope this information will help you plan ahead and manage your risks. If you would like further advice and support on any of these topics for your local council then please contact your local county association. This is a fast-moving situation and we will be updating the webpage regularly.

(<https://twitter.com/NALC>) (<https://www.facebook.com/NationalAssociationOfLocalCouncils>)
 (<http://instagram.com/nalc109>) (<https://www.youtube.com/user/nalc109>)

MENU



CORONAVIRUS — INFORMATION FOR LOCAL COUNCILS

ABOUT

This page has been created to provide local (parish and town) councils with information about the coronavirus. It should not be used as a substitute for government advice. However, some practicalities are specific to local councils, where we hope this information will help you plan and manage your risks. If you would like further advice and support on any of these topics for your local council, please **contact your local county association (/about-county-associations)**.

ANNOUNCEMENT

Following the **High Court Judgment on remote meetings (/news/entry/1734-nalc-responds-to-high-court-judgement-on-remote-meetings)**, without further legislation there are no definitive answers and NALC is taking the approach of advising the safest course for local councils taking into account both Covid laws and local government law.

The current position is unsatisfactory and will cause huge problems for many of the 10,000 local councils in England, which the sector will address in its usual professional way and in the best interests of residents.

It is clear that the legal position is that local councils need to meet face-to-face, rather than remotely, and be open to attendance in person from the public.

As we have advised previously in our guidance on preparing for the possible return to face-to-face meetings, local councils should take steps to address this issue through measures such as delegation to clerks, deferring controversial decisions or holding meetings later in the year, after the 21 June roadmap date.

Any face-to-face meeting should be held in line with restrictions and public health advice in place at the time. So, in practical terms, local councils will have no choice but to control the numbers of people physically in the meeting room at any one time in order to comply with the Government's Covid restrictions.

We are currently advising local councils not to meet before 17 May because of Covid regulations and the roadmap.

If a meeting is necessary, local councils must conduct a risk assessment of any available venue and you can find details of how to in the Managing Facilities and Public Spaces section.

In light of the risk assessment, it is advised to set out in the agenda the arrangements for safely meeting (for example social distancing, wearing of masks and hand sanitising and other measures) and the number of the public that can be accommodated

If there is a large influx of the public for a meeting which exceeds the room's safe capacity as stated on the agenda, then the permitted number of attendees should not be exceeded. Local councils should manage as they would usually any disruptive behaviour or health and safety risks.

If the assessment is that the room cannot hold a safety meeting and no other venue is available or there is no outside space then, the local council will need to take appropriate mitigating actions including delaying meetings until after 21 June.

The meeting notice should also set out any arrangements for live streaming and making the meeting available for the public to observe proceedings and encourage the public to watch remotely.

Councils may also want to encourage members of the public to make written representations on issues rather than attending in person.

This summary and further information are set out below in the *Preparing for the return to face-to-face meetings* section.

SOURCES OF ADVICE

The coronavirus situation is fast-moving, and there is an increasing amount of misinformation online. We should be using government advice to inform decisions and be checking that advice regularly.

- The **government's main source of advice on coronavirus** (<https://www.gov.uk/government/topical-events/coronavirus-covid-19-uk-government-response>) includes information on social distancing alongside a wide range of other information. There are also useful **coronavirus FAQs** (<https://www.gov.uk/government/publications/coronavirus-outbreak-faqs-what-you-can-and-cant-do/coronavirus-outbreak-faqs-what-you-can-and-cant-do>) that provide useful additional information.
- GOV.UK provides a range of information on **working safely during Coronavirus** (<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19>) related to different sectors. This further guidance, developed with the Department for Business, Energy and Industrial Strategy, aims to **assist employers and businesses in providing advice to their staff** (<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19>).
- You may find ACAS advice useful in considering any employment-related matters that may impact your local council.
- On 4 January 2021, the government announced a national lockdown and **published guidance on what you can and cannot do** (<https://www.gov.uk/guidance/national-lockdown-stay-at-home>) during this time.
- On 22 February 2021, a **4-step plan to ease lockdown in England** (<https://www.gov.uk/government/publications/covid-19-response-spring-2021>) was announced.

Teresa Strange

From: Teresa Strange
Sent: 05 May 2021 18:20
To: Melksham News
Cc: Richard Wood
Subject: RE: Press enquiry: Council meetings post 7th May

Hi Ben

I don't have an official statement from the council but the general feeling is that.....

Members are keen to get back to meeting in person, especially with new councillors coming on board after the election. Cllr Patacchiola was co-opted in October and has yet to meet any of his fellow councillors in person, only in zoom. With regards to the High Court Judgement, there is a feeling of disappointment/frustration that the ability to hold remote or hybrid meetings is not in place until the government's covid restrictions have been fully lifted and the members' preference would have been for this to have continued until after the summer, or at least 21st June; to accommodate those members of the council, staff and public that have not yet had their vaccinations.

The parish council will return to Face-to-Face meetings at its meeting space at 1 Swift Way, Bowerhill for the new term of office. Their first meeting will be the Annual Council meeting being held on Monday 17th May, at 7pm. A full risk assessment has been undertaken, with all those attending sitting 2 metres apart and the doors and windows open for a much ventilation as possible. All those attending will be expected to wear masks (unless exempt) until the start of the meeting when everyone will be seated; and they can be removed whilst seated. With these measures in place, the meeting room capacity is only 18 people and therefore members of the public who do have to attend in person to be legally "present" are encouraged to attend and participate via Zoom if possible, just until the social distancing restrictions are lifted under the Government's Road Map. There is more scope for members of the public attending in person at committee meetings as the membership of those groups is 7 councillors and so more capacity for members of the public is available.

The parish council has live streamed its meetings on You Tube for the last year, and this has been successful, particularly as they are left for viewing on the You Tube channel for the weeks following the meeting until the minutes of the meeting have been approved. The parish council are keen to retain this facility, but at this stage do not wish to commit to purchasing audio-visual equipment until they move into their permanent meeting and office suite in the Melksham Campus; as it will be part of the fit out and is being planned into the new scheme for occupation next year. Therefore, the parish council will use the zoom recording to live stream on YouTube, as it has done over the last year. Whilst not ideal, as not bespoke equipment, the members and officers will use their laptops as a camera and microphone device during the meeting to enable them to be seen and heard on zoom for those not in the room and for the video recording. The parish council will also use the existing large TV screen for members of the public attending in person, to view and hear the zoom element of the meeting, which will just be for the period of any invited guests or public participation when those at home will be participating in the meeting; for the remainder of the meeting anyone attending in person will be able to hear the councillors speak in person. The parish council have undertaken two trial sessions, including the Planning Committee meeting held on Tuesday 4th May, to try out the equipment in this way and smooth over any technical hitches and IT teething problems. The Annual Parish meeting is the meeting for the electors, where traditionally the council and the organisations and groups it supports reflect on the year's activities and look forward to the coming months. This will be held on Wednesday 26th May and will be held at Bowerhill Village Hall at 7pm, with a maximum capacity of 50 people under covid measures. The meeting will still follow its traditional pattern, but will be slimmed down this year and there will be no guest speakers or grant cheque presentations. Again, where possible, members of those organisations and groups and members of the public are encouraged to attend remotely if possible. Unfortunately, this larger

venue (and others) are not available on Monday evenings for the parish council to hold its regular meetings in. The parish council are reviewing its meeting schedule as one of its first order of business on 17th May, to see if can avoid a clash with Melksham Town Council meetings which are also held on Monday evenings.

For those members of the public that do wish to attend any of the meetings in person, please be mindful of the meeting room capacity and please wrap up warmly as the doors and windows being opened for ventilation can mean that the room is quite chilly and draughty. For those members of the public that wish to attend by zoom, then the zoom details are always on the top of the meeting agenda, and will always be obvious on the home page of the website www.melkshamwithout.co.uk a few hours before the meeting, which is easy to click and open the meeting; please remain on "mute" unless invited to speak for the benefit of everyone attending so that any background noise is eliminated.

Hope that suits,
Kind regards, Teresa

From: Melksham News <news@melkshamnews.co.uk>
Sent: 30 April 2021 16:21
To: Teresa Strange <clerk@melkshamwithout.co.uk>
Subject: Press enquiry: Council meetings post 7th May

Hello Teresa,

I hope you're good.

Could I get a statement from you about the High Court Judgement this week about online council meetings – how do you feel about it?

With the council now having to return to face to face meetings from 7th May, what is the parish council's plan?

Are there any plans to continue live streaming meetings so that the public can watch for home? If yes, will this be ready for 7th May?

If you have any questions, let me know.

Many thanks,

Ben

Ben Fenlon - News Reporter

**THE MELKSHAM INDEPENDENT
NEWS**

news@melkshamnews.co.uk

01225 704761

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 3. Local government (<https://www.gov.uk/regional-and-local-government/local-government>)
 4. Local authority remote meetings: call for evidence
(<https://www.gov.uk/government/consultations/local-authority-remote-meetings-call-for-evidence>)
- Ministry of Housing,
Communities &
Local Government (<https://www.gov.uk/government/organisations/ministry-of-housing-communities-and-local-government>)

Open consultation

Local authority remote meetings: call for evidence

Published 25 March 2021

Contents

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Purpose of this call for evidence
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Personal data

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Clerk's Note:

As there are a few questions to answer here, I have taken the liberty to compile some answers for you to approve to speed up the process. Based on your feedback, comments or experience to date.



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This publication is available at <https://www.gov.uk/government/consultations/local-authority-remote-meetings-call-for-evidence/local-authority-remote-meetings-call-for-evidence>

Scope of the consultation

Topic of this consultation: This call for evidence seeks views on the use of the current arrangements which have provided express provision for local authorities to hold meetings remotely or in a hybrid format during the coronavirus pandemic.

Scope of this consultation: This call for evidence seeks to understand the experience of local authorities in the whole of the UK regarding remote meetings. This includes authorities in England, Wales, Northern Ireland and Scotland.

Scottish authorities had express provision to meet remotely prior to the pandemic, and this call for evidence seeks to understand their experience of remote meetings since their arrangements came into force.

For England, Wales and Northern Ireland, this call for evidence refers to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (<https://www.legislation.gov.uk/ukSI/2020/392/contents>) (and the equivalent regulations for Wales and Northern Ireland) under powers granted by section 78 of the Coronavirus Act 2020. The regulations come into force on 4 April 2020 and apply to meetings taking place before 7 May 2021.

In respect of these regulations, 'local authority' means:

- a county council
 - a district council
 - a London borough council
 - the Common Council of the City of London
 - the Greater London Authority
 - the Council of the Isles of Scilly
 - ✕ • a parish council
 - a joint board continued in being by virtue of section 263(1) of the 1972 Act
 - a port health authority constituted under section 2 of the Public Health (Control of Disease) Act 1984
 - an authority established under section 10 of the Local Government Act 1985
 - a joint authority established under Part 4 of the Local Government Act 1985
 - a joint committee constituted to be a local planning authority under section 29 of the Planning and Compulsory Purchase Act 2004
 - a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009
 - a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies, or created by an order under section 4A of that Act
 - a National Park authority established under section 63 of the Environment Act 1995
 - the Broads Authority established by section 1 of the Norfolk and Suffolk Broads Act 1988
 - a conservation board established under section 86 of the Countryside and Rights of Way Act 2000
 - a Mayoral development corporation established under section 198 of the Localism Act 2011
- AGENDA ITEM 11b Call for evidence

- an urban development corporation established under section 135 of the Local Government, Planning and Land Act 1980
- a parish meeting constituted under section 13 of the Local Government Act 1972
- Transport for London
- Police and crime panels

Geographical scope: This call for evidence seeks to understand the experience of local authorities in the whole of the UK regarding remote meetings. This includes authorities in England, Wales, Northern Ireland and Scotland.

Section 78 of the Coronavirus Act applies to local authorities in England, Wales and Northern Ireland only. After it came into force, each of these administrations used the powers within section 78 to introduce regulations to make express provision for their local authorities to meet remotely before 7 May.

The Welsh Government has since passed the Local Government and Elections (Wales) Act 2021 which comes into force on 1 May and makes express provision for Welsh local authorities to meet remotely.

Scottish local authorities had express provision to meet remotely prior to the pandemic.

If any changes to legislation are made as a result of this call for evidence, they would apply to England only.

Impact assessment: If any policy changes are made following this call for evidence they will be subject to appropriate assessment. No impact assessment has been conducted at this time.

Basic Information

Body/bodies responsible for the consultation: The Local Government Stewardship Division in the Ministry of Housing, Communities and Local Government is responsible for conducting this call for evidence.

Duration: This call for evidence will last for 12 weeks from 25 March 2021.

Enquiries: For any enquiries about this call for evidence please contact:
Megan.McKibbin@communities.gov.uk.

How to respond: You can only respond to this call for evidence through our online consultation platform, Citizen Space (<https://consult.communities.gov.uk/local-government-stewardship/local-authority-remote-meetings-call-for-evidence>).

Purpose of this call for evidence

The government would like to gather evidence about the use of the current arrangements for local authorities to meet remotely or in hybrid format, as set out in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (<https://www.legislation.gov.uk/uksi/2020/392/contents>) (and the equivalent regulations for Wales and Northern Ireland) under powers granted by section 78 of the Coronavirus Act 2020.

These regulations came into force on 4 April 2020 and apply to meetings taking place before 7 May 2021. Local authorities in Scotland had express provision to meet remotely prior to the pandemic, and we are also interested to understand their experience of remote meetings since their

arrangements came into force.

The powers in section 78 of the Coronavirus Act 2020 were brought in specifically to make express provision for local authorities in England, Wales and Northern Ireland to deal with the challenges of holding physical meetings during the coronavirus pandemic. They have helped local authorities to redeploy resources to deal with the pandemic and ensure that essential business continues whilst protecting the health and safety of their members, officers and the public.

We are aware that experience of remote meetings has been varied, and that while the experience of managing and participating in remote meetings has grown considerably during the period since the remote meetings regulations came into force, there have been examples of the difficulties this format has posed for some authorities.

We have received representations from individual local authorities and sector representative organisations making the case for permanent express provision for remote meetings. The government would like to hear from interested parties about the pros and cons of making such arrangements permanent in England and the use of the arrangements to date.

We are particularly interested to receive any quantitative data that can be included to substantiate the responses you make.

Terminology

Throughout this call for evidence the phrases 'remote meetings' and 'remote meetings arrangements' will be used interchangeably to refer to the express provisions for local authorities to meet remotely or in hybrid format, as set out in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (<https://www.legislation.gov.uk/ukSI/2020/392/contents>) (and the equivalent regulations for Wales and Northern Ireland) under powers granted by section 78 of the Coronavirus Act 2020.

As Scottish authorities had express provision to meet remotely prior to the pandemic, 'remote meetings' and 'remote meetings arrangements' refers to the equivalent Scottish legislation.

The regulations make express provisions for local authorities to hold meetings remotely, for example through typical digital conference software (e.g. Zoom, Skype, Teams) or telephone conference calls. However, they do not require them to be held remotely or even in a single format. This means, for example, that local authorities can hold 'hybrid' meetings (where some members attend virtually and other members attend in person) and they are also still able to hold fully 'in-person' physical meetings.

You can therefore assume that any reference to 'remote meetings' or 'remote meetings arrangements' also refers to hybrid meetings.

The term 'member' will be used to refer to any elected local authority members covered by the regulations above (and the equivalent legislation for Wales, Northern Ireland and Scotland). This includes councillors, directly elected mayors, and police and crime commissioners, and any other relevant local authority members as defined by the legislation.

Background

While local authorities in Scotland had express provision to meet remotely prior to the coronavirus pandemic, there was no express provision for remote meetings for local authorities in England, Wales and Northern Ireland. In 2017, the government consulted on proposals to allow joint committees and combined authorities to hold meetings by video conference

(<https://www.gov.uk/government/consultations/allowing-joint-committees-and-combined-authorities-to-hold-meetings-by-video-conference>), given the long distances that individual councillors often need to travel in order to attend these meetings.

The government concluded that, with appropriate safeguards to maintain town hall transparency, there are clear benefits to giving local authorities operating joint committees and combined authorities the ability to hold formal meetings by video conference.

These safeguards included not extending the provisions to cover other types of councils, and that remote access should only be permissible from sites suitable for holding a meeting with public access (i.e. from a town hall, not from private dwellings), as there was a risk of undermining visible democratic scrutiny and public debate. However, the government also noted views that remote meetings would also benefit other councils, particularly large rural authorities, and committed to further engage with the sector to understand these views.

Since regulations came into force following the introduction of the Coronavirus Act 2020, express provision was made for local authorities in England, Wales and Northern Ireland to hold meetings before 7 May 2021 remotely (such as through digital conferencing software or telephone conference) so that they can protect their members and comply with public health guidance.

As local authorities have now had extensive experience of conducting remote meetings over the past year, this call for evidence is an opportunity to understand these experiences and inform a decision about whether to make these arrangements permanent. Any permanent change would require primary legislation, and such passage would depend on agreement of Parliament and the timetabling and pressures of Parliamentary business.

Questions

The government would like to gather evidence about the use of the arrangements that make express provision for local authorities to meet remotely or in hybrid format during the coronavirus pandemic, including the arrangements that existed for Scottish Authorities prior to the pandemic.

Q1. Generally speaking, how well do you feel the current remote meetings arrangements work?

- ☒ Very Well
- ☐ Well
- ☐ Neither well nor poorly
- ☐ Poorly
- ☐ Very Poorly
- ☐ Unsure

While the powers in section 78 of the Coronavirus Act were brought in specifically to help local authorities in England, Wales and Northern Ireland deal with the challenges of holding meetings during the coronavirus pandemic, the government would also like to hear from interested parties about the pros and cons of making permanent express provision, in whole or in part, for local authorities in England.

Q2. Generally speaking, do you think local authorities in England should have the express ability to hold formal meetings remotely on a permanent basis?

- ☒ • Yes
- No
- Unsure

Beyond having express provision to avoid face-to-face meetings during the coronavirus pandemic, we are aware of feedback from local authorities about additional benefits of being able to hold remote meetings including, but not limited to, the environmental and cost benefits of reduced travel, increased participation from local residents, and the potential to attract more diverse local authority members. We are keen to obtain representative views on the benefits of remote meetings and would particularly welcome any quantitative evidence to support these views.

Q3. What do you think are some of the benefits of the remote meetings arrangements? Please select all that apply.

- More accessible for local authority members
- Reduction in travel time for councillors
- ☒ • Meetings more easily accessed by local residents
- Greater transparency for local authority meetings
- Documents (e.g. minutes, agendas, supporting papers) are more accessible to local residents and others online
- Easier to chair meetings in an orderly fashion
- A virtual format promotes greater equality in speaking time during meetings
- I do not think there are any benefits to remote meetings
- Other (please specify)

In their representations to us, many local authorities have referenced the cost savings they have achieved through implementing remote meetings, particularly regarding a reduction in travel expenses and accommodation costs.

For example, one upper tier authority has reported that running meetings remotely has enabled them to save in the order of £6,000 per month through reduced travel expenses. We would be interested to receive more quantitative data about the cost savings that have been achieved, including any estimates of the comparative cost of running a remote meeting versus a face-to-face meeting.

Q4. (For local authorities only) Have you seen a reduction in costs since implementing remote meetings in your authority?

- Yes
- ☒ • No
- Unsure

Would have been
Meeting room hire but
Go mpets provided
Free of charge.

Some local authorities have also made reference to the difficulty that some members have had with the remote meeting format, particularly in relation to the difficulties in managing misconduct, the challenges of working with unfamiliar software, and technological issues caused by a poor internet connection. We are keen to obtain representative views on the disadvantages of remote meetings and would particularly welcome any quantitative evidence to support these views.

Q5. What do you think are some of the disadvantages of the remote meetings arrangements, and do you have any suggestions for how they could be mitigated/overcome? Please select all that apply.

- ✓ It is harder for members to talk to one another informally
- ✓ Meetings are less accessible for local authority members or local residents who have a poor-quality internet connection *Greg Coombes experienced this.*
- ✓ Meetings are less accessible for local authority members or local residents who are unfamiliar with video conferencing/technology
 - There is less opportunity for local residents to speak or ask questions
 - Some find it more difficult to read documents online than in a physical format
 - Debate is restricted by the remote format
 - It is more difficult to provide effective opposition or scrutiny in a remote format
 - It is more difficult to chair meetings in an orderly fashion
 - Virtual meetings can be more easily dominated by individual speakers
- ✓ It might enable democratically elected members to live and perform their duties outside their local area on a permanent basis, therefore detaching them from the communities they serve
 - It may create too substantial a division between the way national democracy (e.g. in the House of Commons) and local democracy is conducted
 - I do not think there are any disadvantages to remote meetings
 - Other (please specify)

The government considers that there are also many advantages of holding meetings face-to-face. For example, physical meetings provide numerous opportunities for local authority members to speak with one another informally and build alliances, as well as to encounter local residents in the flesh and listen to their concerns in person.

Additionally, some members have referenced the vast improvement in the quality of debate when there is a lively atmosphere and they are able to make full use of their oratory skills to persuade and influence others. Some may consider remote meetings stifling and that physical meetings are essential to effective democracy and scrutiny.

Q6. What do you think are some of the main advantages of holding face-to-face meetings, as opposed to remote meetings?

- Easier to chair meetings
- More sociable / councillors are volunteers giving up their free time

If express provision for remote meetings were made permanent, it might be preferable for the government to constrain the meetings or circumstances in which remote meetings can be held to ensure that effective democracy and scrutiny can still take place.

There are some occasions, for example, where a remote meeting format may be seen as more appropriate, such as for smaller sub-committees, meetings convened at short notice, or for meetings where attendees are drawn from a large geographical area i.e. for some joint committees, combined authorities and large rural authorities. On the other hand, there are occasions where a remote meeting format may be viewed as less appropriate, for example larger meetings involving Full Council or an authority's Annual Meeting.

Q7. If permanent arrangements were to be made for local authorities in England, for which meetings do you think they should have the option to hold remote meetings?

- For all meetings
- For most meetings with a few exceptions (please specify)
- ✓ Only for some meetings (please specify) *Working parties; attendance by consultants, developed.*
- I think local should be able to decide for themselves which meetings they should have the option to meet remotely
- I do not think local authorities should have the option to hold remote meetings for any meetings
- Unsure

Q8. If permanent arrangements were to be made for local authorities in England, in which circumstances do you think local authorities should have the option to hold remote meetings?

- In any circumstances
- ✓ Only in extenuating circumstances where a meeting cannot be held face-to-face or some members would be unable to attend (e.g. severe weather events, coronavirus restrictions)
- I think local authorities should be able to decide for themselves which circumstances they should have the option to meet remotely
- I do not think local authorities should have the option to hold remote meetings under any circumstances
- Other (please specify)
- Unsure

While local authorities have risen magnificently to the challenge of ensuring vital council business continues by conducting meetings remotely during these unprecedented times, there may be concerns that, if the arrangements were to be made permanent, a situation could arise where remote meetings arrangements were used by a ruling party to avoid effective scrutiny or abuse the power in some other way.

Q9. Would you have any concerns if local authorities in England were given the power to decide for themselves which meetings, and in what circumstances, they have the option to hold remote meetings?

- Yes - Not consistent
- No
- Unsure

Q10. If yes, do you have any suggestions for how your concerns could be mitigated/overcome?

In deciding whether and how remote meetings arrangements may be made permanent for local authorities in England, the government needs to ensure that it has due regard to the Public Sector Equality Duty. In particular, the government would need to avoid unlawfully discriminating (either directly or indirectly) against individuals with a protected characteristic, and also consider whether the arrangements advance equality of opportunity or help to foster good relations between those who share a protected characteristic and those who do not.

Many local authorities have spoken of the potential benefits that remote meetings could have for members or potential members with disabilities or young families. However, there are also those for whom remote meetings could pose additional difficulties, for example those with hearing or visual impairments or those more likely to struggle with the technology.

We are keen to consider views on these aspects of remote meetings and would particularly welcome any quantitative evidence to support views provided.

Q11. In your view, would making express provision for English local authorities to meet remotely particularly benefit or disadvantage any individuals with protected characteristics e.g. those with disabilities or caring responsibilities?

- Yes
- No
- Unsure

Benefit.

Mr Coombes used to struggle to attend + drive home after winter meetings.

About this consultation

~~✓~~ THERE IS NO OPTION TO COMMENT ON HYBRID OPTIONS.

This call for evidence document and call for evidence process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this call for evidence, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the UK General Data Protection Regulation (GDPR) and the Freedom of Information (Scotland) Act 2000 (FOISA)).

Regulation, and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included below.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this call for evidence has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the complaints procedure (<https://www.gov.uk/government/organisations/department-for-communities-and-local-government/about/complaints-procedure>).

Personal data

The following is to explain your rights and give you the information you are be entitled to under the Data Protection Act 2018.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the call for evidence.

1. The identity of the data controller and contact details of our Data Protection Officer.

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gov.uk.

2. Why we are collecting your personal data.

Your personal data is being collected as an essential part of the call for evidence process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

3. Our legal basis for processing your personal data.

The Data Protection Act 2018 states that, as a government department, MHCLG may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a call for evidence.

3. With whom we will be sharing your personal data.

We use a third-party platform, Citizen Space, to collect consultation responses. In the first instance, your personal data will be stored on their secure UK-based servers.

4. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for two years from the closure of the call for evidence.

5. Your rights, e.g. access, rectification, erasure.

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a. to see what data we have about you
- b. to ask us to stop using your data, but keep it on record
- c. to ask to have all or some of your data deleted or corrected
- d. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/> (<https://ico.org.uk/>), or telephone 0303 123 1113.

6. Your personal data will not be sent overseas.

7. Your personal data will not be used for any automated decision making.

8. Your personal data will be stored on a secure government IT system.

Your data will be transferred to our secure government IT system as soon as possible after the consultation has closed, and it will be stored there for the standard two years of retention before it is deleted.

[Print this page](#)

Wiltshire Intelligence<https://www.wiltshireintelligence.org.uk/>

Bringing Evidence Together

Melksham

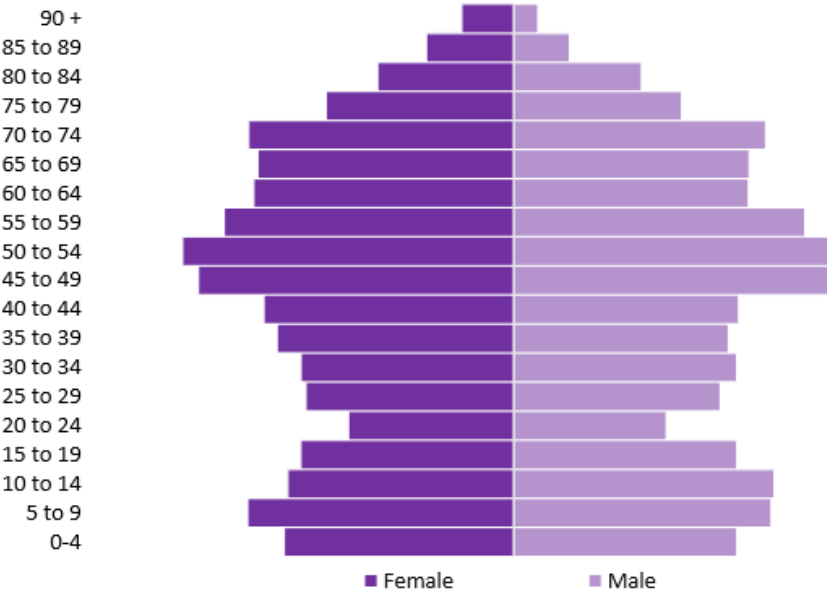
Melksham Community Area covers 99km² and has only one town, Melksham. There are 11 parishes across the community area, which include Atworth, Broughton Gifford, Melksham, Melksham Without, Steeple Ashton, Bulkington, Keevil, Great Hinton, Poulshot, Semington and Seend

One of Wiltshire’s oldest towns, Melksham today has a strong employment and manufacturing base benefits from having fast access to the motorway network. Its major employers include Cooper Avon Tires and Avon Technical Products and there are business parks and industrial sites at Bowerhill, Avonside Enterprise Park and Challemead.

The proximity of the market towns of Trowbridge, Chippenham and Devizes (and the city of Bath and Swindon only 30 and 45 minutes away respectively) ensures strong competition between these centres for economic advantage. Melksham town centre provides a range of local services and convenience shopping.

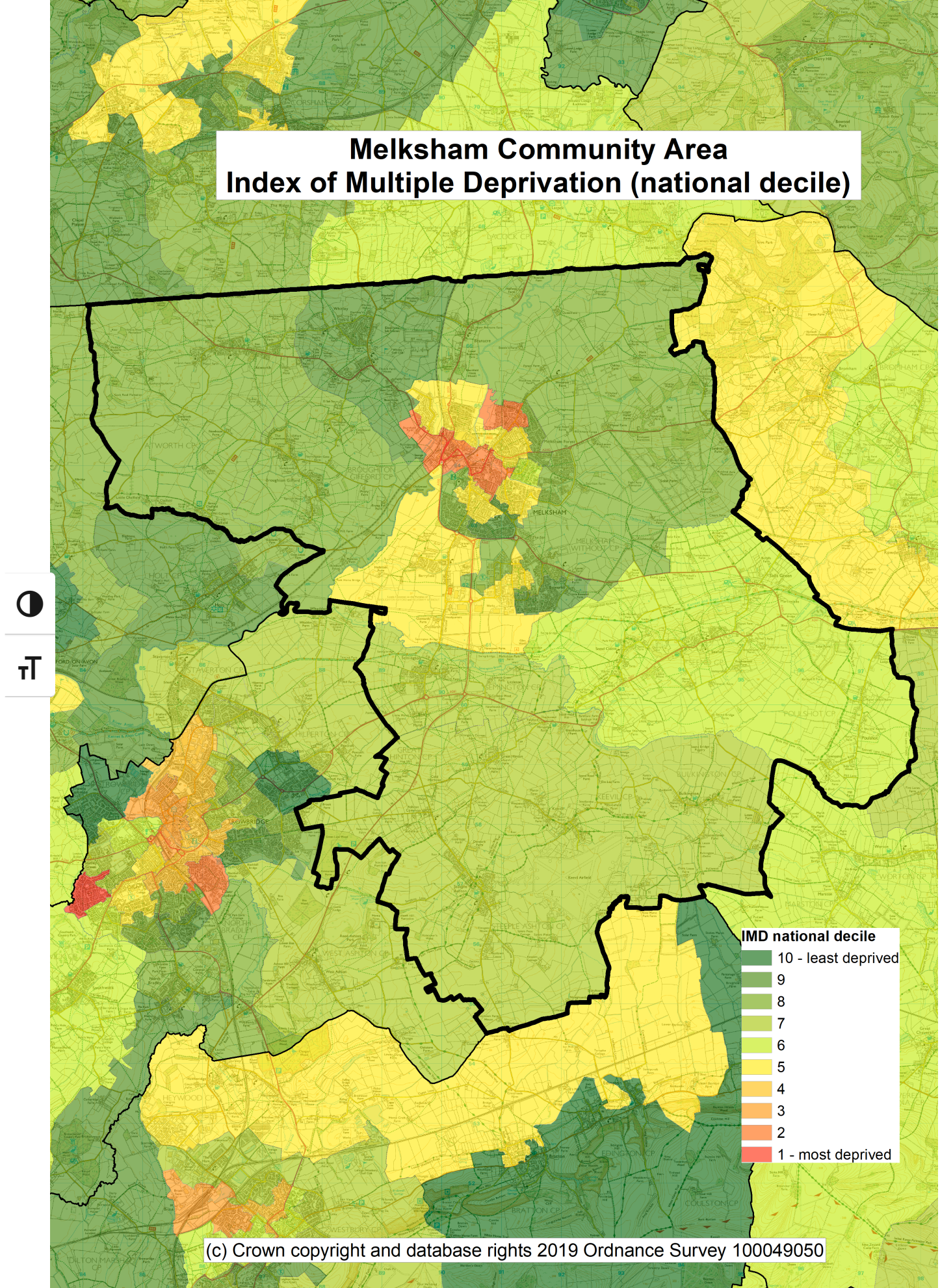
Population

Age bands	ALL	Male	Female
0-4	1,705	840	864
5 to 9	1,971	969	1,002
10 to 14	1,832	980	851
15 to 19	1,642	840	802
20 to 24	1,196	574	622
25 to 29	1,560	777	782
30 to 34	1,640	839	801
35 to 39	1,698	808	891
40 to 44	1,788	847	941
45 to 49	2,377	1,190	1,187
50 to 54	2,458	1,211	1,247
55 to 59	2,187	1,096	1,090
60 to 64	1,862	884	978
65 to 69	1,850	887	963
70 to 74	1,945	948	997
75 to 79	1,339	633	706
80 to 84	994	481	512
85 to 89	540	210	329
90 +	287	91	196



Wiltshire as a whole is a fairly affluent local authority, however there are pockets of deprivation. A map of deprivation in Melksham Community Area is provided below.

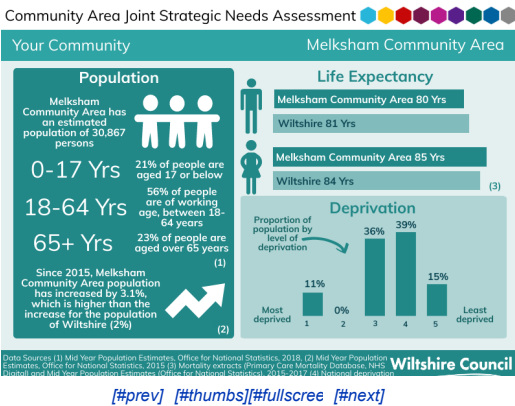
IMD Map



The Index of Multiple Deprivation uses a collection of indicators grouped into seven Deprivation Domains to provide a relative estimate of deprivation within England. These domains are weighted to indicate their impact on deprivation and are collated to provide a single Index of Multiple Deprivation (IMD).

For more information about deprivation, please [click here<https://www.wiltshireintelligence.org.uk/library/index-of-multiple-deprivation/>](https://www.wiltshireintelligence.org.uk/library/index-of-multiple-deprivation/).

Information pack



The information pack highlights key data across 9 different themes for Melksham Community Area. You can download a PDF version of the information pack by clicking below.

 Download as PDF

The following pages link through to the main www.wiltshire.gov.uk website<<http://www.wiltshire.gov.uk>> (and will open in a new window

Privacy Policy<<http://www.wiltshire.gov.uk/council/dataprotectionandfoi/dataprotection/privacy.htm>> | Freedom of Information<<http://www.wiltshire.gov.uk/council/dataprotectionandfoi/foi.htm>> | Translate<<http://www.wiltshire.gov.uk/translation.htm>>

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Indicator collection

The Community Area Joint Strategic Needs Assessment contains numerous indicators.

The indicators were collected by a team of analysts from many organisations between October 2019 and February 2020.

Themes

In this infographic set 11 slides depict 11 thematic groups of indicators.

The indicators highlighted here were felt of interest for this community area. More indicators can be found at www.wiltshireintelligence.org.uk

Your Community

Melksham Community Area

Population

Melksham Community Area has an estimated population of 30,867 persons



0-17 Yrs

21% of people are aged 17 or below

18-64 Yrs

56% of people are of working age, between 18-64 years

65+ Yrs

23% of people are aged over 65 years

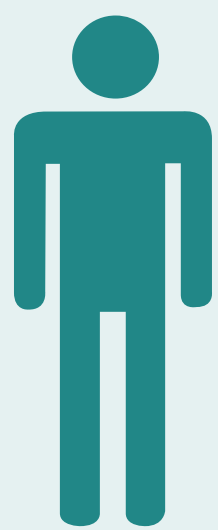
(1)

Since 2015, Melksham Community Area population has increased by 3.1%, which is higher than the increase for the population of Wiltshire (2%)



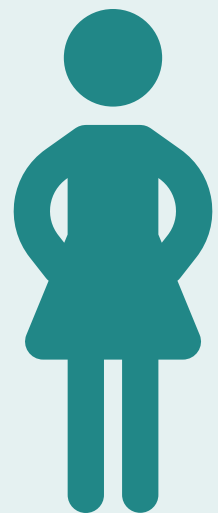
(2)

Life Expectancy



Melksham Community Area 80 Yrs

Wiltshire 81 Yrs



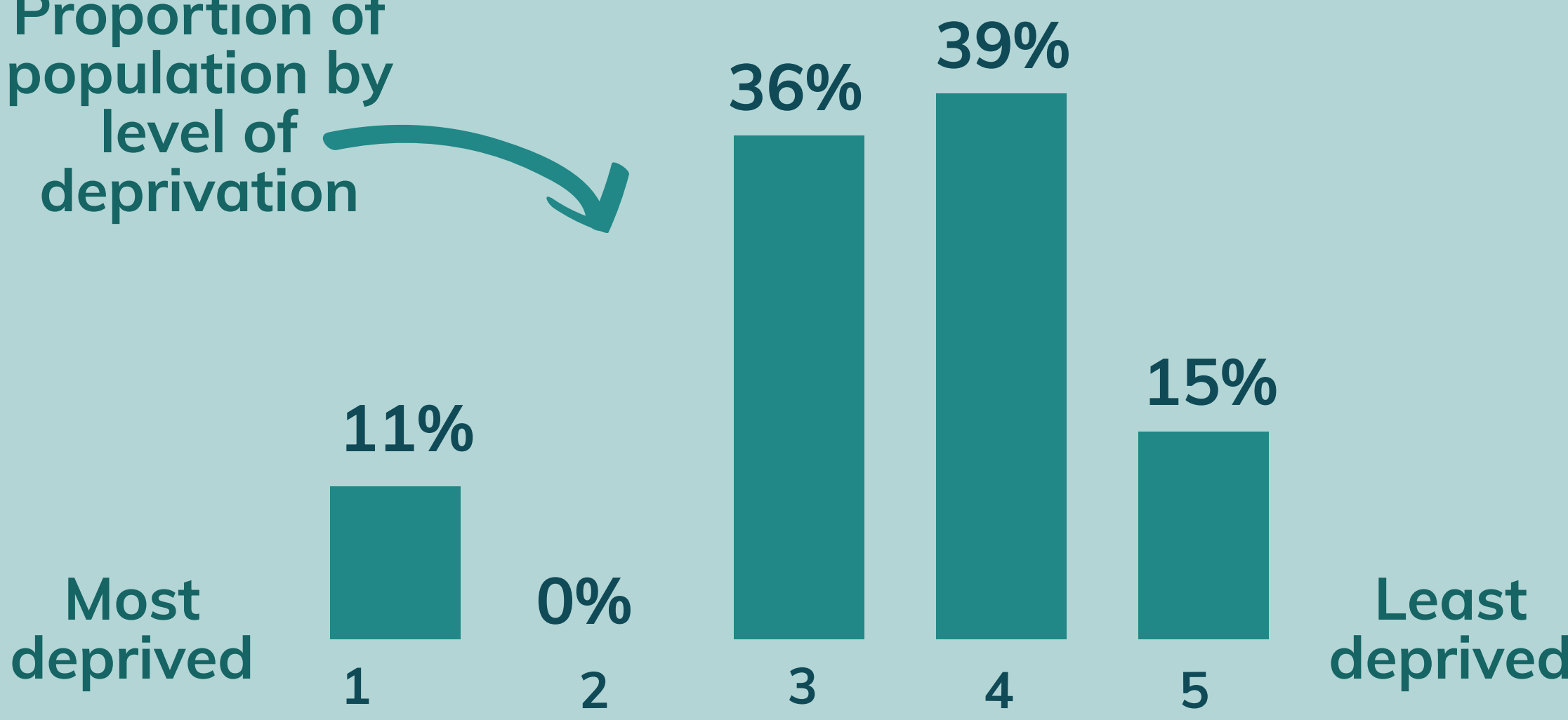
Melksham Community Area 85 Yrs

Wiltshire 84 Yrs

(3)

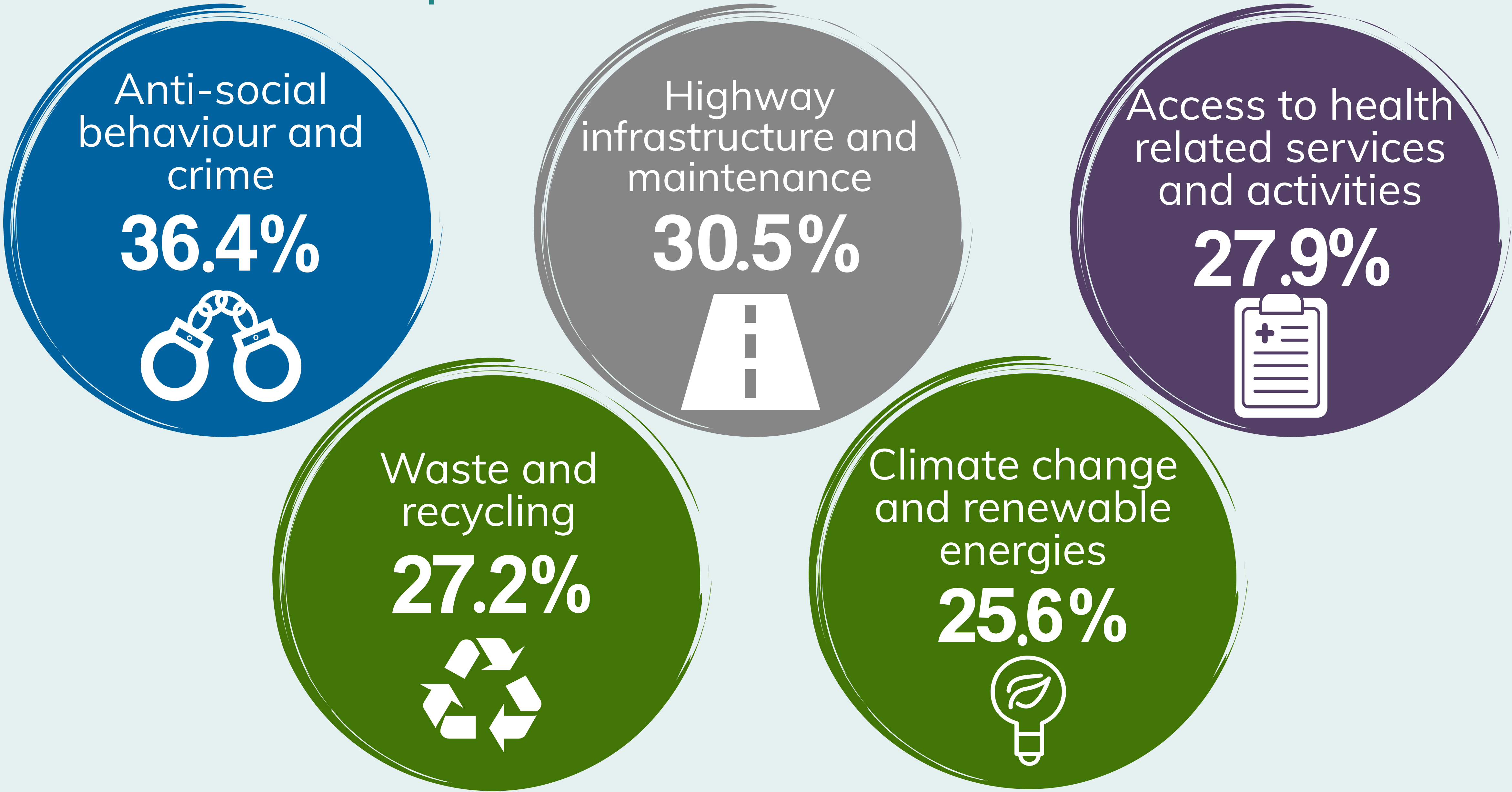
Deprivation

Proportion of population by level of deprivation



Wiltshire CAJSNA 2020 Community Survey Results by Area: Melksham

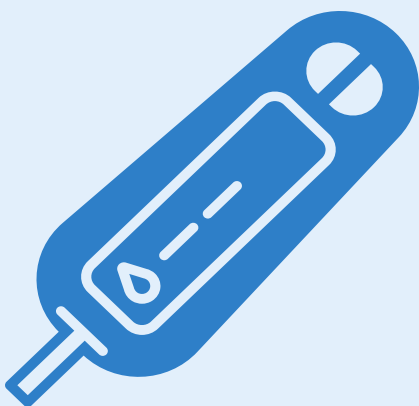
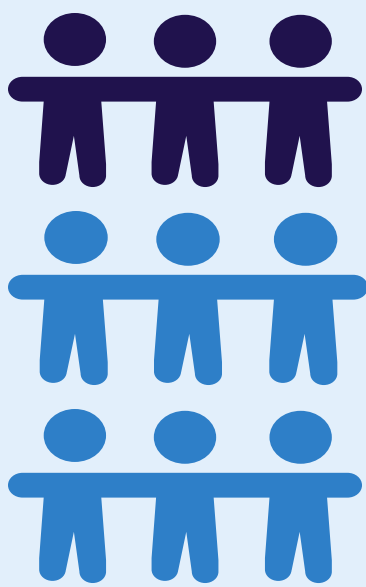
Top 5 Priorities for Melksham



Source: Wiltshire Council "Your Local Priorities" survey data. Total number of respondents for Melksham: 305. Note that the percentages refer to the percentage of respondents that chose that priority.

Health Improvement

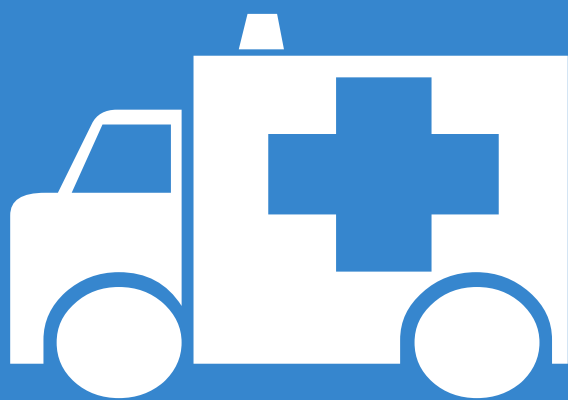
32% of 10-11 year olds in Melksham Community Area are obese or overweight. This is higher than the Wiltshire average (28%) and equates to almost 1 in 3 children in Year 6 (1)



8% of those aged 17+ are diagnosed with diabetes in Melksham Community Area, which is slightly higher than the rate for Wiltshire (7%) (2)

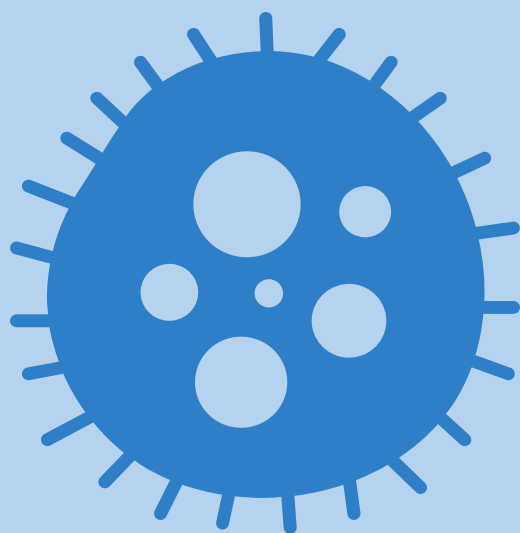
Hospital Admissions

The rate of hospital admissions as a result of accidental injury in Melksham Community Area is 136 per 10,000 persons, compared to 140 per 10,000 persons in Wiltshire



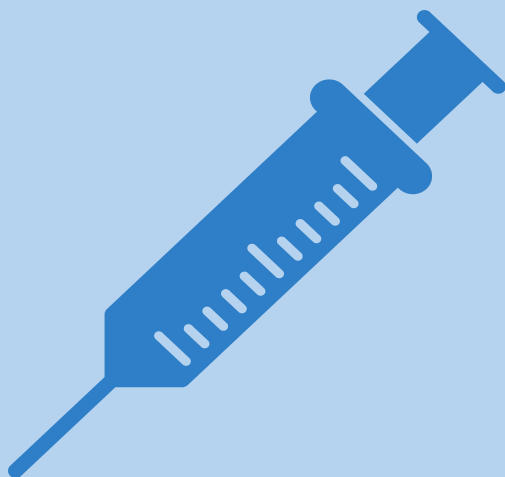
The rate of hospital admissions as a result of self harm in Melksham Community Area equates to 27 per 10,000 persons, the same as the rate for Wiltshire (3)

Health Protection



In 2018/19, 51% of people at particular risk from the impact of flu in Melksham Community Area received the flu vaccination (4)

94% of 5 year olds in Melksham Community Area have received the 2nd dose of MMR vaccination (5)



Mortality

The mortality rate for causes considered preventable in Melksham Community Area is 156 per 10,000 persons. This is higher than the Wiltshire rate of 147 per 10,000 (6)

Education and Pupil Achievement

57% of children in Melksham Community Area achieve the expected standard in reading, writing and mathematics at the end of primary school. This is slightly lower than the Wiltshire average of 64% (1)



The average Attainment 8 score for Melksham Community Area is 40.8, this is lower than the Wiltshire average of 48.7 (2)

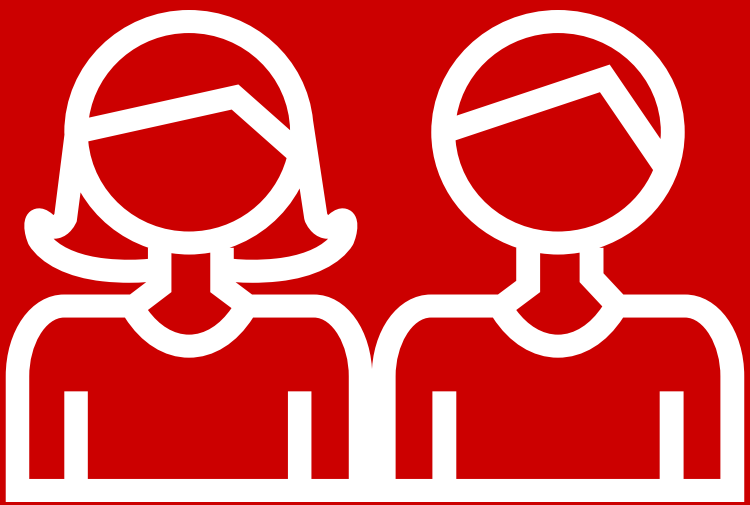
Attainment 8 measures the achievement (1-9) of a pupil across 8 qualifications

92% of schools in Melksham Community Area are engaged with the Healthy Schools programme. This is notably higher than the Wiltshire average of 56% (3)



Vulnerable Children

14% of pupils in Melksham Community Area have either an Education, Health and Care Plan or Special Educational Needs. This is similar to the Wiltshire average of 13% (4)



11% of 0-19 year olds in Melksham Community Area are thought to be living in poverty. This higher than across Wiltshire (9.4%) (5)



Data Sources: (1) Percentage of key stage 2 pupils reaching the expected standard in reading, writing and maths, Wiltshire Council, 2019 (2) Average Attainment 8 Score, DFE, 2018/2019 (3) Engagement and accreditation of schools with the Healthy Schools programme, Wiltshire Council, 2019 (4) Taken from the School Census and Alternative Provisions Census, Wiltshire Council, 2019 (5) Percentage of under 20 year olds living in poverty, HMRC, 2016

Older People

Melksham Community Area

Health Protection



75% of people aged 65+ received the flu vaccination in Melksham Community Area in 2018/19, the same as Wiltshire (75%) (1)

In Melksham Community Area, 50% of people aged 40-74 who were offered an NHS Health Check, also received one. This is similar to the Wiltshire average of 51% (2)



Falls

The rate of hospital admissions due to falls for people aged 65+ in Melksham Community Area is 2,574 per 100,000 persons, compared with 2,135 per 100,000 persons for Wiltshire (3)



Care

In Melksham Community Area, the rate of carers aged 65+ known to Carers Support Wiltshire is 38 per 1,000 persons (4)



Across Wiltshire, only 13.4% of adult carers aged 65+ feel that they have as much social contact as they would like (5)

The rate of people aged 65+ supported to live independently in Melksham Community Area is 40 per 1,000 persons. This is lower than Wiltshire's average of 45 per 1,000 (6)



Community Safety

Melksham Community Area

Safer Communities



The rate of reported anti-social behaviour incidents in Melksham Community Area is 13 reports per 1,000 persons. This is lower than across Wiltshire (14 per 1,000) (1)

20 violent offences were recorded per 1,000 persons in Melksham Community Area, compared with 18 per 1,000 in Wiltshire (2)



Melksham Community Area has a rate of reported domestic abuse offences of 9 per 1,000 persons. This is slightly higher than that across Wiltshire (8 per 1,000) (3)

Substance Misuse

The rate of alcohol related hospital admissions in Melksham Community Area is 2,028 per 100,000 persons. This is higher than the rate for Wiltshire of 1,827 per 100,000 (4)



Road Safety



Between 2016 - 2018, almost 3,000 road traffic collisions causing injury were recorded on Wiltshire roads. In Melksham Community Area, the rate of these collisions is 196 per 100,000 persons. This is the same as the rate across Wiltshire (5)

Housing

Melksham Community Area

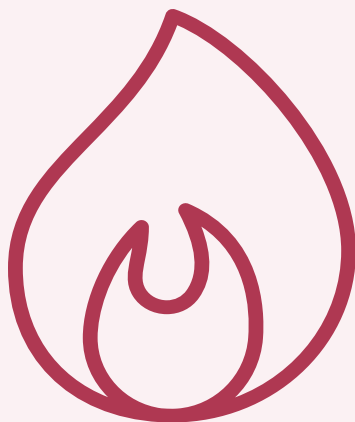
Property Prices



The median house price in Melksham Community Area is £240,000, lower than the Wiltshire average of £272,000 (1)

Fuel Poverty

In Melksham Community Area, 9.1% of homes are considered to be in fuel poverty, compared with 9.3% in Wiltshire (2)



Affordable Housing Need



In November 2019, there was demand in Melksham Community Area for 73 affordable one bedroom homes, 63 affordable two bedroom homes, and 68 affordable three or more bedroom homes (3)

New Homes

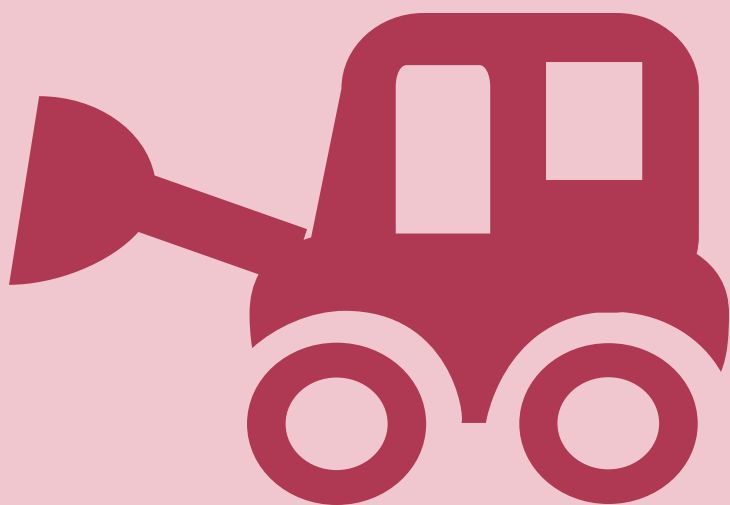


Between 2016/17 and 2018/19, 465 new homes were completed in Melksham Community Area

103 new affordable homes were completed in Melksham Community Area between 2016/17 and 2018/19



(4)



There are 2,370 new homes planned in Melksham Community Area in the current plan period of 2006-2026 (5)

Environment

Melksham Community Area

Wildlife Rich Areas

2% of Melksham Community Area is classified as either a Site of Special Scientific Interest (SSI) or a County Wildlife Site (CWS) (1)



The primary habitat of Melksham Community Area's CWS is broadleaved woodland

2,875 individual species have so far been recorded in Melksham (2)



Energy Efficiency

55% of Energy Performance Certificates issued to homes in Melksham Community Area have a rating of D-G (low efficiency), compared to 56% in Wiltshire (3)



Waste and Recycling



Less than 16% of Wiltshire's waste went to landfill in 2018/19

89% of Wiltshire's recycled, composted and reused waste is now being handled in the UK



(4)



In 2018/19, there were 173 reported incidences of fly tipping in Melksham Community Area (5)

Transport

Melksham Community Area

Local Roads

Melksham Community Area has a total road network of 204kms



The committed spend for road resurfacing in Melksham Community Area in 2019/20 was £1,161,724 . This is 10% of the total committed spend for Wiltshire

(1)

Local Traffic

Between 2012-2017, there was an estimated 6.9% increase in traffic flow on roads in Melksham Community Area



The average morning peak (7am-9am) traffic speed on A-roads in Melksham Community Area is 31.7mph

(2)

Road Safety

6 out of 23 speed surveys that were conducted in Melksham Community Area between 2017-2019 were eligible for Community Speed Watch initiatives. All other surveys required no further action (3)



The rate of killed or seriously injured casualties on roads in Melksham Community Area is 45 per 100,000 persons. This is similar to the rate for Wiltshire (46 per 100,000) (4)



Between September 2018 and February 2020, 179 children in Melksham Community Area completed Walk Safe training (5)

Employment and Economy

Melksham Community Area

Employment

The percentage of working age population in Melksham is 58%, compared with 60% in Wiltshire (1)

16 - 64
Years



6% of the working age population in Melksham are on out of work benefits (2)

According to a 2018 survey of local businesses, the biggest two employment sectors in Melksham Community Area are manufacturing, and wholesale and retail trade (including repair of motor vehicles and motorcycles) (3)



Apprenticeships

Melksham Community Area has a rate of 87 apprenticeships per 10,000 people aged 16+, compared with the Wiltshire rate of 139 per 10,000 (4)



Loans



The average estimated personal loan amount per person for those in Melksham Community Area is £888.52, which is higher than the Wiltshire average of £796.23 (5)

Local Welfare Provision

There were 168 awarded claims through the local welfare provision scheme in Melksham Community Area between 2016/17 and 2018/19 (6)

Your Library



27% of residents in Melksham Community Area are currently members of the local libraries compared with 34% across Wiltshire (1)

A total of 54,664 visits to libraries in Melksham were recorded in 2018/19 (2)

Leisure

In 2018/19, there were 200,360 visits to Wiltshire Council owned leisure centres, swimming pools, or health and wellbeing centres in Melksham Community Area (3)



Cultural Assets



In Melksham Community Area, there are 22 venues hosting Cultural Activities. There are 414 in total across Wiltshire (4)

Local Engagement



1.7% of working people in Melksham Community Area are employed in the arts, entertainment and recreation sector, compared with 2.5% across Wiltshire (5)

AGENDA ITEM 12b

OBJECTIVES 2019/20 adopted at the Annual Council Meeting 13th May 2019 (Carried over to 20/21 due to Covid)

FOR REVIEW AT ANNUAL COUNCIL 17TH MAY 2021 (With Clerk's Notes in Red)

- To continue working to produce a robust, community led Neighbourhood Plan for the designated Area. Done, Referendum date 1st July, but the Review process due to start with new objectives already agreed;
- To continue to investigate the possibility of installing a Teen Shelter in Bowerhill. This was going to form part of a wider consultation and new equipment for Bowerhill Sports Field, but put on hold due to Covid/Officer time constraints last year (and gym equipment restricted access due to covid); but can go ahead now. Highlighted by current issues in Hornchurch Road Public Open Space, new equipment at Bowerhill Sports Field could entice teens away from areas with housing to more industrial area. For the Asset Management Committee agenda in early June
- To continue to actively seek ways to promote the hire of the Bowerhill Sports Field and Pavilion changing room facilities. Done, and now in enviable position of potential conflict as more users than capacity, again, for the Asset Management Committee to review in early June.
- To continue to work in partnership with Melksham Town Council & the Friends of Shurnhold Fields to actively develop the shared Public Open Space at Shurnhold Fields. Lots has taken place (trees, environmental works, wildflower meadow, picnic tables, benches, bins, noticeboards, interpretation boards, native orchard) now in position to move forward with car park and enhanced entrance with plans and funding agreed by MWPC and MTC a
- To continue to work with partner organisations to achieve flood alleviation in the parish. Some capital investment by Wiltshire Council in Shaw for flood alleviation, and also with BART (Bristol & Avon River Trust) with natural flood management in Whitley. Good working relationship with flood wardens and Wiltshire Council drainage team. Policy re natural flood management etc in Neighbourhood Plan
- To continue to work with the relevant organisations to improve Shaw Play Area. Done – joint project with CAWS and Shaw Hall Committee, new equipment installed May 2021
- To continue to maintain a good working relationship with Wiltshire Council, the Area Board and all the neighbouring parishes who abut Melksham Without. Working well, have provided support to smaller parishes during covid including Melksham Community Support. Reputation with Wiltshire Council

planning department cited at April Full Council meeting. Robust submission to the Local Plan Review in tandem with MTC

- To ensure, following the Local Government Boundary Commission for England review of the unitary boundaries in the County, that Melksham Without maintains its integrity and independence in order that the rural nature of the parish and the individual character of its constituent villages and communities are preserved. **Done – Community Governance Review** unanimously turned down proposal to merge MTC & MWPC and stated will not look at again for some time

Suggestions/thought starters? – in no particular order

For 2021/2022

- Neighbourhood Plan
 - Successful Referendum result
 - Implementation and use of policies
 - Review
- Local Plan Review and Statement of Common Ground – input and influence
- To influence Government to change legislation for NHPs protected to 3 year land supply to last more than 2 years (WALPA work)
- Water refill – post covid to look at reinstating water refill points at Shaw & Bowerhill sports field
- Covid recovery?
- Emergency Plan review (reflect on learning from Covid)
- Move to Campus – To engage with stakeholders and contractors to ensure a smooth transition for staff, councillors and parishioners during the Parish Council's move into new office and meeting space accommodation
- Construction of Berryfield Village Hall
- Bowerhill Sports Field enhancement project – teen shelter/gym equipment etc
- Shurnhold Fields car park and improved entrance project
- Something about working with new councils – Wiltshire and neighbouring parishes?

Priorities/objectives for the next 4 year term of office?

- To use less paper / become more climate friendly (in line with Wiltshire Council goal of being Carbon Neutral by 2030)
- Work towards obtaining Quality Gold Award <https://www.nalc.gov.uk/our-work/improvement-and-development/local-council-award-scheme>
- Enhanced access to council meetings via remote technology

13

1 MARCH 2021

LTN 31 | LOCAL COUNCIL GENERAL POWERS

Introduction

1. Local councils in England and Wales can rely on general powers to act and spend money unless they are restricted from doing so. This Note will look at the scope of the general powers and what councils can and cannot do. The powers are as follows:
 - (1) S.137 of the Local Government Act 1972
 - (2) The general power of competence (England, if eligible)
 - (3) The power of well-being (Wales only)

Overview of the powers

2. S.137 of the Local Government Act 1972 ("the 1972 Act") enables local councils to spend a limited amount of money for purposes for which they have no other specific statutory expenditure. It is however, limited in a number of ways. S.137 cannot be used by a local council in England that is eligible to exercise the General Power of Competence ("GPC") except to donate money to certain charities and appeals (section 137(3)). In Wales all community councils have the power of well-being (see paragraph 27) but expenditure incurred in the exercise of that power is subject to the financial limit in s.137 (see paragraph 14). Expenditure incurred by a community council exercising the power of well-being can, unlike s.137, be used to benefit an individual. The relationship between s.137 and the GPC and power of well-being is an important one and is explained further below.

S.137 - scope and nature of the section

3. The basic power is for a local council to spend money subject to the statutory limit on purposes for the direct benefit of its area, or part of its area, or all or some of its inhabitants.
4. Where the council has an unrestricted specific statutory power to spend money, s. 137 cannot be used. An example of such a power is section 19 of the Local Government (Miscellaneous Provisions) Act 1976 Act, which empowers a local council to contribute by way of grant or loan towards the expenses incurred or to be incurred by any voluntary organisation in

providing recreational facilities. Another example is s.145(1)(b) of the 1972 Act, which enables a local council to contribute towards the expenses of providing a theatre.

5. Where a council has a statutory power restricted by a limitation or condition, s. 137 cannot be used to get around the limitation or condition. An example of a limitation is contained in s. 127(2) of the 1972 Act in respect of a disposal of an interest in land for less than best consideration.
6. Where there is a statutory prohibition on a council carrying out a particular function, s. 137 cannot be used to avoid the prohibition. An example is s. 2(1) of the Local Government Act 1986, which prohibits a local authority from publishing or arranging for the publication of material which, in whole or in part, appears to be designed to effect support for a political party. Another example is s.8(1)(i) and (k) of the Local Government Act 1894, which prevent a council from spending money on property relating to affairs of the church or held for an ecclesiastical charity. S. 137(1A) also reinforces the prohibition on using s.137 to avoid a limitation or condition on some other power or for a function that they are prohibited from exercising.
7. Provided that there is no alternative power whether limited or conditional or not, and no statutory prohibition, a council may incur expenditure under s. 137. The council must first be satisfied that there is a direct benefit to the area or part of the area, or to some or all of the inhabitants. The council is the body to determine whether or not such benefit will accrue, and a decision by the council could only be challenged on the ground that it was wholly unreasonable. The use of "some" in relation to the inhabitants means that the council cannot use the power to benefit a single individual. It may be possible for the council to help an organisation to which the individual belongs, thus releasing funds for the organisation to help individuals. For example, a council could make a donation to a local organisation which provides grants to needy persons or to pay for individual's first aid courses where a council believes there would be demonstrable benefit to the area or its inhabitants.
8. The council must secondly ensure that the direct benefit accruing to its area or residents is commensurate with the expenditure incurred. This means that a council should not spend a disproportionately large amount on something which has no or very little direct benefit. For example, spending the whole of the council's allowance under s. 137 which amounted to £10,000 for the benefit of two people is unlikely to confer benefits commensurate to the

expenditure incurred, or to donate a council's entire annual s.137 allowance to a local campaign group where there is a contentious issue that divides local opinion.

9. Expenditure incurred by a council under s.137 is open to challenge by the auditor, or by a local government elector objector at audit (s.27 of the Local Audit and Accountability Act 2014), on the basis that the expenditure is larger than the direct benefit to the area or to residents would justify. Councils must therefore exercise care when considering the amounts of proposed expenditure under s.137 and, if in doubt, should seek advice before going ahead.
10. S.137 expenditure can only be incurred on publicity by way of assistance to a public body or voluntary body when it is incidental to the main purpose for which the council is giving financial assistance (s.137(2C)). Expenditure by a council on publishing information regarding the services it provides is also subject to the statutory limit (s.142 of the 1972 Act).
11. Under s.137(3) contributions may be made to charities and bodies providing a public service on a non-profit making basis, but only in furtherance of their work in the United Kingdom. It is unlawful for a council to contribute to a charity or a public service body operating overseas, or to a fund established to help persons outside the UK. Contributions to UK charities and bodies providing a public service do not have to bring any direct benefit to the council's area or to its inhabitants.
12. S. 137(3) may also be used to contribute to public appeals for funds in connection with particular events affecting UK residents only where the appeal is made by the Lord Mayor of London or the Chairman of a principal council or by a similar person in Scotland or by a committee of which such a person is a member.

Limit of expenditure

13. The maximum amount which a council may spend under s.137 in any one fiscal year (i.e. 1 April to the following 31 March) is an index-linked amount per head of the relevant population, calculated as set out below.
14. The relevant Government department (Ministry of Housing, Communities and Local Government) usually notifies NALC of the agreed value for local councils according to the indexation formula a short time before the relevant financial year. The Welsh Government notifies community councils direct of

the agreed value. The value for local councils in both countries for the financial year 2021/ 2022 is £8.41.

15. The relevant population is the number of persons on the electoral roll for the town, parish or community as at 1 April. The electoral register is published and updated regularly. The electoral registration officer will be able to give details of numbers.
16. In calculating the expenditure incurred under this section, a council is entitled to deduct from its gross expenditure any grant payable by a Minister of the Crown (defined as "the holder of an office in Her Majesty's Government in the United Kingdom, and includes the Treasury, the Board of Trade and the Defence Council"), or out of the European Regional Development Fund or the European Social Fund. In addition, any amount that has been funded by public subscription and any loan repayments can also be ignored.

Authorisation of expenditure and accounts

17. As Councillors are collectively expressing an opinion as to the commensurate local benefit, the expenditure under s. 137 must be properly authorised by resolution.
18. S. 137(7) requires a separate account to be kept of expenditure under the section. For many councils all that is necessary is to have a separate column in the cash book. Steps need to be taken with computerised book-keeping to see that a total of the money spent to date under this section is available on request. Rights of inspection under s. 25 of the Local Audit and Accountability Act 2014 (England) or s. 29 of the Public Audit (Wales) Act 2004 (Wales) apply to the separate account.

Contributions to voluntary bodies, charities etc.

19. Where a council provides financial assistance equal to or exceeding the relevant minimum to a body providing a public service, a charity or funds where the appeal is made by the Lord Mayor of London or the Chairman of a principal council within s. 137(3), must require the body or charity recipient to furnish a written statement of how the money has been spent, within 12 months after the assistance has been given (s. 137A). The "relevant minimum" is £2000 but a council should normally require some account from the recipient body of how the contribution is to be (and in the case of successive contributions has been) spent, whatever the amount. It is usually

prudent to require sight of a financial statement or account before a grant is given. In many cases the Grant is given in a form that will have to be treated as restricted funds by the receiving charity.

Other relevant legislation

20. Expenditure incurred under s.20 of the Climate Change and Sustainable Energy Act 2006 is also subject to the statutory limit permitted by s.137. S.20 concerns powers in relation to local energy saving measures and allows local councils to encourage or promote the likes of microgeneration within their area.

The General Power of Competence – England only

21. S.1(1) of the Localism Act 2011 ("the 2011 Act") provides that a local authority has power to do anything that individuals generally may do. "Local authority" is defined in s.8 of the 2011 Act and includes an eligible parish council (see paragraph 22 below). S.2 sets out the boundaries of the general power. Subsection (2) provides that the general power does not enable an eligible local council to do (a) anything which the authority is unable to do by virtue of a pre-commencement limitation, or (b) anything which the authority is unable to do by virtue of a post-commencement limitation which is expressed to apply (i) to the general power, (ii) to all of the authority's powers, or (iii) to all of the authority's powers but with exceptions that do not include the general power. An example of a pre-commencement limitation is s.8(1)(i) and (k) of the Local Government Act 1894, which prevent a council from spending money on property relating to affairs of the church or held for an ecclesiastical charity.
22. The prescribed criteria which a local council is required to fulfil in order to become an eligible parish council are set out in the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012. It confirms that a local council is eligible to use the general power of competence if:-
- ✓ • it has a qualified clerk;
 - ✓ • a minimum of two-thirds of the total number of councillors have been elected; and
 - it has resolved at a meeting of the council and each subsequent relevant annual meeting (that is, an annual meeting that takes place in a year of ordinary elections of parish councillors) that it meets these conditions.

ON AGENDA 17/5/21.

23. Qualified clerk means one who has attained one of:

- ✓ • the Certificate in Local Council Administration;
- the Certificate of Higher Education in Local Policy;
- the Certificate of Higher Education in Local Council Administration;
- or the first level of the foundation degree in Community Engagement and Governance awarded by the University of Gloucestershire or its successor qualifications;

TBC. and the clerk completed training on the General Power of Competence, unless such training was part of obtaining a qualification mentioned above.
↳ looking for evidence.

24. Unlike expenditure incurred by a council under s.137 of the 1972 Act, the GPC imposes no statutory maximum limit to the level of expenditure which may be incurred by an eligible parish council. Paragraph 7 of Schedule 5 to Local Government and Public Involvement in Health Act 2007 means that an eligible parish council cannot incur expenditure under s.137 except under s. 137(3) to contribute to the funds of charities in furtherance of their work in the United Kingdom, not for profit bodies operating in the UK and mayoral appeals as detailed in paragraphs 11 and 12.

25. Local councils which are not eligible councils for the purposes of the GPC retain the power to incur expenditure under s. 137.

Exercise of the GPC - trading

26. NALC's view is that the absence of a power enabling local councils to trade prior to the GPC coming into force does not constitute a pre-commencement limitation. In short, eligible councils can exercise the GPC for trading purposes.

The power of well-being - Wales only

27. As discussed in paragraph 2 above all community councils in Wales have the power of well-being but expenditure incurred in the exercise of that power is subject to the financial limit in s.137 (see paragraph 14). Unlike s.137 expenditure incurred by a community council exercising the power of well-being can be used to benefit an individual.

28. The power of well-being gives all community councils the power to do anything they consider is likely to achieve any one or more of the following objects-
- a) the promotion or improvement of the economic well-being of their area,
 - b) the promotion or improvement of the social well-being of their area, and
 - c) the promotion or improvement of the environmental well-being of their area.

The power may be used in relation to or for the benefit of (i) the whole or any part of an community council's area or (ii) all or any persons resident or present in its area. Activity undertaken and or expenditure incurred by a community council under the power of well-being must fulfil one or more of the above objects. Section 2(5) of the Local Government Act 2000 also enables a community council to use the power of well-being to do anything in relation to, or for the benefit of, any person or area situated outside its area if it considers that it is likely to achieve any one or more of the above objects. The use of the phrase "all or any persons resident or present" in the council's area and "any person" outside the council's area means activity undertaken and or expenditure incurred by a community council under the power of well-being may benefit a single individual. The power of well-being cannot be used to circumvent any existing limitation on the power of community councils. It is therefore the view of the Welsh Government that expenditure under the power of well-being is subject to the same limit as for s. 137.

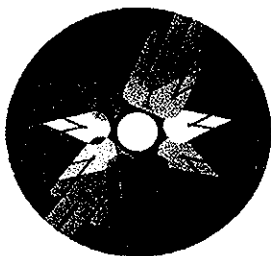
29. The Welsh Government published guidance on the use of the power of well-being in March 2013. The guidance can be found:

In English at:

<http://wales.gov.uk/topics/localgovernment/publications/statutory-guidance-ese-la-act-2000/?lang=en>

In Welsh at:

<http://wales.gov.uk/topics/localgovernment/publications/statutory-guidance-ese-la-act-2000/?skip=1&lang=cy>



The National Training Strategy
for Town & Parish Councils

● CiLCA

Certificate in Local
Council Administration

PG 2008

This is to certify that

Teresa Strange

has been awarded a

Pass

in the above qualification

6th January 2012

Crispin Moor
(Commission for Rural Communities)

CHAIR, MONITORING &
VERIFICATION BOARD

Frank Johnston
L.L.B. (Hons). Barrister-at-Law

CHIEF VERIFIER, CiLCA

The qualification is assured by the
University of Gloucestershire



UNIVERSITY OF
GLOUCESTERSHIRE

at CHELTENHAM and GLOUCESTER

Committees and Working Parties for 2021/22

(List below is based on 2020/21 Committee Structure, with make-up to be decided at the Annual Council meeting)

Chair and Vice Chair of the Council to be Ex-officio members of all committees but not all working parties:

Chair of Council for 2021/22:

Finance Committee:

Cllrs John Glover (**Chair**), Alan Baines (**Vice Chair**), Richard Wood, **Vacancy**, **Vacancy**, **Vacancy**, **Vacancy**.

Planning Committee:

Cllrs Richard Wood (**Chair**), John Glover, Alan Baines (**Vice Chair**), Mary Pile, David Pafford, **Vacancy** and Terry Chivers.

Staffing & Resources Committee:

Cllrs Richard Wood, John Glover, Alan Baines (**Chair**), **Vacancy**, David Pafford, Robert Shea-Simonds and **Vacancy**.

Asset Management Committee:

Cllrs John Glover (**Chair**), **Vacancy**, Richard Wood, Alan Baines, Terry Chivers, **Vacancy**, **Vacancy**.

Highways and Street Scene Committee:

Cllrs Richard Wood, John Glover, Alan Baines (**Chair**), **Vacancy**, David Pafford, Robert Shea-Simonds and Terry Chivers.

Community Resilience Working Party:

Cllrs Richard Wood, John Glover, David Pafford, **Vacancy**, Alan Baines and Mary Pile.

Shurnhold Fields Joint Working Party (with Melksham Town Council):

Cllrs Richard Wood, John Glover and **Vacancy** and **Vacancy** (1st reserve).

Office Relocation Project Working Party:

Cllrs Richard Wood, John Glover, **Vacancy**, **Vacancy** and Robert Shea-Simonds.
(Cllr Stefano Patacchiola is IT rep for this project)

New Berryfield Village Hall Working Party

Cllrs Richard Wood, John Glover, **Vacancy** and **Vacancy**

Data Protection Working Party (could be amalgamated with IT Working Party)

Cllrs Terry Chivers, **Vacancy**, Robert Shea-Simonds and **Vacancy**,

IT Working Party

Cllrs Richard Wood, John Glover, **Vacancy**, Alan Baines & Stefano Patacchiola (& Clive Merritt, IT Contractor?)

CIL Sharing Working Party (with Melksham Town Council) NEW

3 Members



MELKSHAM WITHOUT PARISH COUNCIL

COMMITTEE STRUCTURE AND TERMS OF REFERENCE FOR REVIEW AT ANNUAL COUNCIL 17TH MAY 2021

1. NUMBER AND NAMES OF COMMITTEES

There shall be five Standing Committees of the Parish Council called:-

1. Finance Committee
2. Planning Committee
3. Staffing and Resources Committee
4. Asset Management Committee
5. Highways and Street Scene Committee

2. PURPOSE & DELEGATED AUTHORITY

The purpose of committees is to assist the Council as a whole to fulfil its responsibilities and functions as swiftly and efficiently as possible, by ensuring matters are thoroughly examined so that decisions are based on well-informed opinion. The Council as a corporate body, has ultimate responsibility for committee activities and committees report to the main Council. All committee recommendations and decisions will therefore be formally recorded by the Clerk and referred to the main Council for final ratification and approval. Where the Council chooses to delegate authority to a committee this will be done via a formal Council resolution prior to the Committee meeting.

3. FREQUENCY OF MEETINGS & FUNCTION

While the five main committees are Standing Committees, the frequency of meetings for committees will vary according to its function and responsibilities.

3.1. Finance Committee: The Finance Committee will meet at least 3 times per year in May/June, March and January. It will function to:

- a) Be responsible for all Council matters directly relating to finance and spending
- b) Prepare and monitor the Council budget (January)
- c) Recommend the Council precept, based on budget requirements (January)
- d) Ensure Council funds are managed and invested for maximum return
- e) Consider grant applications and allocate grant aid (March)

- f) Carry out an Annual Review of the Council Insurance Policy to ensure Council assets are properly insured and liabilities covered (May)
moved to May in 2021 for new council to decide this year)
- g) Carry out an Annual Review of Financial Regulations & Risk Register (May/June)
- h) Carry out a review of Year End Accounts, Audit requirements and Compliance to Transparency Code (May/June)
- i) Finance Committee members will approve accounts at Council meetings and sign cheques and authorise online banking payments in the office ~~following a Council meeting monthly~~ (2 signatories) Currently being authorised at home and accessing records for verification remotely due to Covid Restrictions

3.2. Planning Committee: The Planning Committee will meet every 3 weeks to review planning applications if necessary. It will function to:-

- a) Ensure all planning applications are properly considered within the legal time framework of three weeks, set by Wiltshire Council. The Planning Committee has delegated powers to submit comments on planning applications, licenced premises applications, ~~and~~ street trading applications and pre-application consultations. Officers have delegated powers to automatically submit original comments made on the planning application, to the Planning Inspectorate for Appeals.
- b) Consider other planning matters and correspondence, including any queries and discussions relating to s106 legal agreements.
- c) Refer any planning item to Full Council as and when necessary.
- d) Nominate Committee members to attend planning inquiries, and Wiltshire Council Planning Committees (Strategic & Western Area) and to attend planning site meetings.
- e) To Review the minutes of the Neighbourhood Plan Steering Group Meetings.
- f) To meet with developers at pre-application stage and as projects progress, in line with the council's adopted policy for "Planning Pre-application meetings with developers" now superceded by the Pre-App policy in the Neighbourhood Plan

3.3 Staffing and Resources Committee: The Staffing and Resources Committee will meet at least twice per year and at other times if necessary. It will function to:

- a) Appoint members of staff in liaison with the Clerk.
- b) Conduct staffing interviews and assessments.
- c) Assess job contracts and job descriptions to ensure they meet Council requirements and are in line with current legislation.
- d) Be responsible for staff health and safety in the work environment and risk assessment.
- e) Encourage appropriate training for staff development
- f) Advise on staff-related matters; e.g. appropriate pay rates, disciplinary matters, disputes etc
- g) Review Council resources, including parish and office equipment, to ensure staff are properly equipped to carry out work demands. Query – is this now done by the Asset Management Committee? Does it make sense to leave on both committees as neither meet regularly?
- h) Review staffing policies regularly.

Should any disciplinary matter be discussed by the Staffing Committee, then the Chair of Council will leave the room.

3.4 Asset Management Committee: The Asset Management Committee will meet as required. It will function to:

- a) Seek quotes on the provision, maintenance, repair or renewal of assets in the parish to inform the Finance Committee/Full Council.
- b) Review and assess quarterly written play area reports, ~~produced by Parish Caretaker~~, identifying any actions required; and Annual Independent Play Area inspection reports.
- c) Address continued management of Bowerhill Pavilion and Sports Field, including annual maintenance contracts and the promotion of hiring of the facilities.
- d) Liaise with Shaw Village Hall Management Committee to ensure maintenance schedules are adhered to so the building is suitably maintained and insured for its users.
- e) Review Allotment Tenancy Agreement and annual rent charges. Consider correspondence and requests from Allotment Tenants.

3.5 Highways and Streetscene Committee: The Highways and Streetscene Committee will meet every three months in line with Wiltshire Council Community Area Transport Group (CATG). It will function to:

- a) Consider all Highways, Footpaths & Rights of Way issues, recommending those to be supported and requested for action via CATG, within a timeframe that allows the Council Appointed Representative to report back to the next CATG meeting.
- b) Officers have delegated powers to consider all non-statutory Highways and Streetscene jobs to be carried out by the Parish Steward, prioritise these and report to Wiltshire Council using their approved system. The committee will set the overall priorities for the Parish Steward tasks.
- c) Consider correspondence and requests from residents on Highways and Streetscene matters.
- d) Make recommendations for jobs to be addressed by the Parish Caretaker that do not fall under the statutory remit of Wiltshire Council or the Parish Steward.

4. CHAIRMAN & MEMBERSHIP

The Chair and Vice-Chair will be ex-officio members on all committees.
REVIEW?

In line with Standing Order 4)d)vi) Every Committee shall at its first meeting before proceeding to any other business elect a Chair and may elect a Vice-Chair who shall hold office until the next Annual Meeting of the Council. If both the Committee Chair and Vice-Chair are unable to attend, the Committee may elect a Chair for that Meeting.

Every member of the Council will be expected to serve on at least one Committee.

The quorum for committees wholly comprised of Council Members is half of the members on each committee. (All Committees are currently 7 members and so the quorum is 4).

Only members nominated to serve on a Committee may vote on committee decisions made, unless attending as a substitute.

In line with Standing Order 4d)v) A member who is unable to attend a committee meeting may send another suitable councillor as a substitute for that meeting. The substitute may then vote in that meeting on any resolution on behalf of the committee member. The member must inform an officer of the proposed substitution in advance of the committee meeting.

All Council members are welcome to attend any Committee meetings and may speak at the discretion of the Chair.

5. NUMBER OF MEMBERS ON COMMITTEES

The number of members on committees will be as follows:

Finance Committee

Chair, Vice-Chair & 5 Council members

Planning Committee

Chair, Vice-Chair & 5 Council members

Staffing & Resources Committee

Chair, Vice-Chair & 5 Council members

Asset Management Committee

Chair, Vice-Chair & 5 Council members

Highways & Streetscene Committee

Chair, Vice-Chair & 5 Council members

6. RULES OF AGENDA, PROCEDURE AND DEBATE

Any item for an Agenda on any committee, if not referred to the Committee by Full Council will need to be communicated in writing (email is sufficient) to the Clerk at least ten days prior to the Committee Meeting in question.

The Clerk will give Committee members at least three days clear notice of a committee meeting, excluding **Saturdays** (contradicts Standing Orders and Legislation, Saturday can be counted as clear day) and Sundays. All Committee meetings will be advertised on Council notice boards at least three clear days prior to a meeting.

The Council rules of procedure and debate as detailed in the Council Standing Orders, will apply to all committees.

All discussion on an item will be directed through the Chair. A member may speak for up to 3 minutes on any particular item. Once a committee decision has been made in the normal way via a proposer, and seconder and formal vote, no further discussion may place on that item.

All committees will have regard to Council policy already in place.

Any major expenditure item, which has not already been included in the Council budget for the year in which funds are required, will be referred to the next meeting of the Council and if necessary the next Finance Committee meeting for consideration.

Declarations of Interest, pecuniary or otherwise, must be declared by all members at the commencement of a committee meeting and recorded in the Minutes.

7. ATTENDANCE OF PRESS AND PUBLIC

The press and public are welcome to attend all Committee meetings. The Committee will adjourn to allow for a period for public participation if members of the public attend. The time allowed for public participation will be at the discretion of the Chair.

Exclusion of the press and public will not be exercised generally but will only take place by resolution, for a particular occasion, if publicity would prejudice the public interest by reason of the confidential nature of the business under discussion. Reasons for exclusion are in accordance with the Public Bodies (Admissions to Meetings) Act 1960: matters relating to employees, terms of tenders, proposals and counter-proposals in contract negotiations, preparation of legal cases, and disputes.

A councillor who is not a member of a committee has the same rights as a member of the public. Therefore, if such a councillor wants to see certain exempt information or documentation, or remain in a committee meeting where members of the public have been excluded for Data Protection, Employment law or reasons detailed above; they must demonstrate the reasons for their “need to know” and explain how it is necessary for them to perform their duties as a councillor. It will then be at the discretion of the committee (or for papers outside of the meeting, the officer).

These terms of reference were reviewed and approved by Melksham Without Parish Council at the Annual Council Meeting on Monday 13th May 2019.

Teresa Strange

From: Dunford, Peter <Peter.Dunford@wiltshire.gov.uk>
Sent: 07 May 2021 12:24
To: Dunford, Peter
Subject: Climate Strategy and Engagement Event 20/5
Attachments: Wiltshire-Climate-Strategy-Discussion-Document-Summary-May2021.pdf

Dear Parish Clerk,

We wrote to you a couple of weeks ago about our Climate Strategy and Engagement Event. Thank you to those who have already registered.

On **Thursday 20th May, 10.00 – 11.30 am** we are hosting an event via Microsoft Teams, dedicated to engagement with Town/City/Parish Councils. Your input at this event will help to shape the draft Wiltshire Climate Strategy, prior to consultation in the autumn. Please **register by Tuesday 18th May** on [Eventbrite](#). We can accommodate only one person per parish.

Our initial invitation encouraged you and your council to consider these 3 questions:

1. What do you feel are the 3 priorities for Wiltshire (not just the council) in becoming carbon neutral by 2030?
2. Does the organisation you represent have carbon neutral targets? If so, what are they?
3. In what way could you support the council's Climate strategy?

We are now able to share with you a summary 'Discussion Document' (attached) which outlines some of the challenges and opportunities in relation to climate change in Wiltshire. (The full document and more information is on our website [Climate change - Wiltshire Council](#))

Please could you circulate this e-mail, including the attached document and the three questions, to your parish councillors, and neighbourhood planning groups (if applicable), for information.

Whilst we can only accommodate **one person per local council** at the webinar, we are happy to receive a coordinated response by e-mail. However, we recognise the tight turnaround as this is not a formal consultation. There will be a further opportunity to comment on the draft Climate Strategy during a longer consultation period in the Autumn. Should you wish to provide any comments by e-mail, please send them to climate@wiltshire.gov.uk by Monday 31st May.

Kind regards,

Ariane Crampton
Head of Climate Programme
Economic Development and Planning

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AGENDA ITEM 16

ORGANISATION REPRESENTATIVES

List below is based on 2020/21 list with make-up to be decided at the Annual Council meeting)

Organisations:

Age Friendly Melksham
Beanacre Community Group
Berryfield & Semington Road Action Group (BASRAG)
Berryfield Village Hall
Bowerhill Residents Action Group (BRAG)
Bowerhill Hall Management Trust
CCTV Working Group (Town Council)
Climate Friendly (NEW) see email from Wilts Council
Community Action Whitley & Shaw (CAWS)
CPRE Wiltshire (Campaign for Protection of Rural England)
Dementia Action Alliance
Market Place Toilet Joint Venture (Town Council)
Melksham Area Board
Melksham ATC
Melksham Chamber (previously Chamber of Commerce)
Melksham Charities
Melksham Community Area Transport Group
Melksham Hospital & Community
Melksham Joint Health Forum
Melksham Joint Neighbourhood Plan Steering Group

Melksham Rail User Group
Operational Flooding Working Group
Parish Highways & Street Scene Rep
PCSO Liaison
Press Representative
Shaw Hall Management Committee
Shaw Joint Recreational Improvement Committee

Shurnhold Fields (Friends of)

Whitley Reading Rooms
Wilts & Berks Canal Partnership
WALC (Wiltshire Association of Local Councils)

VACANCY

Mary Pile
Richard Wood
Richard Wood
VACANCY & David Pafford need 2?
David Pafford
John Glover
VACANCY
Mary Pile
VACANCY
Robert Shea-Simonds
Alan Baines & John Glover
Chair & Vice Chair
David Pafford
VACANCY
R Shea-Simonds & Pat Nicol* ex cllr
Alan Baines
Robert Shea-Simonds
John Glover
Richard Wood & John Glover
(**VACANCY** – reserve)
VACANCY
Alan Baines
Parish Officer – Lorraine McRandle
Officers
Clerk – Teresa Strange
Mary Pile
Mary Pile & **VACANCY** still
required? Project finished
(from x 3 Shurnhold Working
Group Reps)
VACANCY
VACANCY
VACANCY

Footpath Representatives:

Beanacre
Berryfield
Blackmore
Bowerhill, Redstocks and The Spa
Sandridge
Shaw & Whitley

Terry Chivers
Richard Wood
Richard Wood
John Glover & **VACANCY**
Alan Baines
VACANCY

MELKSHAM WITHOUT PARISH COUNCIL
COUNCIL MEETING DATES 2021/22

BANK HOLIDAY	MONDAY 3 RD MAY 2021
PLANNING COMMITTEE	TUESDAY 4 TH MAY 2021
ELECTIONS	THURSDAY 6 TH MAY 2021
PLANNING COMMITTEE	TUESDAY 4 TH MAY 2021
EXISTING COUNCILLORS STAND DOWN & NEW COUNCILLORS TAKE OFFICE	Midnight Sunday 9 th March 2021
ANNUAL COUNCIL MEETING (first meeting of new council)	MONDAY 17TH MAY 2021 Clash with MTC Annual Council, unable to change at this late notice.
PLANNING COMMITTEE	MONDAY 24 TH MAY 2021
FINANCE COMMITTEE (following Planning Committee) To arrange insurance and grants	MONDAY 24 TH MAY 2021
ANNUAL PARISH MEETING (meeting of the electors) AT BOWERHILL VILLAGE HALL	WEDNESDAY 26TH MAY 2021
BANK HOLIDAY	MONDAY 31 ST MAY 2021
PLANNING COMMITTEE	MONDAY 7 TH JUNE 2021
ASSET MANAGEMENT COMMITTEE (following Planning Committee) (Review Asset Register and new purchases)	MONDAY 7 TH JUNE 2021
FINANCE COMMITTEE (Risk Assessment & End of Year Accounts)	MONDAY 14 TH JUNE 2021
FREE EVENING	MONDAY 21 ST JUNE 2021
MELKSHAM AREA BOARD	WEDNESDAY 23 RD JUNE 2021
FULL COUNCIL (Annual Audit Return)	MONDAY 28TH JUNE 2021
PLANNING COMMITTEE	MONDAY 5 TH JULY 2021

STAFFING COMMITTEE (Following Planning Committee)	MONDAY 5 TH JULY 2021
HIGHWAYS COMMITTEE (CATG deadline 26 th August)	MONDAY 12 TH JULY 2021
FULL COUNCIL	MONDAY 19TH JULY 2021 Clash with MTC Full Council, so swop with Planning on 26 th July
PLANNING COMMITTEE	MONDAY 26 TH JULY 2021
FREE EVENING	MONDAY 2 ND AUGUST 2021
FREE EVENING	MONDAY 9 TH AUGUST 2021
PLANNING COMMITTEE	MONDAY 16 TH AUGUST 2021
FREE EVENING	MONDAY 23 RD AUGUST 2021
BANK HOLIDAY	MONDAY 30 TH AUGUST 2021
PLANNING COMMITTEE	MONDAY 6 TH SEPTEMBER 2021
FULL COUNCIL	MONDAY 13TH SEPTEMBER 2021
PLANNING COMMITTEE	MONDAY 20 TH SEPTEMBER 2021
MELKSHAM AREA BOARD	WEDNESDAY 22 ND SEPTEMBER 2021
FREE EVENING	MONDAY 27 TH SEPTEMBER 2021
FREE EVENING	MONDAY 4 TH OCTOBER 2021
PLANNING COMMITTEE	MONDAY 11 TH OCTOBER 2021
HIGHWAYS & STREETSCENE COMMITTEE (Following Planning Committee) (CATG deadline 11 th November)	MONDAY 11 TH OCTOBER 2021
FULL COUNCIL	MONDAY 18TH OCTOBER 2021
FREE EVENING	MONDAY 25 TH OCTOBER 2021
PLANNING COMMITTEE	MONDAY 1 ST NOVEMBER 2021
FREE EVENING	MONDAY 8 TH NOVEMBER 2021
FULL COUNCIL	MONDAY 15TH NOVEMBER 2021 Clash with MTC Full Council so move to 8 th November
PLANNING COMMITTEE	MONDAY 22 ND NOVEMBER 2021
FREE EVENING	MONDAY 29 TH NOVEMBER 2021
CHRISTMAS MEAL	MONDAY 6 TH DECEMBER 2021

MELKSHAM AREA BOARD	WEDNESDAY 8 TH DECEMBER 2021
PLANNING COMMITTEE	MONDAY 13 TH DECEMBER 2021
FULL COUNCIL	MONDAY 20TH DECEMBER 2021 Big gap now between Nov & Dec meeting so swop with Christmas Meal on 6 th December
<i>BANK HOLIDAY (in lieu of Christmas Day)</i>	MONDAY 27 TH DECEMBER 2021
<i>BANK HOLIDAY (in lieu of New Year's Day)</i>	MONDAY 3 RD JANUARY 2022
FINANCE COMMITTEE (Budget setting)	MONDAY 10 TH JANUARY 2022
PLANNING COMMITTEE	MONDAY 17 TH JANUARY 2022
HIGHWAYS & STREETSCENE COMMITTEE (Following Planning Committee) (CATG deadline 10 th February)	MONDAY 17 TH JANUARY 2022
FULL COUNCIL (Agree Precept)	MONDAY 24 TH JANUARY 2022
<i>FREE EVENING</i>	MONDAY 31 ST JANUARY 2022
PLANNING COMMITTEE	MONDAY 7 TH FEBRUARY 2022
FULL COUNCIL	MONDAY 21 ST FEBRUARY 2022
PLANNING COMMITTEE	MONDAY 28 TH FEBRUARY 2022
STAFFING COMMITTEE	MONDAY 28 TH FEBRUARY 2022
FINANCE COMMITTEE (Grants)	MONDAY 7 TH MARCH 2022
MELKSHAM AREA BOARD	WEDNESDAY 9 TH MARCH 2022
FULL COUNCIL	MONDAY 14TH MARCH 2022
PLANNING COMMITTEE	MONDAY 21 ST MARCH 2022
ANNUAL PARISH	TO BE CONFIRMED – HAS TO BE MARCH, APRIL, MAY
<i>FREE EVENING</i>	MONDAY 28 TH MARCH 2022
<i>FREE EVENING</i>	MONDAY 4 TH APRIL 2022
PLANNING COMMITTEE	MONDAY 11 TH APRIL 2022
<i>BANK HOLIDAY – EASTER MONDAY</i>	MONDAY 18 TH APRIL 2022
FULL COUNCIL	MONDAY 25TH APRIL 2022

<i>BANK HOLIDAY</i>	<i>MONDAY 2ND MAY 2022</i>
PLANNING COMMITTEE	MONDAY 9 TH MAY 2022
ANNUAL COUNCIL	MONDAY 16TH MAY 2022 Clash with MTC Annual Council meeting, difficult to move due to Bank Holidays and Finance Comm need to meet before end of May re insurance, look at later in year, as could move Planning on 9 th May depending on 21 day notice cycle and applications received, technically meeting of next year's Council diary
PLANNING COMMITTEE	MONDAY 23 RD MAY 2022
FINANCE COMMITTEE (Following Planning Committee) (<i>Insurance & Risk Assessment</i>)	MONDAY 23 RD MAY 2022

**MINUTES of the Full Council of Melksham Without Parish Council held on
Monday 26 April 2021**

**(DUE TO THE ON-GOING COVID 19 PUBLIC HEALTH CRISIS THIS MEETING
WAS HELD VIRTUALLY VIA ZOOM AND ALSO LIVE STREAMED VIA YOUTUBE
FOR MEMBERS OF THE PUBLIC TO WATCH)**

Present: Councillors Richard Wood (Chair), John Glover (Vice Chair) (from 8.19pm), Alan Baines, Paul Carter; Terry Chivers, Nick Holder, David Pafford, Stefano Patacchiola, Mary Pile and Robert Shea-Simonds

Also Present: Wiltshire Councillor Phil Alford (Melksham Without North)

Officers: Teresa Strange (Clerk) and Lorraine McRandle (Parish Officer)

In attendance: 3 members of public present, including Mark Harris and Shona Holt.

385/20 Welcome, Announcements & Housekeeping

Councillor Wood as Chair welcomed everyone to the meeting, explaining this was the last meeting of the current council, with a new council in May.

Councillor Wood welcomed Mark Harris and Shona Holt to the meeting as new councillors for May, having been elected unopposed and clarified whilst they were in attendance, they had no voting rights.

The following announcements were made by the Chair:

Neighbourhood Plan: Wiltshire Council have issued their Decision Notice on 21 April that the Melksham Neighbourhood Plan can go to Referendum on Thursday, 1 July. The plan now has significant weight in planning terms and will apply to any planning applications moving forward, including those that are pending a decision. The Decision Notice, Examiner's report and the Referendum Version of the Plan will be uploaded to the Parish Council website in due course, once Wiltshire Council are happy all the recommended changes have been made.

Last meeting of this Council: Councillor Wood stated the meeting was the last Full Council meeting of this Council term of office and fitting that the Neighbourhood Plan had met the stage it has and wished say thank you to Councillors Paul Carter, Greg Coombes, Nick Holder and Paul Taylor who would be standing down for various reasons.

Chair for the ensuing Year: Councillor Wood explained he did not want to continue as Chair for the new term of office and asked those present

to consider who would be a suitable candidate for the role.

Planning Committee Meeting: A meeting on the Planning Committee has been arranged for Tuesday, 4 May at 7.00pm in order to respond to various applications received in the required timeframe.

Housekeeping: A reminder the meeting was being livestreamed on YouTube was given and that the recording would stay online until the minutes were approved at the next meeting in May and was also being recorded on Zoom to aid minute taking and would also be deleted once the minutes had been approved.

The Clerk reminded everyone the Council were in Purdah (period of heightened sensitivity in pre-election period) for the Wiltshire Council and Police & Crime Commissioner elections on Thursday, 6 May.

386/20 To receive Apologies and consider approval of reasons given

Apologies were received from Councillor Paul Taylor due to work commitments. Councillor Greg Coombes was not present, however, at the Planning meeting on 12 April had stated that would be his last meeting.

Councillor John Glover due to a previous engagement hoped to attend, but would be arriving late.

Resolved: To note and approve the reasons for absence.

387/20 Invited Guests:

a) Wiltshire Councillor Nick Holder (Melksham Without South) & Wiltshire Councillor Phil Alford (Melksham Without North)

Councillor Alford informed the meeting that developers of the site in Beanacre had stated their intention to submit plans for the site in April, but so far these had not been submitted and welcomed the good news the Melksham Neighbourhood Plan had gathered some weight in the planning process with the decision from Wiltshire Council that it could proceed to Referendum on 1 July.

Councillor Alford thanked the Parish Council for being so welcoming and effective during his term of office, and congratulated the Council or their professionalism, particularly in planning.

Councillor Nick Holder provided an update on the Area Board Health & Wellbeing Group plans for primary health provision in Wiltshire, having recently met with Simon Yeo, Estates Manager, NHS Wiltshire Clinical Commissioning Group. Particularly regarding proposals for Melksham within the next 24 months, and informed the meeting there would be an update on plans for Melksham Hospital in

April 2022, looking at it in conjunction with what is taking place at Chippenham Hospital and encouraged as many people as possible to attend that meeting.

Councillor Holder whilst standing down as a parish councillor, thanked Members of the Parish Council for their help, particularly in the last 18 months in his dual hatted role as parish councillor and Wiltshire Councillor and stated it had been a pleasure to serve.

Councillor Wood thanked both Councillors Alford and Holder for their efforts and for keeping the Parish Council up to date on matters relating to the parish and wider area.

388/20 a) To receive Declarations of Interests

There were no declarations of interest.

b) To consider for approval any Dispensation Requests received by the Clerk and not previously considered

None.

389/20 To consider holding items in Closed Session due to confidential nature

Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business (Item 17c) as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

The Clerk explained Members may wish to go into closed session for item 17c as this related to staffing matters.

Resolved: To hold item 17c in closed session, given the confidential nature of business to be transacted if required.

390/20 Forthcoming elections 6 May 2021

a) To note uncontested elections for the Melksham Without Parish Council wards

Members noted the uncontested elections for all 3 Melksham Without Parish Council wards.

b) To note 3 vacancies for co-option; applicants sought for consideration at June Full Council meeting

The Clerk explained there were 3 vacancies following the recent nominations for council, one in the Beanacre, Shaw, Whitley &

Blackmore ward and two in the Bowerhill and planned to invite nominees for co-option in the Melksham News in order that they could be co-opted at the full Council meeting in June.

Councillor Chivers explained an article could be placed in the local magazine for the Whitley area seeking nominations, which the Clerk agreed to investigate.

c) To note Wiltshire Council Unitary Ward and Police & Crime Commissioner contested elections on 6 May

Members noted as the seats were contested, elections would take place on 6 May for all 3 Wiltshire Council wards (previously two wards) and for the Police & Crime Commissioner.

391/20 Public Participation

No Member of public wished to speak at this time.

392/20 Covid restrictions/Melksham Community Response

a) To note latest advice following Government Roadmap out of lockdown restrictions

The Clerk explained Council meetings were considered as “work” even though they were volunteers. Therefore, the rules were different compared to social gatherings and had circulated various documents to explain the latest advice regarding the ‘Roadmap out of Lockdown’ for Members’ information, highlighting items relevant to the council and the assets it runs.

b) Wiltshire Council High Street Safety Fund. To consider ordering signage and printing posters to erect around the parish

The Clerk explained various safety signage had been provided some months ago, by Wiltshire Council and was erected at various sites where people tended to congregate, with an offer of more free signage to be erected via the High Street Safety Fund and suggested some could be erected against the list of sites previously provided.

Resolved: To accept the offer from Wiltshire Council of more free safety signage to be erected around the parish in areas people congregate.

- c) To note decision made under delegated power that MWPC officer seconded support to Melksham Community Support ended at the end of March and subsequent letter of thanks from Phillipa Huxtable, Age Friendly Co-Ordinator**

The Clerk explained the members with delegated powers had reviewed the staffing secondment to Melksham Community Support in mid-March as scheduled. They had agreed that the support would end at the end of March. This was due to the shielding of isolated people ending at this time, the 29th March being a Step change in the Government Roadmap and the date the Town Council staff also stepped back.

The Clerk explained if there was another emergency, such as pandemic or flooding etc., officers would be seconded back in.

It was noted a letter of thanks had been received from Phillipa Huxtable, Age Friendly Co-Ordinator, thanking the Council for their support throughout lockdown.

The Clerk explained the work of the group going forward would be to help those in need of assistance without a support network, such as people coming out of hospital or with mobility issues.

The Clerk explained she was still volunteering in her own time during weekends and bank holidays to support Melksham Community Support.

- d) To note return to use of Parish Council noticeboards following Roadmap step 2 (12 April) being met**

Members noted the return to the use of the Parish Council noticeboards following Roadmap step 2 being met.

393/20 Council Meetings

- a) To approve the list of meeting dates for the forthcoming year**

A list of proposed meeting dates for the forthcoming year had been issued with the agenda papers for Members' information.

The Clerk explained some dates were set due to meeting deadlines, such as commenting on Planning applications and to forward recommendations for consideration to the Community Area Transport meetings, also, where possible, in order to free up some Mondays, two meetings may take place on one evening.

For new Members the Clerk explained the difference between the Annual Council and Annual Parish meetings.

Councillor Baines raised a concern at a four-week gap between the June and July Planning meetings and noted the free evening on 21 June may have to be a Planning meeting, if planning applications were received for commenting upon.

Councillor Holder noted that out of the three unitary councillors one of the candidates was also standing for both Town Council and as a Unitary Councillor for Melksham Without and asked if there was flexibility in the dates in order the Town Council Full Council meetings and Parish Council Full Council meetings did not clash, as after the elections in May Melksham Without Parish Council could potentially only have one unitary councillor attend meetings, which he felt would be at the detriment of the council.

The Clerk reiterated that some dates had been chosen for particular reasons i.e., to meet certain deadlines, the possibility of changing meeting dates had been discussed several times previously and with the Town Council, but for various reasons was not moved forward.

Councillor Pafford raised a concern that other organisations had got used to Parish Council meetings taking place on a Monday and scheduled their meetings around this, and felt it would be very difficult to avoid a clash of meeting dates during the year with the Town Council.

Resolved: That an item regarding meeting dates be placed on the Annual Council meeting agenda for consideration with the following options

- A: Stay with meeting schedule as proposed.
- B: To reschedule Full Council meetings to avoid a clash with Melksham Town Council Full Council meetings
- C: Move meeting dates to Tuesday

b) To consider how to hold Covid secure meetings (bearing in mind relevant guidelines) following the Government's decision not to extend legislation to allow Councils to hold meetings virtually

The Clerk explained that the Local Government Act 1972 states councillors have to be "present" at meetings, which had been considered by some as a 'grey area' as to whether this included attending virtually or not (the Law predating the internet). New regulations were brought in last year (*The Local Authorities and Police Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) England and Wales Regulations 2020*) to allow meetings to take place virtually, however, this provision ended on 7th May 2021 with the Government recently announcing that they were

not planning on extending the timescale of the legislation and that they expected local councils to return to Face to Face meetings after the 7th May.

The outcome of a High Court Judgement brought by Hertfordshire County Council to allow virtual meetings to continue was still pending and sought a steer from Members how they wished to proceed with holding meetings in public in a secure way.

The Clerk went through the risk assessment for the Council meeting space which took into consideration 2m distances between each person, resulting in a capacity of only 18 people in attendance at every meeting. It was noted that this would be tight for attendances at Full Council meetings as potentially there would be 13 councillors and 2 officers in attendance. Members of the public have a right to attend meetings, but there would need to be a limit on the number of people attending to meet the health and safety requirements, and this would have to be made clear before the meeting and documented that meeting room capacity number was 18 to be covid secure.

The Clerk went through the other aspects of the assessment, such as what mitigation measures would need to be put in place to protect those attending the meeting, including members of the public and suggested members of the public be encouraged to attend via Zoom, given the limitations of the meeting space.

With regard to members of the public accessing meetings via Zoom, the Clerk explained this would only work if every Member had access to a laptop (which included a camera and microphone) at meetings. It had been agreed earlier in the year that the purchase of equipment to facilitate live streaming of meetings would not be undertaken until the Campus build; which the council was moving into in Autumn 2022. It was acknowledged that this was not an ideal solution but felt this was a cost-effective option to operate over the next few weeks until hopefully more covid restrictions were listed in line with the Government Roadmap. The Clerk wished to have a trial run with this set-up to make sure it worked effectively.

Unanimously Resolved: To work within the remit of the Risk Assessment produced by the Clerk for the return of Face-to-Face meetings.

The Clerk explained 7 x 6ft tables in total were required and had sought costs for hiring at £1.25 each for a 3 / 4 day session, with room for negotiation, which would be under £200 if based on £1 per week for a continual period. A cost reduction was offered, and could be utilised as the tables would remain in situ and not have to be put up and down each meeting. There could be a cost for delivery too, if they were too big for a car to transport. This could be funded from the Covid grant from Wiltshire Council.

It was unclear how long precautionary measures would be in place moving forward and how long the tables would be required for, therefore it was suggested the Council buy their own tables, which could be used elsewhere once restrictions lifted, such as Berryfield Village Hall.

Resolved: To give delegated powers to the Clerk to buy 7 x 6ft tables ready for the Annual Council meeting on 17 May at no more than £200 each.

b) To consider how to hold Annual Parish Meeting

The Clerk explained it had previously been agreed to hold the Annual Parish Meeting with the new Council, therefore Bowerhill Village Hall had been booked for Wednesday, 26 May, but would only be able to hold 50% normal capacity of the Hall (50 people) to meet the rules for community buildings and require a separate risk assessment.

As it was normal practice to invite those groups who had been successful in receiving a grant to collect their cheques at the meeting, the Clerk sought a steer from Members if they wished this to take place and the format of the meeting.

Resolved:

- To hold the Annual Parish meeting at Bowerhill Village Hall on 26 May; with a slimmed down agenda with no guest speakers or grant presentations.
- To encourage members of the public to attend via Zoom.
- To send grant cheques in the post to successful organisations.
- To make people aware, if they wish to attend the meeting in person, they will have to wear a mask, wrap up warm due to the windows and doors open for ventilation, and the room capacity of 50 people.

394/20 a) To approve the Minutes of the Full Council meeting held on 1 March 2021

Various minor amendments were suggested to the minutes.

Resolved: To approve the Full Council minutes of 1 March 2021 (with amendments suggested) and for the Chair to sign at a later date.

b) To approve the Confidential Notes to accompany Full Council minutes

Resolved: To approve the Confidential Notes accompanying the Full Council minutes of 1 March 2021.

Councillor Glover joined the meeting at 8.19pm

395/20 Planning

a) To approve the Minutes of the Planning Committee meetings held on 15 March 2021 and 12 April 2021

Various minor amendments were suggested.

Resolved: To approve the minutes of the Planning Committee meetings held on 15 March and 12 April 2021, with amendments suggested and for the Chair to sign at a later date.

b) To formally approve the recommendations contained within the minutes of 15 March and 12 April 2021

Resolved: To formally approve any recommendations contained within the Planning Committee minutes of 15 March and 12 April 2021.

c) To formally approve any comments made under delegated powers by the Planning Committee at the meeting on 12 April 2021

The Clerk explained the issuing of the notice for the Planning meeting on 12 April 2021 did not meet the relevant clear days' notice, due to the period of national mourning. Whilst unlikely that any decision made at the meeting would be challenged as unlawful; and the conflicting advice on the period of mourning from a variety of professional bodies; the Clerk asked for Members to formally approve any comments made under delegated powers by the Planning Committee at their meeting on 12 April' as a precaution.

Resolved: To formally approve comments made under delegated powers of the Planning Committee at their meeting on 12 April 2021.

c) To consider naming the parish council as the recipient of the public art funding in the s106 agreement for the new development on Semington Road (20/01938/OUT)

The Clerk explained a suggestion of the Play & Leisure Officer at Wiltshire Council; that given the Council have professionally managed the public art project on the Semington Road application (Bowood View) that the Section 106 art funding for the new development on Semington Road of 144 dwellings come directly to the Council and that the Steering Group for the art project at Bowood View take responsibility for this project.

Resolved: The Parish Council be named as the recipient of the public art funding in the Section 106 agreement for the new development on Semington Road (2/01938/OUT)

396/20 Highways & Streetscene

a) To note the Proposed A350 Bypass Consultation Report

It was noted the report emphasized an analysis of the consultation as a basis to move forward and no decision had been made on routes.

It was also noted there were almost an even split between those wanting the route to go West of Melksham and those wanted it to go East and given the parish circled the whole of Melksham, whichever route was chosen would impact residents of the Parish.

Councillor Holder explained it was important to encourage people to participate in the next round of consultation which would take place later in the year, otherwise there was a real risk a business case could be sent to Full Council of Wiltshire Council based on the views of 1000 people, which was a similar figure to the number of people who responded to this consultation.

b) Proposed Traffic Regulation Orders for consultation. To note and consider a response:

- i) **The County of Wiltshire (Pathfinder Way, Melksham Without) (30mph Speed Limit) Order 2021**
- ii) **The County of Wiltshire (Various Roads, Melksham and Melksham Without) (40mph Speed Limit) Order 2021**
- iii) **Pedestrian Crossing – A365 Western Way, Melksham and Melksham Without**
- iv) **Pedestrian Crossings – A365 Bath Road and Pathfinder Way, Melksham Without**

The Clerk explained that Traffic Regulation Orders would normally go to the Highways & Streetscene Committee, however, as comments needed to be submitted by 3 May had placed this item on this agenda for comment.

Resolved: To support progress on this issue.

397/20 Finance

a) To approve the Finance Committee minutes of 8 March 2021; and Confidential Notes to accompany minutes

Resolved: To approve the Finance Committee minutes of 8 March 2021 and Confidential Notes accompanying the minutes and for the Chair to sign at a later date.

b) To formally approve the recommendations contained within the minutes of 8 March 2021

With regard to Min. 363/20, the Clerk informed the meeting she had received a response from Wiltshire Council but at that stage they were unsure how they would be conducting their meetings after 7 May, but would contact them again for a response.

Resolved: To formally approve the recommendations contained within the Finance Committee minutes of 8 March 2021.

c) To note Income/Expenditure reports for February and March

Resolved: To note the Income/Expenditure reports for February and March.

d) Quarterly Reports for Qtr 4 (Jan, Feb, March)

i) To note Budget vs Actual Income & Expenditure

Resolved: To note the Budget vs Actual report.

ii) To note Bank Reconciliation

Resolved: To note the Bank Reconciliation

iii) To note VAT reclaim submitted

Resolved: To note the VAT reclaim had been submitted with £4,676.74 being deposited in the bank on 23rd April.

e) To agree two finance councillors to authorise monthly payments for April

Resolved: Councillors Baines and Glover to authorise monthly payments for April.

f) To approve the removal of Finance Committee members from bank mandate from 10 May 2021, as are standing down as councillors (Councillors Carter, Taylor and Holder) and note that only 3 signatories in place until able to set up new members following Annual Council meeting

Resolved: To approve the removal of Councillors Carter, Taylor and Holder from the Bank Mandate from 10 May 2021 and to note only 3 signatories were in place until after the Annual Council meeting on 17 May, at which, new members will be appointed to the Finance Committee.

g) To note key dates for Year End Accounts activities

Members noted the deadline for the receipt of the approved AGAR and supporting documentation or the Certificate of Exemption (as appropriate) was Friday, 2 July 2021, with no submission deadlines being granted beyond 15 September. The Clerk had circulated the dates for the Year End Close Down with Rialtas, the Internal Audit (2nd visit) and Finance Committee/Full Council meeting dates to demonstrate how the submission before the deadline date would be achieved.

h) To note 100% Business Rate Relief received for Bowerhill Pavilion & sports field for 2021-22

Members noted 100% Business Rate Relief of £2,295 had been received for the Bowerhill Pavilion and sports field for 2021-22.

The Clerk explained as £835 had been budgeted for, virement to another budget could be made if Members wished.

Councillor Glover suggested this funding could go towards maintenance of Bowerhill Sports Field.

Resolved: That £835 of the above grant received be vired over to the Bowerhill Pavilion & Sports Field maintenance budget.

i) To note Covid-19 Local Restrictions Support Scheme grant payment of £9,431 from Wiltshire Council and to consider use of funding and eligibility for Restart grant funding

The Clerk explained the previous year the Parish Council had received a support grant of £10,000 and this year £9,431 had been received, due to the rateable value of Bowerhill Sports Pavilion. The Council were also eligible for a grant via the Restart Scheme which was currently being applied for.

It was suggested by Councillor Glover that an item be placed on the next Finance Committee agenda on what this funding could be spent on.

The Clerk explained there was an item later on the agenda for supporting local groups and how to promote them once out of lockdown and suggested the Council may wish to contribute towards the costs of advertising in the local press, if there was a cost, using some of this fund as their half of the share of costs, which was agreed.

398/20 Asset Management

a) New Berryfield Village Hall project

i) To note update on Tender process and next steps

The Clerk explained 7 tenders had been received and opened by the delegated Members of the Finance Committee, with the four lowest bids analysed by the QS, Martin Pickard who along with the Project Manager had gone through the various bids to undertake checks and to make their recommendation.

As there would be a new Council after the elections on 6 May, it was suggested that the new Finance Committee review the Project Manager's report and make a recommendation to the Full Council meeting in June.

The Clerk explained that if the Council were minded to apply for a Public Works Loan, then they would first need to undertake a public consultation. To this end would include an item on the Annual Council agenda in May to see if the council wished to do this, which would enable time to advertise in the Melksham News and receive feedback in time for the June Full Council meeting to consider the recommendation on the approved contractor and to consider a Public Works Loan.

The Clerk stated the Project Officer was due to retire and asked if the Council wished to send a formal letter of thanks for his help on this project. The Architect David Sharp and Martin Pickard will pick up the elements of work previously undertaken by the Project Manager and at no extra charge, as part of their existing contracts.

Councillor Glover expressed concern at the time limit of the tender and whether a meeting should take place earlier.

The Clerk explained due to the new council not starting until after 6 May, that a meeting could not take place until after this date to enable new Members to be included.

The Clerk also explained she had sought advice with a suggestion from the Project Manager that the Council could contact the winner of the tender to ask if they would be prepared to negotiate past the 90-day timeframe of the tender and hold the price quoted. It was noted the 90 days started from the date of the opening of the tenders (2 April). The Clerk agreed to check the dates.

Resolved: To send a letter of thanks to the Project Manager.

ii) To consider response from Bellway on request for additional land (*if received*)

The Clerk explained that the Council's solicitors were currently working on behalf of the council to expediate this.

- ii) **To note Non-Material Amendment submitted for the Planning application to cover the Public Art and variations to the building plan/elevations for acoustic measures. Cost £145 excl VAT**

Members noted the various non material amendments made and the costs associated with this change to the original application: loss of patio doors, other acoustic measures and the signage colour change to complement the public art.

The Clerk explained there would need to be a further agenda item the hall tender is approved; to remove the signage element of approximately £1,500 and move over to the public art contract.

- iii) **To note delegated decision made re lowering of roof height by 4" to 9'8"; to note decision on performance bond deferred**

Members noted the delegated decision made to lower the roof height by 4" to 9'8"..

b) Shurnhold Fields

- i) **To receive the draft notes of the meeting held on 25 February 2021**

The Clerk reminded Members a verbal update had been provided at the Full Council meeting on 1 March.

- ii) **To note response from Melksham Town Council regarding the Revised Terms of Reference and funding of the car park/improved access project and consider suggested amendment to the Terms of Reference**

Members noted the Town Council had approved the Terms of Reference for the Shurnhold Fields Working Group with an amendment that the Working Group are not given a delegated spend. This would mean that any decisions on spending money would have to go back to both the town and parish council each time.

The Clerk explained it was hoped the group would be able to have a copy of the topographic survey undertaken by the developer, but unfortunately it had not been forthcoming. However, the architect would be able to undertake this at a cost of £750, having reduced his fee from £1,000.

With regards to the Action Plan for Shurnhold Fields, the Clerk explained the Town Council had not looked at this as yet and were considering Shurnhold Fields at their meeting that evening and until it was known if they were willing to pay their 50% share of costs of the project, it was difficult to move forward.

It had been noted a gas pipe ran through the area proposed for the car park which British Gas had a right of access to, therefore, the architect had redrawn the plans, moving 2 car parking spaces to avoid the pipe. This meant that there would be no space to relocate the lost area of Wildflower Meadow, but there was plenty of scope to extend the current area.

It was hoped to have a Working Group meeting later in the week for an update and to look at a plan to move forward.

Resolved:

- To note the response from the Town Council regarding the Terms of Reference for the group.
- To approve the revised layout of the car park.
- To approve the £375 (50% share) of the topographical survey costs.

iii) Proposed car park. To note outcome of investigations/implications regarding the gas main running across site of proposed new car park

Discussed above.

iv) To consider how to proceed with improved access/car park project

The Clerk explained the Town Council were looking at this issue that evening, If the Town Council were not prepared to proceed this issue would have to go back to both councils to consider; after the elections.

c) IT Working Party meeting

i) To approve notes of meeting held on 22 March 2021 and approve recommendations

Resolved: To approve the notes of the IT Working Party meeting held on 22 March 2021.

ii) **Termination of office Telephone System Contract. To note termination of contract and invoice for termination costs paid under instruction by email to Clerk by members; to agree next steps including review and approval of quotations for new 'phone system**

The Clerk explained the telephone system contract had been terminated, with the Council on a rolling contract for now, whilst quotes were sought for a more cost-effective system, however, felt more time was required to source additional quotes and suggested the IT Working Group meet again to consider the quotes received, once additional quotes had been sourced.

Resolved: To note the termination of the telephone contract and associated costs of £1,977.31, which were paid under instruction to the Clerk by Members on 9 April 2021.

To hold an IT Working Party meeting to consider various quotations received for a more costs effective system, reporting back their findings to Full Council.

iii) **To consider purchase of laptops for councillors**

The Clerk explained laptops would be required in order for Zoom to work for Covid secure meetings and asked Members if they required a new laptop, with 3 stating they would like a new laptop, with 4 retaining their current Council laptops and one bringing their own and sought approval of Members to purchase 3 new laptops.

The Clerk stated if working from Zoom, even if attending in person meetings, Members would need access to a laptop in order to have a microphone to speak and to be heard. Training would be provided for those who required it.

Councillor Terry Chivers, initially stated he did not require a new laptop, but following discussion asked that he receive a new council laptop.

Unanimously Resolved: The Council's IT contractor, Avon IT, purchase 4 new laptops with the same specification as those purchased last year, bearing in mind best value.

iv) **To consider IT policy for parish council**

Councillor Patacchiola was working on this and had shared some elements with the working party already, and would be available for a future IT working party to review.

Councillor Holder asked if there was a policy in place regarding the closing down of email accounts for those members not standing/un-elected.

The Clerk explained as the elections for the Parish Council were uncontested, she had contacted the Council's IT support provider and requested that the accounts of those not standing again be closed down as from midnight on 9 May when they ceased to be councillors. Emails sent to those members leaving the Parish Council would be redirected to the Clerk for a short time.

Councillor Patacchiola stated he intended to include a starter/leaver process within the IT Policy.

Resolved: To note the actions of the Clerk with regard to terminating the email accounts of those Members not standing again for re-election and that the IT Policy include reference to a period of grace for council email addresses.

v) To note response from Campus team re queries raised new office/meeting accommodation

The Clerk explained the Campus Team wished to discuss the IT requirements of the Council, but felt someone with more IT knowledge needed to discuss requirements and suggested Councillor Patacchiola, given his IT knowledge and or the Council's IT support meet the Campus team.

Resolved: Councillor Patacchiola, as IT representative of the Council and the Council's IT contractor contact the Campus team and report back to the council.

vi) To note information from the Centre for Sustainable Energy regarding a new tool which gives town and parish councils data on their carbon emissions that can be used to focus their community based carbon cutting actions

The Clerk suggested as the IT Working Group were looking at reducing the amount of paper used by the Council, whether Members wished to consider reducing their carbon footprint as an objective when reviewing at the Annual Council meeting.

d) Bowerhill Sports Field (Jubilee Fields)

- i) To note return of grassroots football 29 March in line with Government Roadmap guidelines (Step 1) and to approve the continued closure of changing rooms other than for access to toilet and handwashing facilities and approved storage**

The Clerk stated that grassroots football was allowed to return on 29 March and over a 6-day period of the Easter holidays over 400 children used the pitches at Future of Football Camps.

The Clerk informed the meeting that Fields in Trust had no issue with the storage unit for Future of Football, as this was within permitted use, however, was still awaiting a response from Planning.

The Clerk sought a steer from Members if the changing rooms should still be closed, other than for access to toilet and handwashing facilities and storage in line with FA guidance, which had been circulated to Members with notes from the Clerk on what precautions were in place.

Resolved: To approve the changing rooms are only available for accessing toilets and handwashing, as well as storage in line with FA guidance and to make groups aware of which teams are using which toilets.

- ii) To consider a request from 2385 (ATC) Squadron to use the field overnight (22/23 May) as part of their DofE Expedition**

The Clerk explained the ATC wished to camp out on the Bowerhill Hill Sports field overnight on 22/23 May as part of their DofE Expedition and would require access to drinking water and toilets.

The Clerk explained they would be given a key to access the toilets, but needed to investigate if the water from the outside tap was drinkable.

Resolved: To support the request.

- iii) Condition of Pitches. To note work undertaken to improve the condition of the sports pitches, under delegated powers, and consider further works required and approve associated costs**

The Clerk explained some work had already been undertaken to fertilise one of the pitches at a cost of between £250-£400. The groundman had advised that the pitches had not come through the Winter well, despite the lack of use, and required some fertiliser to encourage growth before the increased use due to the return of grassroots football. For all the pitches to be done would cost £1200; which was above the delegated spend level of the Clerk under the financial regulations (£1000 cumulatively per year for the commercial viability of the Sports Field) and so, following discussion with the Chair of Asset Management (Councill Glover) and the groundsman contractor, had agreed just to fertilize the worst (middle) pitch only at this stage.

As matches were currently underway (this time of year would normally be rest period at the end of season), any further work would need to be done in the Autumn and therefore it was suggested this item should be placed on the next Asset Management agenda for consideration.

iv) To note pitches will be rested from 12 July-1 August to allow for recovery

Members noted the pitches would be rested between 12 July and 1 August to allow for recovery.

v) To consider requests from Football Groups re pitch use during Summer and next season

The Clerk explained several requests had been received by various football groups wishing to use the pitches, with more requests than availability and suggested this item could also be considered at the next Asset Management meeting.

It was asked whether the Council had received several requests due to the relatively low hire costs and whether these needed to be reviewed and it was suggested a cost comparison exercise could be undertaken again.

vi) To consider quotations for utilities at Bowerhill Pavilion

The Clerk explained the current contract with Eon expired on 6 May and had contacted Utility Aid to provide the best contracts available for both gas and electric at the Pavilion.

The Clerk explained as the Pavilion was not being used fully, with teams not using showers due to Covid restrictions in the last year, therefore, utility usage was minimal whether Members

wished to review at a later date when restrictions lifted and showers and heating back in full use in order to compare pricing.

Resolved: To continue a rolling contract with Eon at present and to review contract pricing, once the Pavilion is back up to full usage.

e) Litter Bins

i) To consider standardisation of litter bins for Wiltshire Council replacements

The Clerk explained she had been given delegated powers to purchase replacement bins, but sought a steer from Members on which litter bins to standardise on for Wiltshire Council replacements (variety of styles and sizes available via I D Verde).

Resolved: To use the parish council standard model, the 'dark green' Glasdon bins, which included a fire expire mechanism, concreted in anchors and Melksham Without Parish Council logo at a costs of £432.10 ex VAT (including £60 installation costs).

ii) To consider the following requests for new litter bins (new requests, therefore will require cost of collection and emptying too)

- Hornchurch Road Public Open Space (picnic tables and MUGA) – request of BRAG and residents

The Clerk explained currently there were 5 bins in the Hornchurch Road public open space (3 Wiltshire Council and 2 Melksham Without), however, there was an issue with littering and requests had been received for an additional bin in this area.

It was noted there was a bin rarely used in the North East corner, which could be moved nearer the picnic tables.

Resolved: The bin in the North East corner of Hornchurch Road Public Open Space be moved nearer the picnic tables and concreted in.

To consider requests for replacement, larger, bin:

- Littleworth Lane, Whitley (access to well used dog walking route) – request of CAWS

- Locking Close, Bowerhill (access to bridleway to canal side picnic area) – request of BRAG, as no bin now provided at picnic area

Councillor Shea-Simonds explained whilst the bin at Locking Close had been replaced with a larger one, it was so well used it constantly overflowed, therefore, a request had been received for an additional bin.

The Clerk explained if an additional bin was purchased, as Wiltshire Council had a contract to only empty a certain number of bins, it would cost extra to add additional bins and noted there were two lots of bins close to each other in Portal Way and Commerce Way respectively.

Resolved: To purchase a larger bin for Littleworth Lane, Whitley.

To move one of the bins near the Police Station on Commerce Way to the bridlepath near Locking Close.

f) Shaw Playing Field Improvement Project

i) To note site location of new equipment agreed at site meeting Thurs 15 April

The Clerk had provided a site location map of the new equipment on Shaw Playing Field which Members noted and informed the meeting the proposals had been placed on social media and so far, there had been no adverse reaction.

ii) To note donation from CAWS to this project

Members noted CAWS would be donating £2338.17 to this project and suggested a letter of thanks be sent to them.

Resolved: A letter of thanks for the kind donation of £2338.17 towards the play equipment improvement project be sent to CAWS.

iii) To consider advice regarding the ability of the Council to reclaim VAT on the joint project with the Council, CAWS and Shaw Village Hall and Playing Field Committee and agree way forward

The Clerk had checked with WALC (Wiltshire Association of Local Councils) for advice on the ability of the Council to reclaim the VAT on this expenditure as wanted to check if the donation was classed as sponsorship and therefore made the purchase a commercial activity. WALC clarified that the Council were able to

reclaim the VAT as it was still considered this as non-commercial activity.

Members welcomed this advice.

g) Allotments: To consider requests for bonfires at allotments (currently not permitted under Wiltshire Council request due to covid)

The Clerk explained that whilst allotment tenancies allowed for bonfires, with due consideration, all year round, the advice from Wiltshire Council during Covid was that they were not held. The Clerk had received complaints that allotment holders were having bonfires, and had therefore had written to allotment holders to remind them of the advice from Wiltshire Council.

The Clerk stated requests had also been received from allotment holders to have bonfires and noted Melksham Town Council within their allotment tenancies prohibited bonfires between April and September which the parish council had reviewed in the past, with no change to their agreements.

Councillor Patacchiola noted the guidance from Wiltshire Council was that wherever possible people should not have them and to be sensitive to others, but noted people were able to raise the issue of bonfires with Wiltshire Council if they were causing a nuisance.

Resolved: To support the stance of Wiltshire Council in the bonfires should not take place wherever possible during the current pandemic.

399/20 Community Infrastructure Levy (CIL)

a) To note response of the Town Council with regard to CIL sharing proposals

Following a meeting on 14 January 2021 with representatives of both the Town and Parish Council to discuss CIL sharing their proposal as follows had been discussed by the parish council at their Full Council meeting on 25 January 2021:

‘to form a joint Working Group comprising X members to advise members of Melksham Town Council and Melksham Without Parish Council regarding potential projects that the additional 10% CIL funding received jointly, as a result of the Neighbourhood Plan, could be spent on/for the benefit of residents of the Neighbourhood Plan area. Any decisions regarding expenditure on projects will be subject to ratification by both councils.’

At the meeting it had been resolved to approve the resolution with an addendum that meetings to ratify any decisions take place within a month.

It was also agreed 3 members for each council made up this working group, with a rotating chair between both councils (with no casting vote) and a quorum of 3 (with a mix representing both councils).

The Clerk explained the Town Council as yet had not considered these proposals, but noted this item was on their Full Council agenda for consideration that evening.

b) To note response from the Town Council Re transfer of CIL funding from East of Melksham development to fund an East of Melksham Community Centre and project update

Members noted at the Town Council meeting on 22 March 2021 the Council had noted the resolution made by the Parish Council to transfer the CIL monies received so far and any received prior to 31 March 2021 (from the Hunters Wood/The Acorns development) to Melksham Town Council, with a condition that this funding be used to build a Community Centre East of Melksham, funding left over following the build to be used as the Town Council wishes.

c) To note receipt of CIL from 19/10143/REM Land adjacent to 490 Semington Road of £201.81 (Tranche 1 of 1) in April 2021 (no further CIL receipts in Q4 of 2020/21)

Members noted £201.81 had been received in CIL receipts from planning application 19/10143/REM land adjacent to 490 Semington Road for the erection of one dwelling; and no other amounts this quarter.

400/20 Community projects/partnership organisations

a) To receive update following BRAG meetings held 11 March & 15 April

Members noted the information contained within the BRAG minutes of 11 March.

Mark Harris updated Members on BRAG activities, including proposals for a new rewilding area at Brabazon Way.

b) To note Beanacre main drainage update from Wessex Water

Information had been received from Wessex Water regarding main drainage for Beanacre stating they were currently looking at potential solutions for this scheme and were to undertake trial holes in Westlands Lane to confirm the space available for the proposed new

sewer and hoped to have an initial design for technical review in August 2021 and all being well hoped the properties in the west would be connected by 2024.

Councillor Baines stated he understood Wessex Water were looking at starting the works in Westlands Lane and that side of the A350 first as the pumping station was projected to be in the field in the South West corner of Westlands Lane and the A350 and did not want to close the A350 in order to dig the trenches.

With regards to the trial holes, it was understood these were scheduled to take place for two weeks between 10-21 May with Westlands Lane being closed between The Laurels and the A350.

c) To note minutes of CAWS meeting held on 2 March

Members noted the minutes of the Community Action Whitley & Shaw (CAWS) meeting held on 2 March 2021.

d) Shaw (Whitley) Post Office

i) To note update from the Post Office

Members noted correspondence from the Post Office stating since the closure of the Toast Office in Whitley, they had been looking at options for restoring a Post Office service, with a member of the field team visiting the area, but unfortunately had not received any interest or formal applications for the position. With a reassurance it remained their intention to restore local access to Post Office services in the area and would consider any appropriate options if there were significant changes in the area in future. However, due to the length of time the branch had been closed, would need to satisfy themselves any new opportunity would be sustainable for both the Post Office and the operator, they also asked for this information to be shared with local groups or organisations.

The Clerk confirmed she had circulated the correspondence to Whitley Hub for their information as well as CAWS and social media for the two villages.

ii) To note correspondence from Whitley Hub

Members noted the correspondence from Whitley Hub which also thanked the Clerk for forwarding the correspondence from the Post Office.

e) To note, notes of Melksham Town Council CCTV working party held on 23 February 2021

Members noted the notes of the Melksham Town Council CCTV Working Party meeting held on 23 February 2021.

- f) Community Payback Scheme. To consider any projects the group may be able to assist with, within the parish**

It was agreed to place this item on the next Asset Management Committee agenda for consideration.

- g) Wiltshire, Swindon & Oxfordshire Canal Partnership. To note minutes of meeting held on 3 December 2020 & 11 March 2021**

Members noted the minutes of the meetings held on 3 December 2020 and 11 March 2021.

- h) To note, notes of first meeting of Melksham Community Groups Network Event held on 18 March 2021**

Members noted the information contained within the notes of the Melksham Community Groups Network event held on 18 March and the suggestion earlier in the meeting that funding from the Covid-19 Local Restrictions Support Scheme grant from Wiltshire Council be used to help promote local groups in Melksham News; jointly with the Town Council.

- i) To note update on TransWilts and Melksham Community Hub**

Members noted the update on the TransWilts and Melksham Community Hub; with the community café now opened and several members already recommending their refreshments.

- j) To note The Great British Spring Clean Up will take place between 28 May-13 June 2021 and to consider obtaining additional equipment to assist groups wishing to undertake litter picks in their communities**

The Clerk had informed the various community groups of the scheme and explained she had received 1000 free bins bags from the Keep Britain Tidy Campaign, as well as hopefully several litter picking kits from Wiltshire Council which anyone could borrow.

- k) To note advice from Came & Company regarding litter picks and insurance cover. To note Beanacre Community Group request to undertake litter picks and to approve their activities are covered under the Council's public liability insurance (Risk Assessment supplied)**

The Clerk explained Beanacre Community Group were keen to undertake litter picks and had provided a risk assessment for Members' information, but did not have public liability insurance.

Advice had been received from Came & Company, the Council's insurance brokers on activities of litter pickers, stating all policies arranged by Came & Company provide automatic cover for volunteers who undertaking activities on behalf of their local council with regards to Employers' Liability, Public Liability and Personal Accident.

Clarification was sought on what the acronym TDC stood for within the group's Risk Assessment.

Resolved: To approve the activities of Beanacre Community Group in undertaking litter picks are covered under the Parish Council's public Liability Insurance.

To seek clarification from the group on what the acronym TDC was for.

l) To note Melksham Campus Newsletter March 2021

Members noted the latest Campus Newsletter.

m) To consider submitting comments to the Wiltshire & Dorset Fire Service Community Safety Plan 2021-2024

It was suggested Members could comment individually if this wished.

401/20 Staffing

a) To note advice from HSE, Came & Co (insurance brokers) and Government on returning to work

Members noted the advice from HSE, Came & Co and the Government on returning to work.

b) To approve staff to continue to work from home, where possible, and continued closure of office to the public

Resolved: To approve staff continuing to work from home, where possible and to note the continued closure of the office to members of the public.

c) To note return to duties of shielding member of staff and holiday arrangements

Members noted a shielding member of staff had returned to work and their holiday arrangements.

Meeting closed at 22.00pm

Signed.....
Annual Council, 17 May 2021

Date: 09/04/2021

Melksham without Parish Council Current Year

Page: 1

Time: 11:50

Cashbook 1

User: MR

Current Account & Instant Acc

For Month No: 11

Receipts for Month 11**Nominal Ledger Analysis**

<u>Receipt Ref</u>	<u>Name of Payer</u>	<u>£ Amnt Received</u>	<u>£ Debtors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
Balance Brought Fwd :		845,417.12					845,417.12	
V2077-VAT Banked: 11/02/2021		5,343.71						
V2077-VAT HM Revenue & Customs		5,343.71			105		5,343.71	VAT Refund-Oct, Nov, Dec 2020
Total Receipts for Month		5,343.71	0.00	0.00			5,343.71	
Cashbook Totals		<u>850,760.83</u>	<u>0.00</u>	<u>0.00</u>			<u>850,760.83</u>	

Continued on Page 2

Date: 09/04/2021

Melksham without Parish Council Current Year

Page: 2

Time: 11:50

Cashbook 1

User: MR

Current Account & Instant Acc

For Month No: 11

Payments for Month 11**Nominal Ledger Analysis**

<u>Date</u>	<u>Payee Name</u>	<u>Reference</u>	<u>£ Total Amnt</u>	<u>£ Creditors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
01/02/2021	Grist Environmental	V2076-DD	90.98		15.16	4770	220	75.82	Inv.339302- B'hill waste away
15/02/2021	EE Limited	V2078-DD	13.63		2.27	4195	120	11.36	Inv.950-Meeting wifi
17/02/2021	Eon	V2080-DD	198.41		33.07	4312	220	165.34	Inv.9BB- Pavilion Gas
19/02/2021	Sirus Telecom	V2079-DD	212.88		35.48	4190	120	177.40	Inv.52131- Office phone charge
25/02/2021	Eon	V2081-DD	127.46		6.07	4302	220	121.39	Inv.36E- Pavilion Electricity
26/02/2021	Teresa Strange	V2083-S/O	5.30		0.88	4190	120	4.42	Reimburse for out of hours mob
26/02/2021	Teresa Strange	V2083-S/O	-5.30		-0.88	4190	120	-4.42	CB ERROR
Total Payments for Month			643.36	0.00	92.05			551.31	
Balance Carried Fwd			850,117.47						
Cashbook Totals			850,760.83	0.00	92.05			850,668.78	

Date: 09/04/2021

Melksham without Parish Council Current Year

Page: 134

Time: 11:29

Cashbook 1

User: MR

Current Account & Instant Acc

For Month No: 12

Receipts for Month 12

Nominal Ledger Analysis

<u>Receipt Ref</u>	<u>Name of Payer</u>	<u>£ Amnt Received</u>	<u>£ Debtors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
Balance Brought Fwd :		850,117.47					850,117.47	
V2106-BACS Banked: 10/03/2021		14.99						
V2106-BACS C Glover		14.99			1130	110	14.99	Inv.217- Girlguiding printing
V2107-ALLO Banked: 11/03/2021		60.00						
V2107-ALLO Allotment Holder		60.00			1320	310	60.00	Briansfield 16 Allotment rent
500157 Banked: 22/03/2021		321.73						
V2130-215 Melksham Town Council		306.73			4825	142	257.58	50% Architect drawing entrance
					4825	142	49.15	50%Share of tree nursery fenci
V2131 Allotment Holder		15.00			1320	310	15.00	Briansfield plot 17a rent
V2133-BGC Banked: 30/03/2021		9,431.00						
V2133-BGC Wiltshire Council		9,431.00			1150	110	9,431.00	Covid-19 Grant
Total Receipts for Month		9,827.72	0.00	0.00			9,827.72	
Cashbook Totals		859,945.19	0.00	0.00			859,945.19	

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Date: 09/04/2021

Melksham without Parish Council Current Year

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Time: 11:29

Cashbook 1

User: MR

Current Account & Instant Acc

For Month No: 12

Payments for Month 12				Nominal Ledger Analysis				
<u>Date</u>	<u>Payee Name</u>	<u>Reference</u>	<u>£ Total Amnt</u>	<u>£ Creditors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u> <u>Transaction Detail</u>
01/03/2021	Grist Environmental	V2105-DD	67.73		11.29	4770	220	56.44 Inv.342618- B'hill waste away
15/03/2021	EE Limited	V2108-DD	1.32		0.22	4195	120	1.10 Inv.641- Final Wifi for meetin
22/03/2021	Eon	V2129-DD	94.63		4.51	4312	220	90.12 Inv.B4E-Pavilion Gas
26/03/2021	Eon	V2132-DD	132.02		6.29	4302	220	125.73 Inv.20F-Pavilion electricity
Total Payments for Month			295.70	0.00	22.31			273.39
Balance Carried Fwd			859,649.49					
Cashbook Totals			859,945.19	0.00	22.31			859,922.88

Date: 09/04/2021

Melksham without Parish Council Current Year

Page: 1

Time: 11:51

Cashbook 2

User: MR

Unity Bank

For Month No: 11

Receipts for Month 11 - February 2021

Nominal Ledger Analysis

Receipt Ref	Name of Payer	£ Amnt Received	£ Debtors	£ VAT	A/c	Centre	£ Amount	Transaction Detail
Balance Brought Fwd :		222,516.98					222,516.98	
Banked:		0.00						
			0.00				0.00	
Total Receipts for Month		0.00	0.00	0.00			0.00	
Cashbook Totals		222,516.98	0.00	0.00			222,516.98	

Continued on Page 2

Date: 09/04/2021

Melksham without Parish Council Current Year

Page: 2

Time: 11:51

Cashbook 2

User: MR

Unity Bank

For Month No: 11

Payments for Month 11

Nominal Ledger Analysis

Date	Payee Name	Reference	£ Total Amnt	£ Creditors	£ VAT	A/c	Centre	£ Amount	Transaction Detail
03/02/2021	24 Acoustics	V2055-BACS	2,922.00		487.00	4582	142	2,435.00	Inv.20-26-Acoustic survey-BYF V
03/02/2021	Aquasafe Environmental Ltd	V2056-BACS	138.00		23.00	4212	220	115.00	Inv.201203-Dec 20 PPM Visit
03/02/2021	Condor Office Solutions Ltd	V2057-BACS	86.94		14.49	4130	120	72.45	Inv.0895719-Office photocopyin
03/02/2021	Mr Sparkles Melksham Ltd	V2058-BACS	180.00			4600	142	150.00	Inv.2201-Bus shelter clean x10
						4750	220	30.00	Inv.2201- Pavilion clean down
03/02/2021	JH Jones & Sons	V2059-BACS	2,748.00		458.00	4415	142	2,290.00	Inv.13542- Parish Tree works
03/02/2021	JH Jones & Sons	V2060-BACS	1,604.65		267.44	4401	220	1,337.21	Inv.13552-Parish Maintenance
03/02/2021	Jens Cleaning	V2061-BACS	193.00			4380	120	168.00	Inv.1057-Office clean upto Jan
						4381	220	25.00	Inv.1057-Changing room cleanin
03/02/2021	AFC Melksham	V2062-BACS	92.00			1210	210	46.00	Reimburse for 3rd Jan match
						1210	210	46.00	Reimburse for 10th Jan match
03/02/2021	Melksham Town Council	V2063-BACS	505.44		84.24	4820	142	421.20	SHF Caretaking-01/10/20-31/12/
						347	0	-421.20	SHF Caretaking-01/10/20-31/12/
						6000	142	421.20	SHF Caretaking-01/10/20-31/12/
03/02/2021	BTA Architects	V2064-BACS	1,020.00		170.00	4582	142	850.00	1894Architect-25.11.20-24.1.21
03/02/2021	Wiltshire Publication	V2065-BACS	55.68		9.28	4230	120	46.40	Inv.994-Grant advert
03/02/2021	Aquasafe Environmental Ltd	V2066-BACS	138.00		23.00	4212	220	115.00	Inv.210103-Jan 2021 PPM Visit
03/02/2021	HM Revenue & Customs	V2067-BACS	2,014.71			4000	130	388.60	Period 10-January 2021-T
						4000	130	288.05	Period 10-January 2021-NI
						4020	130	136.80	Period 10-January 2021-T
						4020	130	124.83	Period 10-January 2021-NI
						4010	130	132.40	Period 10-January 2021-T
						4010	130	122.13	Period 10-January 2021-NI
						4460	142	139.20	Period 10-January 2021-T
						4800	320	42.60	Period 10-January 2021-T
						4041	130	640.10	Period 10-January 2021
03/02/2021	Wiltshire Pension Fund	V2068-BACS	1,833.48			4000	130	207.51	Period 10- January 2021
						4020	130	106.27	Period 10- January 2021
						4010	130	104.97	Period 10- January 2021
						4045	130	1,414.73	Period 10- January 2021
03/02/2021	Teresa Strange	V2069-BACS			20.98	4000	130		January 2021 Salary
						4825	142	98.31	SHF Tree nursery Fencing
						4190	120	6.67	Reimburse for out of hours mob
03/02/2021	Lorraine McRandle	V2070-BACS				4020	130		January 2021 Salary
03/02/2021	Marianne Rossi	V2071-BACS				4010	130		January 2021 Salary
03/02/2021	Terry Cole	V2072-BACS				4460	142		January 2021 Salary
						4051	142	42.75	Mileage x95 Miles

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Date: 09/04/2021

Melksham without Parish Council Current Year

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Cashbook 2

User: MR

Unity Bank

For Month No: 11

Payments for Month 11

Nominal Ledger Analysis

Date	Payee Name	Reference	£ Total Amnt	£ Creditors	£ VAT	A/c	Centre	£ Amount	Transaction Detail
03/02/2021	David Cole	V2073-BACS				4800	320		January 2021 Salary
						4050	142	47.50	Travel Allowance Janu 21
						4051	142	22.50	Mileage x50 miles
16/02/2021	Unity Trust Bank	V2082-DD	161.19		23.97	4130	120	28.47	Ink Cartridge- Clerks printer
						4130	120	9.99	Ink- Parish Officer printer
						4150	120	6.03	A4 Pads
						4150	120	6.94	Laminating pouches
						4175	120	68.40	Office 365 x18
						4200	120	14.39	Zoom meeting subscription
						4140	120	3.00	Monthly fee
26/02/2021	Teresa Strange	V2083-S/O	5.30		0.88	4190	120	4.42	Reimburse for out of hours mob
Total Payments for Month			19,840.60	0.00	1,582.28			18,258.32	
Balance Carried Fwd			202,676.38						
Cashbook Totals			222,516.98	0.00	1,582.28			220,934.70	

Date: 09/04/2021

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Cashbook 2

User: MR

Unity Bank

For Month No: 12

Receipts for Month 12 - March 2021

Nominal Ledger Analysis

Receipt Ref	Name of Payer	£ Amnt Received	£ Debtors	£ VAT	A/c	Centre	£ Amount	Transaction Detail
Balance Brought Fwd :		202,676.38					202,676.38	
Banked:		0.00						
			0.00				0.00	
Total Receipts for Month		0.00	0.00	0.00			0.00	
Cashbook Totals		202,676.38	0.00	0.00			202,676.38	

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Melksham without Parish Council Current Year

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Cashbook 2

User: MR

Unity Bank

For Month No: 12

Payments for Month 12

Nominal Ledger Analysis

Date	Payee Name	Reference	£ Total Amnt	£ Creditors	£ VAT	A/c	Centre	£ Amount	Transaction Detail
03/03/2021	Condor Office Solutions Ltd	V2084-BACS	103.40		17.23	4130	120	86.17	Inv.945- Office photocopying
03/03/2021	Condor Office Solutions Ltd	V2085-BACS	20.88		3.48	4130	120	17.40	Inv.630- Staple Cartridge (D3)
03/03/2021	IAC Audit & Consultancy Ltd	V2086-BACS	390.00		65.00	4100	120	325.00	Inv.1104-Interim Audit 20-21
03/03/2021	JH Jones & Sons	V2087-BACS	780.00		130.00	4721	220	650.00	Inv.13535-Access path reinstat
03/03/2021	JH Jones & Sons	V2088-BACS	84.00		14.00	4721	220	35.00	13559-Pitch inspection 11 Dec
						4721	220	35.00	Pitch inspections 18 Dec
03/03/2021	JH Jones & Sons	V2089-BACS	1,604.65		267.44	4401	220	1,337.21	Inv.13570-Parish Maintenance
03/03/2021	Marilyn Trew	V2090-BACS	50.00			4825	142	50.00	Map for SHF Entrance inf Board
03/03/2021	Office Right Business Solution	V2091-BACS	300.66		50.11	4372	120	250.55	.87387-Perspex screens portrat
03/03/2021	Radcliffe Fire Protection Ltd	V2092-BACS	104.40		17.40	4212	220	87.00	Inv.3960-install smoke detecto
03/03/2021	Aquasafe Environmental Ltd	V2093-BACS	138.00		23.00	4212	220	115.00	Inv.210206-Feb 21 PPM Visit
03/03/2021	Place Studio Ltd	V2094-BACS	3,360.00		560.00	4680	170	2,800.00	Inv.5913-NHP Local plan review
03/03/2021	HM Revenue & Customs	V2095-BACS	2,135.24			4041	130	719.92	Period 11- February 2021
						4000	130	421.40	Period 11- February 2021-T
						4000	130	309.23	Period 11- February 2021-NI
						4020	130	102.00	Period 11- February 2021-T
						4020	130	140.12	Period 11- February 2021-NI
						4010	130	66.60	Period 11- February 2021-T
						4010	130	117.57	Period 11- February 2021-NI
						4460	142	209.00	Period 11- February 2021-T
						4800	320	49.40	Period 11- February 2021-T
03/03/2021	Wiltshire Pension Fund	V2096-BACS	1,905.18			4045	130	1,469.78	Period 11- February 2021
						4000	130	218.98	Period 11- February 2021
						4020	130	113.66	Period 11- February 2021
						4010	130	102.76	Period 11- February 2021
03/03/2021	Solagen	V2097-BACS	48.00		8.00	4540	142	40.00	Inv.5712-U-Bolts for SID
03/03/2021	JC Combustion Services Ltd	V2098-BACS	480.00		80.00	4791	220	400.00	3111-Boiler&Water Heater Servi
03/03/2021	Teresa Strange	V2099-BACS			0.88	4000	130		February 2021 Salary
						4190	120	4.42	Reimburse- Jan 21 Out of hours
03/03/2021	Lorraine McRandle	V2100-BACS				4020	130		February 2021 Salary
03/03/2021	Marianne Rossi	V2101-BACS				4010	130		February 2021 Salary
03/03/2021	Terry Cole	V2102-BACS				4051	142	37.80	Mileage x84
						4460	142		February 2021 Salary
03/03/2021	David Cole	V2103-BACS				4800	320		February 2021 Salary
						4050	142	47.50	February Travel Allowance
						4051	142	26.10	Mileage x 58 miles
03/03/2021	BTA Architects	V2104-BACS	102.00		17.00	4582	142	85.00	Inv.1913- Fees up to 1.3.21
16/03/2021	Unity Trust Bank	V2126-DD	690.02		57.71	4150	120	48.38	Gusseted envelopes
						4150	120	60.64	4x A4 Paper
						4120	120	13.35	Asset agenda packs
						4175	120	68.40	Office 365 x18
						4150	120	102.00	Memoriam binder

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Payments for Month 12				Nominal Ledger Analysis			
Date	Payee Name	Reference	£ Total Amnt	£ Creditors	£ VAT	A/c Centre	£ Amount Transaction Detail
						4150 120	9.15 Memoriam arm bands
						4120 120	33.00 Full Council agenda packs
						4250 120	6.00 SHF Boundary search
						4250 120	6.00 SHF Search
						4250 120	6.00 SHF Southern boundary search
						4650 170	262.00 SLCC Membership
						4200 120	14.39 Zoom meeting subscription
						4140 120	3.00 Monthly fee
25/03/2021	Condor Office Solutions Ltd	V2109-BACS	220.76		36.80	4130 120	183.96 Inv.1333-Office photocopying
25/03/2021	Condor Office Solutions Ltd	V2110-BACS	40.61		6.77	4130 120	33.84 Inv.8375-J1 Staples
25/03/2021	JH Jones & Sons	V2111-BACS	72.00		12.00	4820 142	60.00 Inv.13589-SHF Bin installation
						347 0	-60.00 Inv.13589-SHF Bin installation
						6000 142	60.00 Inv.13589-SHF Bin installation
25/03/2021	Martin Pickard	V2112-BACS	1,000.00			4582 142	1,000.00 In.47503-QS Services to tender
25/03/2021	Place Studio Ltd	V2113-BACS	1,500.00		250.00	4680 170	1,250.00 In.5921-NHP Support exam stage
25/03/2021	Aquasafe Environmental Ltd	V2114-BACS	138.00		23.00	4212 220	115.00 Inv.210303-March 21 PPM Visit
25/03/2021	Kennet Sign & Display	V2115-BACS	170.40		28.40	4372 120	142.00 Inv.SI85-Covid signs-Davey P/A
25/03/2021	Wiltshire Pension Fund	V2116-BACS	1,839.19			4045 130	1,419.04 Period 12- March 2021
						4000 130	209.32 Period 12- March 2021
						4020 130	109.48 Period 12- March 2021
						4010 130	101.35 Period 12- March 2021
25/03/2021	HM Revenue & Customs	V2117-BACS	2,095.51			4041 130	644.61 Period 12- March 2021
						4000 130	393.80 Period 12- March 2021-T
						4000 130	291.39 Period 12- March 2021-NI
						4020 130	141.80 Period 12- March 2021-T
						4020 130	131.47 Period 12- March 2021-NI
						4010 130	115.40 Period 12- March 2021-T
						4010 130	114.64 Period 12- March 2021-NI
						4460 142	148.80 Period 12- March 2021-T
						4800 320	56.60 Period 12- March 2021-T
						4070 120	57.00 Period 12- March 2021-T
25/03/2021	Teresa Strange	V4118-BACS				4000 130	Period 12- March 2021
25/03/2021	Lorraine McRandle	V2119-BACS				4020 130	Period 12- March 2021
25/03/2021	Marianne Rossi	V2120-BACS				4010 130	Period 12- March 2021
25/03/2021	Terry Cole	V2121-BACS				4460 142	Period 12- March 2021
						4050 142	47.50 Travel Allowance
25/03/2021	David Cole	V2122-BACS				4800 320	Period 12- March 2021
						4050 142	47.50 Travel Allowance
						4051 142	25.20 Mileage x56 miles
25/03/2021	Richard Wood	V2123-BACS	228.00			4070 120	228.00 Final Chairs Allowance 20/21
25/03/2021	Wiltshire Council	V2124-BACS	245.35			4510 142	245.35 In.284- Beanacre ground socket
25/03/2021	Pope Consulting Ltd	V2125-BACS	6,437.10		1,072.85	4582 142	5,364.25 In.4362-2-M&E Design-BYF

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Cashbook 2

User: MR

Unity Bank

For Month No: 12

Payments for Month 12**Nominal Ledger Analysis**

<u>Date</u>	<u>Payee Name</u>	<u>Reference</u>	<u>£ Total Amnt</u>	<u>£ Creditors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
26/03/2021	Teresa Strange	V2127-S/O	5.30		0.88	4190	120	4.42	VHALL March 21 Out of hours mob reim
31/03/2021	Unity Trust Bank	V2128	27.90			4140	120	27.90	Service Charge
Total Payments for Month			39,020.31	0.00	2,741.95			36,278.36	
Balance Carried Fwd			163,656.07						
Cashbook Totals			202,676.38	0.00	2,741.95			199,934.43	

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Cashbook 3

User: MR

Fixed Term Deposit

For Month No: 11

Receipts for Month 11

Nominal Ledger Analysis

<u>Receipt Ref</u>	<u>Name of Payer</u>	<u>£ Amnt Received</u>	<u>£ Debtors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
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Banked:

0.00

0.00

0.00

Total Receipts for Month

0.00

0.00

0.00

0.00

Cashbook Totals

0.00

0.00

0.00

0.00

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Date: 09/04/2021

Melksham without Parish Council Current Year

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Cashbook 3

User: MR

Fixed Term Deposit

For Month No: 11

Payments for Month 11

Nominal Ledger Analysis

<u>Date</u>	<u>Payee Name</u>	<u>Reference</u>	<u>£ Total Amnt</u>	<u>£ Creditors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
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0.00

Total Payments for Month

0.00

0.00

0.00

0.00

Balance Carried Fwd

0.00

Cashbook Totals

0.00

0.00

0.00

0.00

Receipts for Month 12		Nominal Ledger Analysis						
Receipt Ref	Name of Payer	£ Amnt Received	£ Debtors	£ VAT	A/c	Centre	£ Amount	Transaction Detail
	Banked:	0.00						
		0.00					0.00	
Total Receipts for Month		0.00	0.00	0.00			0.00	
Cashbook Totals		0.00	0.00	0.00			0.00	

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Cashbook 3

User: MR

Fixed Term Deposit

For Month No: 12

Payments for Month 12

Nominal Ledger Analysis

<u>Date</u>	<u>Payee Name</u>	<u>Reference</u>	<u>£ Total Amnt</u>	<u>£ Creditors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
			0.00						
	Total Payments for Month		0.00	0.00	0.00			0.00	
	Balance Carried Fwd		0.00						
	Cashbook Totals		0.00	0.00	0.00			0.00	

**MINUTES of the Planning Committee of Melksham Without Parish Council held
on Monday 4 May 2021 at 7.00pm**

**DUE TO THE ON-GOING COVID 19 PUBLIC HEALTH CRISIS THIS WAS A
VIRTUAL MEETING, WITH MEMBERS OF THE PUBLIC BEING ABLE TO
ACCESS THE MEETING VIA THE PUBLISHED ZOOM INVITATION OR VIA
YOUTUBE**

Present: Councillors Richard Wood (Council & Committee Chair), John Glover (Council Vice Chair), Alan Baines, (Committee Vice-Chair), Terry Chivers and David Pafford

Members of public present: Shona Holt attended in person as part of a trial session for the return to face to face meetings as a member of the public and as a Councillor for the new term of office following uncontested election on 6th May

Officers: Teresa Strange (Clerk) and Lorraine McRandle (Parish Officer)

402/20 Welcome, Announcements & Housekeeping

The Chair welcomed everyone to the meeting, which was the last committee meeting of the current parish council.

The Clerk explained, particularly for those watching on YouTube, the meeting was being live streamed and recorded via Zoom for the purpose of the minutes. Councillor Pafford, Officers and Shona Holt were present in the meeting room as part of the trial session before moving to face to face meetings after 7 May.

403/20 To receive Apologies and approval of reasons given

Apologies for absence were received from Councillor Mary Pile due to a prior engagement.

It was noted Councillor Coombes was not present and had not tendered his apologies, but had stated at a previous meeting that was his last meeting and would be standing down at the upcoming elections.

Recommendation: To note and accept Councillor Pile's reasons for absence.

404/20 Declarations of Interest

a) To receive Declarations of Interest

Councillor Glover declared an interest in planning application PL/2021/04037: Sandridge Farm, as he knew the applicant.

- b) **To consider for approval any Dispensation Requests received by the Clerk and not previously considered**

None.

- c) **To note standing Dispensations relating to planning applications**

To note the Parish Council have a dispensation lodged with Wiltshire Council, dealing with Section 106 agreements relating to planning applications within the parish.

405/20 **To consider holding items in Closed Session due to confidential nature** *Under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during consideration of business, where publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.*

There were no items for consideration in closed session.

406/20 **Public Participation**

No member of the public wished to speak.

407/20 **To consider the following Planning Applications:**

PL/2021/04037: Sandridge Farm, Bromham. Notification for Prior Approval under Class Q for a Proposed Change of Use of Agricultural Building to One Dwellinghouse (Use Class C3) and for Associated Building Operations. Applicant Mr R Keen **(comments by 14 May)**

Comment: Whilst having no objection to this application, ask that consideration be given to an alternative roost for bats, if bats are found in the roof of the building, following a bat survey which needs to be undertaken.

It was unclear what arrangements were being made for foul drainage to serve the dwelling, with no mention of foul water drainage provision within the various documents provided.

Councillor Glover having declared an interest in this application, abstained from voting.

PL/2021/03116: 113, Beanacre. Erection of a timber framed

building, clad in Spruce boarding to provide a car port and home office. Applicant Steven Blower

Comment: No Objection.

PL/2021/03022: 192 Westlands Lane Whitley. Front and rear single storey extensions to existing semi-detached bungalow; new double garage with integral home office/study. Applicant Jonathan Burnstone

Comment: Whilst having no objection, ask that future use of the garage/home office/study is used for residential use only and not business use.

408/20 Revised Plans To comment on any revised plans received within the required timeframe (14 days).

a) To note comments submitted against Revised Plans for 21/01791: Land rear of 39 Eden Grove, Whitley: Proposed 2 dwellings (following email confirmation by Planning Committee members due to short timescales (9 days))

The Clerk explained the Council had only 9 days to respond to the revised plans for this application, rather than the usual 14. Therefore, Members had been informed of the revised plans and asked to send back comments via email in order to send comments back to Wiltshire Council within the required timeframe.

Councillor Baines had provided a comment on the revised plans, with several Members supporting his comments which had been forwarded to Wiltshire Council.

Councillor Baines stated the revised plans had been reduced from three dwellings to two and were an improvement in location and orientation of the original plans for 2 dwellings, approved under the original plan 20/04458FUL, with plot 2 facing away from 11 Brookfield Rise and moved back slightly, with access proposed from Eden Grove, rather than Brookfield Rise as originally proposed in 20/04458 and therefore had no problem with the revised plans.

It was noted the Planning Officer had approved the application that day.

Members noted the comments relating to the revised plans submitted on behalf of the Parish Council.

No other revised plans had been received.

409/20 Planning Decisions: To note Officer Report and Decision Notice (23 April) for 20/07334/OUT: Land West of Semington Road for outline permission for 50 dwellings, citing significant weight of Melksham Neighbourhood Plan.

Members noted the Planning Officer had refused this application and referenced the weight of the emerging Melksham Neighbourhood Plan in their report, as well as quoting specific Neighbourhood Plan policies.

The Clerk explained Melksham News were keen to run a story on the Decision Notice and the impact the Neighbourhood Plan would have with regard to decision making and sought a quote from the Chair for inclusion in the next edition, which the Chair agreed to provide.

410/20 Planning Enforcement:

a) To note any new planning enforcement queries raised

There were no planning enforcement queries to note.

However, Councillor Chivers noted the installation of double gates on Westlands Lane between Westlands Farm and the bridge, but was not aware of a planning application being submitted.

It was noted these gates could be related to the planning application for the battery storage site in that area, but to keep a watching brief.

b) To note response following issues raised relating to completion of items at Pathfinder Place before occupation as detailed in the s106 legal agreement (If received) and note the Clerk has chased this up with Wiltshire Council

The Clerk explained she had received a response on this issue which she would circulate to members, but noted at the Full Council meeting on 26 April the notification of a proposed Traffic Regulations Order for roads surrounding the development explained the delay in the Toucan crossings etc.

c) To consider response from Highways Officer re health and safety concerns raised about access to Oakfields Stadium (polling station)

At the Planning meeting on 12 April, Members raised concerns at the health and safety of people accessing Oakfields Stadium during current works associated with installing a new link road as part of the adjacent housing development, particularly as Oakfields was being used as a polling station in the upcoming elections.

Since the meeting correspondence had been received from the Highways Officer regarding the concerns and what measures had been put in place to mitigate these, particularly with pedestrians accessing the site.

Councillor Glover stated despite improvements, he still had concerns at the safety of pedestrians due to vehicles not being able to see them at certain points and felt a continuous footpath either one side or the other of the access was required, as well as signage to warn drivers of pedestrians in the road.

Recommendation: To contact Wiltshire Council again regarding the health and safety of pedestrians in particular accessing Oakfields Stadium.

411/20 Planning Policy

a) Lack of 5 Year Land Supply

- i) Wiltshire Area Localism and Planning Group (WALPA): To note latest actions taken by the group in seeking a change to legislation to protect those areas with a Neighbourhood Plan against a lack of 5 year land supply and update on meeting held with representatives of WALPA and Wiltshire Council on 20 April.**

The Clerk explained herself and Councillor Baines had attended the meeting on 20 April, which had been in two parts, which included a presentation which had been circulated to Members in their agenda packs. The presentation related to the criteria relating to the triggers for a Neighbourhood Plan review, as the guidance from central Government was under debate/down to interpretation.

The Clerk explained in the first part of the meeting various questions submitted by WALPA were answered, including how many housing development applications had been approved in the last year, which had been opposed by council since the 5 year land supply issue.

At the meeting it was stated since April 2020, 9 applications for major housing developments (circa 300 houses) had been submitted in Wiltshire. Wiltshire Council had still refused applications and had subsequently defended 4 of these at appeal with two being allowed with one decision still pending, however, three applications had been approved due to the lack of

5 year land supply, including the application for 144 dwellings on Semington Road. There were still 14 applications for development outside of the settlement boundaries awaiting a decision, including several in Melksham Without.

Councillor Baines commented that it had been stated originally Wiltshire had been given a housing figure of 58,000 for the next 10 years by the Government, however, Bristol and Southampton took an extra 35% and therefore the figure for Wiltshire went down to 45,000.

Other points raised at the meeting were:

- The threshold for affordable housing was still set at a development of 10 dwellings.
- Community Infrastructure Levy (CIL) can be used to update a Neighbourhood Plan.
- Sam Fox, Director of Planning had been made Corporate Director for Place, with Jean Marshall, who had previously worked for Wiltshire Council being appointed as interim Director of Planning.

It was felt by all those who attended the meeting on 20 April that it had been extremely useful, with Wiltshire Council recognising the value of holding the meeting and asking WALPA to spread the message wider that they would like to hold regular meetings with Jean Marshall, every three months with every neighbourhood plan group, which would be wider than WALPA, which they welcomed.

b) Neighbourhood Planning

- i) To note Wiltshire Council have issued their Decision Notice confirming the Joint Melksham Neighbourhood Plan can proceed to Referendum, which will take place on 1 July 2021. Related documents are the Decision Notice, Examiner's Report and Neighbourhood Plan (Referendum Version) to be uploaded to the Neighbourhood Plan Website w/c 26 April**

The Clerk explained there was a delay in posting the Decision Notice and Examiner's report on both the Town and Parish Council's websites, as well as the Melksham Neighbourhood Plan website, as this should be uploaded at the same time as the Referendum version of the Plan. Wiltshire Council were currently checking the updated plan

and once they were happy the changes had been made would be uploaded to the various websites.

ii) To note advice about promotion/advertising of Neighbourhood Plan Referendum

The Clerk explained she had sought advice on promoting/advertising the Neighbourhood Plan Referendum and informed Members public money could not be used to promote a yes vote for neighbourhood plans, however, there was nothing stopping individual Members or members of the public from promoting a yes vote. Councils can only publish that a Referendum is happening.

The Clerk explained she had reserved a slot in an issue of the Melksham News a week before the Referendum, as well as seeking costs for a leaflet drop in the same issue (which would include an executive summary of the plan).

It was noted Melksham News is delivered to 13,500 premises in the Melksham area, unfortunately they did not deliver to Redstocks and Sandridge which included approximately 30 dwellings, however, alternative arrangements could be made to leaflet drop these premises; thus ensuring a leaflet was delivered to every household in the Plan area.

iii) To consider when next Neighbourhood Plan Steering Group should be held post Election

The Clerk sought a steer from Members when the next Neighbourhood Plan Steering Group meeting should take place post election and had also discussed this with officers at Melksham Town Council. Due to new nominations for Neighbourhood Plan representatives not being considered until the respective Annual Council meetings on 17 May and due to various time constraints, suggested Thursday, 27 May in order to have time to consider how to promote the neighbourhood plan and the content of the leaflet, prior to distribution ahead of the Referendum on 1 July.

Recommendation: To suggest to members of the Neighbourhood Plan Steering Group, the next meeting take place on Thursday, 27 May in order to approve how the Referendum will be promoted. The following meeting would consider how to progress with the Neighbourhood Plan Review and new members on the Steering Group.

iv) To note Melksham Neighbourhood Plan features in the new Locality Community Engagement Toolkit as an example of good practice

Members noted Melksham Neighbourhood Plan featured in the new Locality Community Engagement Toolkit as an example of good practice in community engagement.

v) To note decisions of Melksham Town Council re joint Melksham Neighbourhood Plan (1 March)

Members noted at the Full Council meeting on 1 March, Melksham Town Council resolved to approve the Terms of Reference as presented at the meeting and 70% funding of the Neighbourhood Plan to be met by them and 30% of the costs to be met by Melksham Without Parish Council.

412/20 S106 Agreements and Developer meetings: (*Standing Item*)

a) To note update on ongoing and new S106 Agreements

i) Public Art Update

- Pathfinder Place (awaiting highway approval of new site)

Two photos were shared with Members, one showed the information board for Officer/Street names with the Clerk asking if Members were happy with it, in order it could be galvanised later in the week.

The Clerk explained unfortunately the artist was unable to include the ladder in the design of the art panel, which had previously been suggested to highlight aircraft were worked on and not flown from RAF Melksham and asked for views of members.

The Clerk explained approval had still not been received from Highways on the proposed new location of the art installation.

Members stated they were happy with both designs and asked the Clerk to chase approval from Highways on the new location.

- Bowood View (update following meeting with artist, Kerry Lemon on 15 April)

The Clerk explained the concept for the art design on the village hall had been signed off at the meeting; notes from this meeting to be circulated at a later date.

- New Semington Road development (to consider Canal Engineer names proposed by Wilts & Berks Canal Trust representative)

After contacting the Wilts & Berks Canal Trust for suggestions on canal engineers for street names for this development, the Clerk explained Paul Lenearts a member of the group had forwarded various suggestions for consideration.

Recommendation: The following suggestions be forwarded to Full Council for consideration, prior to going to Street Naming, Wiltshire Council for consideration:

Dadford, Hensall, Outram, Sheasby, Smith and Whitworth. With a preference that Whitworth be used particularly for the spinal road for this development and to seek further suggestions from the Wilts & Berks Canal Trust if necessary.

b) To consider any new S106 queries

The Clerk explained Colin Brown, Wiltshire Council Leisure & Play Strategy Officer had contacted her regarding suggestions for play equipment for the Woodrow Road planning application, if this application were approved (as part of the 106 Agreement) and noted the council had previously resolved what community benefits they would like to see if Wiltshire Council were minded to approve this application and therefore there were several suggestions that could be forwarded to Colin Brown.

i) To note issue with opening of Play Area at Sandridge Place (and being dealt with by Melksham Town Council due to recent boundary change)

The Clerk explained she had been led to understand the play area was yet to open and as Members still represented the residents of Sandridge Place until Sunday after the elections

had brought this matter to their attention for their information, but had passed all the relevant information, documents and contact details to the Town Clerk.

Members expressed disappointment the play area had not yet opened.

c) To note any S106 decisions made under delegated powers

None.

d) To note any contact with developers

None.

Meeting closed at 8.09pm

Signed
Annual Council Meeting, 17 May 2021

**Melksham Without Parish Council
Notes of IT Working Party Meeting
Monday, 22 March 2021 held virtually via Zoom**

Present: Councillor John Glover
Councillor Nick Holder
Councillor Stefano Patacchiola, Chair
Councillor Richard Wood
Lorraine McRandle, Parish Officer
Marianne Rossi, Finance & Amenities Officer
Teresa Strange, Clerk
Clive Merritt, Avon IT

1. WELCOME, HOUSEKEEPING AND ANNOUNCEMENTS

Everyone welcomed Clive to the meeting.

2. ELECTION OF THE CHAIR

Councillor Glover nominated Councillor Patacchiola, which was seconded by Councillor Richard Wood. Councillor Patacchiola was duly elected Chair.

3. APOLOGIES

There were no apologies.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. TO NOTE BACKGROUND INFORMATION

a) Extract of related Minutes for Agenda items

The Clerk explained, particularly for Councillor Patacchiola's benefit as he had only just joined the Council, the various IT decisions made over the last year:

- To purchase 4 laptops for councillors to enable effective and meaningful participation in remote meetings during Lockdown.
- To purchase 3 laptops for staff and docking stations.
- To form an IT Working Group to review IT provision/policy, bearing in mind the need to reduce the use of paper, with any recommendations being implemented ready for the new council following the elections.
- Meetings to be livestreamed when they are able to be held in public and for officers to investigate the costs associated with purchasing the necessary technology required.

- Website Accessibility – To approve a holding statement be placed on the website, until such time as the full report is available.
- To trial various ways of sending documents electronically prior to the elections in May 2021 and in the meantime to send smaller documents to note via email.
- To consider how/when to source 9 new laptops for preparing new council term ready for paperless agenda packs
- To consider purchase of new router to allow all officers to connect remotely simultaneously

b) NALC LTN (Legal Topic Note) Parish and Community Council Meetings (statutory requirements)

The Clerk explained to aid discussion she had circulated a NALC topic paper on parish and community council meetings for information; this covered the statutory duties regarding issuing of agendas, minutes etc

c) NALC guide to website Accessibility Regulations

The Clerk explained she thought it would be useful for Members to see what website requirements were required prior to discussion on a way forward with paperless agenda packs; as it covered documents uploaded to the website such as agendas and minutes.

She also explained in order the Council's website met the Accessibility Regulations, Clive had created a BETA version which the council had now moved to. All agendas and minutes were created in an accessible format.

6. TO CONSIDER WAY FORWARD FOR PAPERLESS AGENDA PACKS FOR THE NEXT TERM OF OFFICE

The Clerk had provided a report outlining issues to consider:

- Councillors: Accessing papers before and during the meeting
- Officers: Preparing the documents
- Public (including stakeholders such as Wiltshire Councillors, neighbouring councils, developers, community groups etc): Access to documents
- Statutory requirements
- IT Support
- Summary of various packages providing electronic agendas and document management systems, including indicative pricing

It was felt the following steps needed to be considered, with the ultimate aim of moving to a paperless agenda:

- How working now (from home)

- How working in office
- How working from campus
- Requirements of councillors, officers and public all of whom had varying degrees of IT knowledge/capabilities.

Clive provided an overview of the current IT provision within the office and explained officers and Councillors have access to Office 365. A VPN enables remote access to the shared drive, but only 2 officers at a time. The VPN was installed pre-Covid to enable the Clerk and Finance & Amenities Officer to access finance packages on the system and as part of a security upgrade.

Discussion ensued on the various IT set-ups that could be installed within the office to enable remote access for both officers and councillors and to provide a platform for electronic agenda packs.

Clive explained as both Officers and Members had access to Office 365, this could be used to create agenda packs in the first instance via Microsoft Azure, with no significant extra costs which could be developed as things moved on or move to a different platform or when relocated to the campus.

The Clerk went through some of the packages available to create agenda packs/file management systems such as Mod.Gov; iBabs, Cloudy IT and PDF Sam. Some were better than others and more user friendly.

Councillor Patacchiola asked from a policy point of view was there anything that stopped the council using a particular system. The Clerk confirmed there was nothing in any policies which would dictate which platform could be used.

With regard to going paperless, the Clerk clarified various papers would still need to be printed, such as notices/agendas for the various noticeboards around the parish, minutes which require a wet signature, some legal documents/notices, also hard copies of documents may be requested for those without access to a printer.

As the Council could not go completely paperless, it was suggested the Council set an ambitious but achievable target to gauge reduction in paper as time went on.

The Clerk explained whilst the law allowed for Members to be summoned electronically, they had the right to opt out and this would be the same for electronic agenda packs.

The Chair explained therefore, consideration needed to be given to a system that allowed for no duplication, but could run alongside any system adopted to provide agenda packs electronically.

Councillor Glover stated he found it difficult to read larger documents on-line and may be others did and raised a concern some Members may attend meetings without

reading the agenda papers. It was also noted some Members did not have access to a printer if they wished to print out documents before a meeting.

Discussion ensued on advantages and disadvantages of virtual meetings and difficulties looking up documents at the same time as attending a virtual meeting. However, it was noted that once meetings could be held in public this issue would go away.

The Chair sought clarification on when meetings would be able to be held in public again.

The Clerk clarified the law to enable council meetings to be held virtually would end at midnight on 6 May, unless extended. There were lots of things to bear in mind however, such as the Council needed to feel happy in holding meetings in public and whether meetings would be Covid secure, as not everyone will be vaccinated for some time to come. However, there was merit in holding virtual meetings or some attendees being able to attend virtually such as developers and neighbourhood plan consultants for instance.

The Clerk explained various Clerks were proposing to do differing things after 6 May to continue Council business, but not necessarily back to normal. However, this could be something to look at, at the next Full Council meeting in April, as additional equipment may be required to enable everyone to contribute, including members of the public.

It was asked if the bandwidth in the office, was sufficient to cope with any upgrades to the system, including a new phone system. Clive explained he would need to check, but felt confident it would be sufficient.

It was noted as council meetings were held at Gompels and elsewhere, would need to make sure those venues had sufficient broadband/bandwidth to cope with several people logging on at the same time. Therefore, discussions would need to take place with Gompels and other venues to make sure they had sufficient broadband/bandwidth capabilities.

It was suggested if meetings were held in other locations, Members could download their agenda packs prior the meeting, if there was a concern there was not enough bandwidth.

Discussion ensued on the best time to have paperless agendas, given various concerns at appropriate broadband capabilities and if meetings were to continue being held virtually for some time or wait until meetings can be held in person.

The Clerk asked if members of the public should have access to agenda papers in future.

It was agreed public could have access to agenda papers, but NOT confidential papers and would need to look at how this could be achieved.

Examples of how other Councils create and issue agenda papers were discussed and their ease of use. It was noted consideration would need to be given on how to circulate confidential papers electronically and be confident these were not shared with anyone else.

Recommendation:

1. To utilize elements of Office 365 to create agenda packs for now and to look to move to a different system in the future if necessary.
2. To consider how to circulate confidential papers securely.
3. Members of the public have access to meeting papers excluding CONFIDENTIAL papers
4. Training be given.

7. IT POLICIES

a) To note NALC Information Technology Policy Guidelines

Members noted the NALC Information Technology Policy Guidelines.

b) To note 'The Good Councillor's Guide to Cyber Security'

Members noted information contained within 'The Good Councillor's Guide to Cyber Security'.

c) To note current Cyber Cover as part of insurance package

The Clerk explained the Council had taken out Cyber Cover as part of their insurance package and had discussed with Clive that the council met the various requirements within it.

d) To review Email Policy (including revisions following Risk Register reviewed at Finance Committee on 8 March

The Clerk explained the current Email Policy needed to be revised following a Risk Register Review and comments made by Councillor Patacchiola.

The Clerk explained she had come across an Email, Internet, Social Media and Computer Use Policy from Trowbridge Town Council and suggested, having one Policy to 'cover all' would be more appropriate and could use this one as a template and to include acceptable use of the internet and personal email use as well.

Recommendation: To produce a new 'All Encompassing IT Policy' using the Trowbridge Town Council policy as a template and an 'Acceptable Use' policy, which Councillor Patacchiola was happy to assist with for approval.

e) To consider content for IT Policy to be drafted

Covered above.

8. TO CONSIDER FUTURE REQUIREMENTS FOR HARDWARE AND SOFTWARE

a) To consider purchase of outstanding laptops to enable all 13 members to have an individual laptop.

This was on the agenda to give consideration to purchasing 9 laptops to enable Members to access agenda packs and emails.

The Chair explained consideration also needed to be given to those Members who wished to opt out.

The Clerk explained since purchasing laptops last year the costs had gone up considerably and were originally £450 each, plus set-up costs.

It was noted prior to the Full Council meeting in April, the list of candidates for local elections would be published, therefore would know who had been nominated and whether any seats were contested.

It was suggested the Clerk contact nominees, even if a seat is contested to ask if they required a laptop in order to attend meetings to gauge who may require a computer and therefore laptops could be issued prior to the first meeting in May.

During this item it was noted the old computers were awaiting disposal.

Recommendation: To wait and see who requires a laptop after the local elections and only purchase those which will be actively used.

The old computers are swiped and destroyed appropriately.

b) To consider router requirements for office to allow all 3 officers to access VPN a same time

It was explained the current VPN was set-up prior to lockdown in March 2020, but upon investigation only enables 2 officers at a time to access the shared drive remotely. It was originally set-up to enable the Clerk and Finance & Amenities Officer to access the accountancy system, which was stored on one computer in the office.

The Clerk explained officers had muddled through for the last year, there had been some issues and still were a few, but as it looked like officers or at least two at a time could go back to the office shortly there did not appear to be such an urgency now, however, if another lockdown happened, would like the issue resolved.

c) To consider what broadband capability required to allow 13 members, 2 officers and stakeholders and public to access broadband at 'in public' meetings.

Clive explained the router in the office was sufficient, however, consideration needed to be given to the capabilities of routers in the various meeting locations, once everyone required access to the internet and once moved to the campus.

Therefore, it was suggested broadband/bandwidth capabilities of each meeting venue needed to be considered on a case-by-case basis.

It was noted people could download papers prior to a meeting if necessary, if it was felt the broadband/bandwidth capabilities were not sufficient.

With regard to the campus, the Clerk explained she had already let the campus team know what the requirements would be from a meeting point of view i.e., floor boxes to enable connection to a electricity supply, but it would be worth having discussions on the level of broadband required.

The Clerk explained livestreaming requirements would need to be considered at some point. Aware other councils already making investigations post Covid with costs being muted of £20,000+.

Recommendation: To review IT requirements for the campus and update if necessary, to forward on to the campus team and to bear in mind livestreaming requirements.

d) Telephone System

The Clerk explained it had been agreed at a recent meeting to renew the phone system contract for another 3 years and had only just signed the contract. However, it had come to light in the last few days, following a conversation with a member of a local voluntary group, who had their own IT business, there were more cheaper options available and enabled telephones to be diverted to officers working from home.

The Clerk explained she had obtained a quote for such a system of £30.03 per month, plus new handset costs x 3 of approx. £50 each, compared to the new quote for the current system of £171.90 per month.

The Clerk explained there was a 5 working day cooling off period, which was due to expire shortly and would probably involve a termination fee, but was trying to contact the company to discuss whether this was the case and if so, how much.

The Clerk explained as a decision had already been made, it usually required 7 signatures from Members for a previous resolution to be overturned under the 6-month rule, but given the significant savings in changing to a different system, felt she needed to bring this to Member's attention as soon as possible.

It was explained there were other systems available, such as via Office 365 or other Cloud based systems.

Caution was expressed in the potential for the Council to lose the 01225 705700 number as not all companies would port an existing number over to a different company, also if there was a delay, this number could be lost and used by someone else.

It was felt despite the best efforts of staff in trying to ascertain any costs associated with terminating the contract, that no decision could be made this evening.

Recommendation: For the Clerk to contact the current telephone supplier to ask if they would reduce to a 12-month contract or a rolling monthly contract, no more than 50% higher, which would enable the Council to move away safely at some point in the future. To also ask if they would hold the 5 days cooling off period.

Meeting closed at 8.56pm

Chairman, 19th April 2021

Teresa Strange

From: Clive Merritt <clive@avon-it.co.uk>
Sent: 11 May 2021 09:57
To: Teresa Strange; Stefano Patacchiola
Subject: Campus IT Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Teresa and Stefano,

Following out meeting yesterday, I thought it would be a good idea to clarify the current IT set up in the pavilion as well as the main points which came out of the meeting. Otherwise I find it is easy to forget the details when you go back to it in a few weeks time.

The current IT set up consists of a Draytek router which is connected to a 'fibre to the cabinet' broadband line and provides both private and guest Wi-Fi in the office.

3 VoIP phones are connected to the router via network cable, together with a desktop PC and 3 laptop docking stations.

The desktop PC acts as a file store and synchronises its shared folder with Sharepoint using the Onedrive app.

The large copier/printer is also connected by network cable.

A wall mounted TV is connected directly to the CCTV system via an HDMI cable to monitor the CCTV cameras. It is also connected to one of the docking stations via another HDMI cable and can be used as a large screen for meetings.

The Draytek router can be used to provide remote worker VPN connections to access the shared folders or the printer or to connect to the desktop PC using remote desktop. This is currently being used to enable the accounting system to be run remotely via RDP. The router VPN system is limited to two concurrent VPN connections.

In the Campus, we will be provided with a phone line in the coms room, which will have 'fibre to the cabinet' broadband or 'fibre to the premises' if that is available. We will need to move the existing provider's connection to the new line or change to a new provider if preferred.

Network points in the office and meeting room will be connected to either a separate patch panel in the comms room or a section of a shared patch panel. We will need to install our router in the comms room together with a rack mounted network switch. We may also wish to install an uninterruptible power supply.

In the office and meeting room, the data connections will be made to floor boxes and a dado rail. When detailed plans are available, we will need to agree on the required locations for the connections to the phones/docking stations and the copier/printer. Cabling will be installed in the ceiling spaces to enable ceiling mounted wireless access points to be used.

In the meeting room, two large wall mounted screens will be installed to enable all attendees to view documents and plans. These will probably be connected via network cables, so we will need to decide on the best way to connect them. A camera and microphones will also be installed to allow meetings to be streamed. We will need to decide on the best system to use for this and the locations of the camera and microphones.

In the office, the existing? large wall mounted TV will be installed to enable the pavilion CCTV system to be monitored and also to be used for meetings. Since we will no longer have a direct link to the CCTV system, we will need to set up a remote link to the pavilion.

There was some discussion about the bandwidth requirements for streaming meetings and Wi-Fi for councillors and visitors. However, in my experience fibre to the cabinet connections in the town centre are quite fast and should provide adequate bandwidth. If fibre to the premises becomes available, there shouldn't be a problem.

My only concern with the proposed network configuration is the security of the comms room. It doesn't look as if we will have a separate lockable cabinet, so access to the network will be available to anyone in the comms room via the network switch. We will therefore need to ensure that access to the comms room is strictly controlled.

These are just the main points which I took from the meeting, so please let me know if you think there is anything else which should be included or if you would like to discuss anything in more detail.

Regards,

Clive Merritt

Date: 06/05/2021

Melksham without Parish Council Current Year

Page: 134

Time: 16:11

Cashbook 1

User: MR

Current Account & Instant Acc

For Month No: 1

Receipts for Month 1

Nominal Ledger Analysis

<u>Receipt Ref</u>	<u>Name of Payer</u>	<u>£ Amnt Received</u>	<u>£ Debtors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
Balance Brought Fwd :		859,649.49					859,649.49	
V1264-BG Banked: 07/04/2021		3.09						
V1264-BG British Girlguiding		3.09			1130	110	3.09	Inv.220- Photocopying
V1265-WC Banked: 14/04/2021		201.81						
V1265-WC Wiltshire Council		201.81			1420	350	201.81	CIL-19/10143-Semington RD
V1266-PILO Banked: 21/04/2021		138.00						
V1266-PILO FC Pilot		138.00			1210	210	46.00	Inv. 222-4th April match
					1210	210	46.00	Inv.222-18th April Match
					1210	210	46.00	Inv.222-25th April match
V1267-HMRC Banked: 23/04/2021		4,676.74						
V1267-HMRC HM Revenue & Customs		4,676.74			105		4,676.74	VAT Refund-1.1.21-31.3.21
V1268-PREC Banked: 26/04/2021		108,988.53						
V1268-PREC Wiltshire Council		108,988.53			1076	110	108,988.53	Parish Precept-1 of 2
500158-CHQ Banked: 26/04/2021		1,764.56						
V1270-CHQ Melksham Town Council		1,580.56			4680	170	1,555.56	In.216Share of NHP plan review
					4825	142	25.00	218-Share of artwork- info boa
V1271-CHQ AFC Melksham		92.00			1210	210	46.00	Inv.221-4th April pitch hire
					1210	210	46.00	Inv.221-11th April pitch hire
V1272-CHQ AFC Melksham		92.00			1210	210	46.00	Inv.224-18th April pitch hire
					1210	210	46.00	Inv.224-25th April pitch hire
Total Receipts for Month		115,772.73	0.00	0.00			115,772.73	
Cashbook Totals		975,422.22	0.00	0.00			975,422.22	

Continued on Page 135

Date: 06/05/2021

Melksham without Parish Council Current Year

Page: 135

Time: 16:11

Cashbook 1

User: MR

Current Account & Instant Acc

For Month No: 1

Payments for Month 1

Nominal Ledger Analysis

<u>Date</u>	<u>Payee Name</u>	<u>Reference</u>	<u>£ Total Amnt</u>	<u>£ Creditors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
01/04/2021	Grist Environmental	V1263-DD	44.88		7.48	4770	220	37.40	Inv.345788-B'hill waste away
26/04/2021	Eon	V1269-DD	134.24		6.39	4312	220	127.85	Inv.1F3-Pavilion Gas
30/04/2021	Eon	V2173-DD	143.29		6.82	4302	220	136.47	Inv.26B-Pavilion Electricity
Total Payments for Month			322.41	0.00	20.69			301.72	
Balance Carried Fwd			975,099.81						
Cashbook Totals			975,422.22	0.00	20.69			975,401.53	

Date: 06/05/2021

Melksham without Parish Council Current Year

Page: 109

Time: 16:11

Cashbook 2

User: MR

Unity Bank

For Month No: 1

Receipts for Month 1

Nominal Ledger Analysis

<u>Receipt Ref</u>	<u>Name of Payer</u>	<u>£ Amnt Received</u>	<u>£ Debtors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
Balance Brought Fwd :		163,656.07					163,656.07	

Banked:	0.00
---------	------

0.00

0.00

Total Receipts for Month

0.00

0.00

0.00

0.00

Cashbook Totals

163,656.07

0.00

0.00

163,656.07

Continued on Page 110

Payments for Month 1

Nominal Ledger Analysis

<u>Date</u>	<u>Payee Name</u>	<u>Reference</u>	<u>£ Total Amnt</u>	<u>£ Creditors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
28/03/2021	Wilts Assoc of Local Councils	V2137-BACS	1,319.47		219.91	4650	170	1,099.56	Inv.21/22-Annual Subscription
28/03/2021	Wilts Assoc of Local Councils	V2137-BACS	-1,319.47		-219.91	4650	170	-1,099.56	Annual subscription-ERROR
09/04/2021	Sirus Telecom	V2134-BACS	1,977.31		329.55	4190	120	1,647.76	Inv.5455-Order cancellation ch
20/04/2021	Unity Trust Bank	V2161-DD	132.96		15.54	4120	120	9.15	Finance Committee agenda packs
						4120	120	7.17	IT Working party packs &NHP re
						4175	120	68.40	Office 365 subscription
						4250	120	6.00	Beanacre Field land search
						4200	120	14.39	Meeting Subscription
						4490	142	9.31	Heavy duty sacks for Allotment
						4140	120	3.00	Monthly fee
23/04/2021	Teresa Strange	V2162-S/O	5.30		0.88	4190	120	4.42	Out of hours mobile April 21
28/04/2021	JH Jones & Sons	V2135-BACS	1,604.65		267.44	4402	320	60.15	Allotment Grass cutting
						4400	142	221.90	Play Area grass cutting
						4780	142	52.50	Play Area bin emptying
						4781	220	79.58	JSF Bin emptying
						4401	220	692.17	JSF Grasscutting & Line markin
						4400	142	34.66	Kestrel Court shrub maintenanc
						4409	142	163.33	Hornchurch Open Space grass cu
						4820	142	32.92	Shurnhold Fields cut
28/04/2021	Wiltshire Publication	V2136-BACS	594.00		99.00	4240	120	495.00	Inv. 61639- Spring newsletter
28/04/2021	Arthur Williams Consulting Ltd	V2139-BACS	4,200.00		700.00	4582	142	3,500.00	Inv.442- Consultancy services
28/04/2021	BTA Architects	V2140-BACS	430.00		52.17	4582	142	240.00	Inv.1936-BYF Architect service
						4582	142	117.00	Application fee-building amend
						4582	142	20.83	Planning portal admin fee
28/04/2021	TDP Ltd	V2141-BACS	4,185.74		697.62	4590	142	3,488.12	Inv.97170-Benches & Picnic tab
28/04/2021	Bowerhill Village Hall	V2142-BACS	25.00			4200	120	25.00	Inv.1763- Annual Parish meetin
28/04/2021	Vita Play Ltd	V2143-BACS	3,516.00		586.00	4385	142	2,930.00	Inv.2853-Safety Surfacing clea
28/04/2021	Vita Play Ltd	V2144-BACS	816.00		136.00	4575	142	440.00	Shaw Multi unit repair
						4575	142	240.00	Beanacre Rope climber repair
28/04/2021	Vita Play Ltd	V2145-BACS	8,438.40		1,406.40	4575	142	1,920.00	Kestrel Court P/A Edge Repair
						4575	142	2,232.00	Berryfield P/A Edge Repair
						4575	142	2,880.00	Beanacre P/A Edge Repair
28/04/2021	JH Jones & Sons	V2146-BACS	1,604.65		267.44	4402	320	60.15	Allotment Grass cutting
						4400	142	221.90	Play Area grass cutting
						4780	142	52.50	Play Area bin emptying
						4781	220	79.58	JSF Bin emptying

Continued on Page 111

Payments for Month 1

Nominal Ledger Analysis

Date	Payee Name	Reference	£ Total Amnt	£ Creditors	£ VAT	A/c	Centre	£ Amount	Transaction Detail
						4401	220	692.17	JSF Grass cutting & Line marki
						4400	142	34.66	Kestrel Court Shrub
						4409	142	163.33	Hornchurch Open Space Grass
						4820	142	32.92	Shurnhold Fields grass cutting
28/04/2021	Agilico	V2149-BACS	142.02		23.67	4130	120	118.35	Inv.906-Office photocopying
28/04/2021	Roy Dobson	V2150-BACS	23.77		3.96	4820	142	19.81	Mower petrol reimburse
						347	0	-19.81	Mower petrol reimburse
						6000	142	19.81	Mower petrol reimburse
28/04/2021	Id Verde	V2151-BACS	306.00		51.00	4575	142	255.00	Inv.699-Beanacre P/A Swing rep
28/04/2021	JH Jones & Sons	V2152-BACS	72.00		12.00	4490	142	60.00	13617- Hornchurch bottle clear
28/04/2021	CPRE	V2153-BACS	36.00			4650	170	36.00	Annual Subscription-21/22
28/04/2021	HM Revenue & Customs	V2154-BACS	1,978.72			4041	130	643.53	Period 1-April 2021
						4000	130	345.40	Period 1-April 2021-T
						4000	130	261.81	Period 1-April 2021-NI
						4020	130	125.00	Period 1-April 2021-T
						4020	130	117.58	Period 1-April 2021-NI
						4010	130	122.60	Period 1-April 2021-T
						4010	130	116.00	Period 1-April 2021-NI
						4460	142	218.20	Period 1-April 2021-T
						4800	320	28.60	Period 1-April 2021-T
28/04/2021	Wiltshire Pension Fund	V2155-BACS	1,692.20			4000	130	202.56	Period 1-April 2021
						4020	130	103.06	Period 1-April 2021
						4010	130	102.29	Period 1-April 2021
						4045	130	1,284.29	Period 1-April 2021
28/04/2021	Teresa Strange	V2156-BACS		Total Salaries	1.33	4000	130		April 2021 Salary
						4190	120	6.67	Out of hours Mob reimburse Feb
28/04/2021	Lorraine McRandle	V2157-BACS		£5,963.96		4020	130		April 2021 Salary
28/04/2021	Marianne Rossi	V2158-BACS				4010	130		April 2021 Salary
28/04/2021	Terry Cole	V2159-BACS				4050	142	47.50	Travel Allowance
						4460	142		April 2021 Salary
						4051	142	33.30	Mileage x74 miles
28/04/2021	David Cole	V2160-BACS				4800	320		April 2021 Salary
						4051	142	11.25	Mileage x25 miles
28/04/2021	Wilts Assoc of Local Councils	V2137-BACS	1,319.47		219.91	4650	170	1,099.56	Annual subscription 21/22
Total Payments for Month			39,164.20	0.00	4,869.91			34,294.29	
Balance Carried Fwd			124,491.87						
Cashbook Totals			163,656.07	0.00	4,869.91			158,786.16	

Date: 06/05/2021

Melksham without Parish Council Current Year

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Time: 16:11

Cashbook 3

User: MR

Fixed Term Deposit

For Month No: 1

Receipts for Month 1

Nominal Ledger Analysis

<u>Receipt Ref</u>	<u>Name of Payer</u>	<u>£ Amnt Received</u>	<u>£ Debtors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
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Banked:

0.00

0.00

0.00

Total Receipts for Month

0.00

0.00

0.00

0.00

Cashbook Totals

0.00

0.00

0.00

0.00

Continued on Page 62

Date: 06/05/2021

Melksham without Parish Council Current Year

Page: 62

Time: 16:11

Cashbook 3

User: MR

Fixed Term Deposit

For Month No: 1

Payments for Month 1

Nominal Ledger Analysis

<u>Date</u>	<u>Payee Name</u>	<u>Reference</u>	<u>£ Total Amnt</u>	<u>£ Creditors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
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0.00

Total Payments for Month

0.00

0.00

0.00

0.00

Balance Carried Fwd

0.00

Cashbook Totals

0.00

0.00

0.00

0.00

To approve delegated powers for the Finance Committee (Monday 24th May) to review and approve the cover, and authorise the payment for the parish council's insurance cover before 1st June deadline.

Prior payment approval required as Finance Regulation 4.1 states "Expenditure on revenue items up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- The council for all items over £5,000"

The total cost for the insurance (including IPT and fees) as per renewal quotations (Long Term Agreement entered into), is:

Insurance	£7,822.19
Cyber Cover Insurance	<u>£ 319.20</u>
TOTAL	<u>£8,216.39</u>

Total amount in Budget for 2021/22 is **£8,269.50**

(notionally split between Parish Insurance £5,119.50 and Bowerhill Pavilion £3,150)

GUIDANCE FOR PARISH AND TOWN COUNCILS ON RECEIVING AND THE USE OF CIL FUNDS

Introduction

The Community Infrastructure Levy (CIL) was adopted by Full Council on 12 May 2015, with an implementation date of 18 May 2015. This means Wiltshire Council has now become a charging authority for CIL, and any planning decisions made on or after 18th May 2015 could be liable for a CIL contribution.

Charging authorities (Wiltshire Council) are required to pass a proportion of CIL receipts to Parish and Town Councils from developments that take place in their areas. This will be 15% of CIL receipts to relevant Parish and Town Councils that do not have a Neighbourhood Development Plan and will rise to 25% in areas with an adopted Neighbourhood Development Plan.

To prevent excessive amounts being paid, the payments to areas without a Neighbourhood Development Plan in place will be capped to £100 per council tax dwelling per calendar year multiplied by the index rate for the year that it is paid to the Parish/Town Council divided by the index rate for 2013, in line with the CIL Regulations calculation, i.e.

$$£100 \times N \times \frac{I_y}{I_o}$$

where—

- I_y is the index figure for the calendar year in which the amount is passed to the parish council
- I_o is the index figure for 2013 and
- N is the number of dwellings in the area of the parish council.

Annex A sets out the maximum amount that can be paid to each Parish and Town Council in Wiltshire who do not have a Neighbourhood Development Plan in place.

In areas that **do** have a Neighbourhood Development Plan the amount to be paid will be 25% with no cap and therefore, will not be shown on Annex A. Please note the Neighbourhood Plan must be **made** prior to the CIL monies being received by the local authority in order for the Town/Parish Council to benefit from the 25% levy payment.

How the funds will be paid

CIL receipts are to be paid to Parish and Town Councils on the following quarterly basis:-

- Paid in January to cover CIL monies received in the previous October – December.
- Paid in April to cover CIL monies received in the previous January – March;
- Paid in July to cover CIL monies received in the previous April – June;
- Paid in October to cover CIL monies received in the previous July – September;

Authorisation for the above payments will be requested in the first week of the Quarterly period to be paid. Once authorised the CIL team will send an email to each Parish/Town Council who are due to receive a payment within the quarterly period.

How funds are to be spent

CIL Regulations state that this proportion of funds must be used ***‘to support the development of the local area by funding***

(a) The provision, improvement, replacement, operation or maintenance of infrastructure; or

(b) Anything else that is concerned with addressing the demands that development places on an area.'

This gives Parish and Town Councils considerable freedom to spend their proportion of CIL on things that address the impacts of developments on the area.

Examples include:

- Improvements to village hall
- New / improved play areas
- Provision of affordable housing
- Preparation of a Neighbourhood Development Plan (providing it addresses the demands that development places on the area)
- Planning Application Fees – monies can be used towards a planning application fee that relates to community proposals.

This is a wider definition of how Wiltshire Council can use CIL funds (restricted to infrastructure to support the development of the area). These wider spending powers allow the local community to decide what they need to help mitigate the impacts of development.

If a Parish/Town Council has failed to spend CIL funds paid to it within 5 years of receipt or has not applied the funds in accordance with the CIL Regulations, then Wiltshire Council can serve a notice on the Parish/Town Council requiring it to repay some or all of the receipts paid. Wiltshire Council will be required to spend any recovered funds in the Parish/Town Council's area.

Reporting

Parish and Town Councils that receive CIL must prepare an annual report detailing CIL funds received and spent.

To ensure transparency Parish and Town Councils must publish the following information each financial year:

- Total CIL receipts;
- Total expenditure;
- A summary of what the CIL was spent on;
- Total amount of receipts retained at the end of the reported year from that year and previous years.

Reports can be combined with reports already produced by Parish and Town Councils and should be placed on your websites and a copy of the report should be sent to the following email address at Wiltshire Council Cilands106@wiltshire.gov.uk

Please note that the initial CIL payment due may be subject to change if it is subsequently determined that the development is deemed to be entitled to self-build exemption and/or social housing exemption. This may depend on a change in the assumption of liability.

As the developer has 3 years to implement a planning permission and the large CIL Liabilities can take up to 2 years to be paid in full, please be aware it may take up to 5 years for all the of the CIL Liabilities to be paid and passed to the Town/Parish Councils.

CIL Regulations allow the Charging Authority (Wiltshire Council) to make and implement a CIL Liability Payments Policy which is shown in the table on the following page.

Wiltshire Council has the following CIL Payments Policy:

Total CIL Liability	Instalments	Payment Period
Up to £35,000	1	100% payable within 60 days of commencement of development
£35,000 - £250,000	3	30% payable within 60 days of commencement of development 35% payable within 180 days of commencement of development 35% payable within 360 days of commencement of development
£250,000 - £500,000	3	30% payable within 60 days of commencement of development 35% payable within 360 days of commencement of development 35% payable within 540 days of commencement of development
Over £500,000	3	30% payable within 60 days of commencement of development 35% payable within 420 days of commencement of development 35% payable within 660 days of commencement of development (or upon completion of development if earlier)

Further details

If you have any queries, please contact Community Infrastructure Levy Technical Support Officer by emailing cilands106@wiltshire.gov.uk.

Annex A – Maximum CIL receipts Parish Councils without an adopted Neighbourhood Development Plan can receive from 1st January 2021 to 31st December 2021

Parish	No. of Dwellings	Max CIL/annum
Aldbourn Parish Council	819	£106,119
Alderbury Parish Council	994	£128,795
All Cannings Parish Council	267	£34,596
Allington Parish Council	211	£27,340
Alton Parish Council	120	£15,549
Alvediston Parish Council	46	£5,960
Amesbury Town Council	5501	£712,775
Ansty Parish Council	60	£7,774
Atworth Parish Council	531	£68,803
Averbury Parish Council	249	£32,263
Barford St Martin Parish Council	275	£35,632
Baydon Parish Council	275	£35,632
Beechingstoke Parish Council	67	£8,681
Berwick Bassett & Winterbourne Monkton Parish Council	88	£11,402
Berwick St James Parish Council	80	£10,366
Berwick St John Parish Council	127	£16,456
Berwick St Leonard Parish Council	23	£2,980
Biddestone Parish Council	260	£33,689
Bishops Cannings Parish Council	1494	£193,581
Bishopstone Parish Council	273	£35,373
Bishopstrow Parish Council	70	£9,070
Bowerchalke Parish Council	171	£22,157

Parish	No. of Dwellings	Max CIL/annum
Box Parish Council	1907	£247,094
Boyton Parish Council	80	£10,366
Bratton Parish Council	544	£70,487
Braydon Parish Council	27	£3,498
Brinkworth Parish Council	554	£71,783
Britford Parish Council	210	£27,210
Broad Hinton & W/Bourne Bassett Parish Council	339	£43,925
Broad Town Parish Council	250	£32,393
Broadchalke Parish Council	301	£39,001
Bromham Parish Council	53	£6,867
Broughton Gifford Parish Council	378	£48,978
Bulford Parish Council	1859	£240,874
Bulkington Parish Council	112	£14,512
Burcombe Parish Council	67	£8,681
Buttermere Parish Council	26	£3,369
Castle Combe Parish Council	172	£22,286
Chapmanslade Parish Council	304	£39,390
Charlton Parish Council	200	£25,914
Charlton St Peter & Wilsford Parish Council	38	£4,924
Cherhill Parish Council	326	£42,240
Cheverill Magna (Great Cheverell) Parish Council	256	£33,170
Chicklade Parish Council	36	£4,665
Chilmark Parish Council	232	£30,061
Chilton Foliat Parish Council	176	£22,805

Parish	No. of Dwellings	Max CIL/annum
Chippenham Town Council	16051	£2,079,760
Chippenham Without Parish Council	84	£10,884
Chitterne Parish Council	143	£18,529
Cholderton Parish Council	87	£11,273
Chute Forest Parish Council	68	£8,811
Chute Parish Council	161	£20,861
Clarendon Park Parish Council	123	£15,937
Clyffe Pypard Parish Council	136	£17,622
Codford Parish Council	403	£52,218
Colerne Parish Council	1105	£143,177
Collingbourne Ducis Parish Council	417	£54,032
Collingbourne Kingston Parish Council	221	£28,635
Compton Chamberlayne Parish Council	55	£7,126
Coombe Bissett Parish Council	306	£39,649
Corsley Parish Council	331	£42,888
Coulston Parish Council	66	£8,552
Crudwell Parish Council	465	£60,251
Dauntsey Parish Council	250	£32,393
Dilton Marsh Parish Council	856	£110,914
Dinton Parish Council	318	£41,204
Donhead St Andrew Parish Council	213	£27,599
Donhead St Mary Parish Council	507	£65,693
Durnford Parish Council	168	£21,768
Durrington Town Council	3158	£409,188

Parish	No. of Dwellings	Max CIL/annum
East Kennett Parish Council	44	£5,701
East Knoyle Parish Council	339	£43,925
Easterton Parish Council	258	£33,430
Easton Grey Parish Council	41	£5,312
Easton Royal Parish Council	122	£15,808
Ebbesbourne Wake Parish Council	101	£13,087
Edington Parish Council	342	£44,314
Enford Parish Council	278	£36,021
Erlestoke Parish Council	101	£13,087
Etchilhampton Parish Council	66	£8,552
Everleigh Parish Council	94	£12,180
Figcheldean Parish Council	270	£34,984
Firsdow Parish Council	264	£34,207
Fittleton Parish Council	116	£15,030
Fonthill Bishop Parish Council	49	£6,349
Fonthill Gifford Parish Council	59	£7,645
Fovant Parish Council	344	£44,573
Froxfield Parish Council	178	£23,064
Fyfield & West Overton Parish Council	86	£11,143
Grafton Parish Council	291	£37,705
Great Bedwyn Parish Council	637	£82,537
Great Cheverell Parish Council	254	£32,911
Great Hinton Parish Council	83	£10,754
Great Wishford Parish Council	161	£20,861

Parish	No. of Dwellings	Max CIL/annum
Grimstead Parish Council	254	£32,911
Grittleton Parish Council	237	£30,709
Ham Parish Council	86	£11,143
Hankerton Parish Council	129	£16,715
Heddington Parish Council	189	£24,489
Heytesbury & Knook Parish Council	351	£45,480
Heywood Parish Council	338	£43,795
Hilmarton Parish Council	318	£41,204
Hindon Parish Council	258	£33,430
Horningsham Parish Council	168	£21,768
Keevil Parish Council	197	£25,526
Kilminster Parish Council	138	£17,881
Kington Langley Parish Council	337	£43,666
Kington St Michael Parish Council	329	£42,629
Lacock Parish Council	480	£62,195
Landford Parish Council	818	£105,990
Latton Parish Council	240	£31,097
Laverstock & Ford Parish Council	4147	£537,335
Lea & Cleverton Parish Council	356	£46,128
Leigh Parish Council	162	£20,991
Little Bedwyn Parish Council	122	£15,808
Little Cheverell (Parva) Parish Council	77	£9,977
Little Somerford Parish Council	156	£20,213
Longbridge Deverill Parish Council	395	£51,181

Parish	No. of Dwellings	Max CIL/annum
Luckington Parish Council	280	£36,280
Ludgershall Town Council	2362	£306,049
Lydiard Millicent Parish Council	687	£89,016
Lydiard Tregoze Parish Council	231	£29,931
Lyneham & Bradenstoke Parish Council	1960	£253,961
Maiden Bradley Parish Council	164	£21,250
Manningford Parish Council	179	£23,193
Marden Parish Council	59	£7,645
Market Lavington Parish Council	913	£118,299
Marlborough Town Council	3959	£512,975
Marston Meysey Parish Council	95	£12,309
Marston Parish Council	70	£9,070
Melksham Town Council	7875	£1,020,379
Melksham Without Parish Council	3087	£399,989
Mere Parish Council		£0
Mere Parish Council	1534	£198,763
Mildenhall Parish Council	206	£26,692
Milston Parish Council	59	£7,645
Milton Lilbourne Parish Council	248	£32,134
Minety Parish Council	617	£79,946
Monkton Farleigh Parish Council	197	£25,526
Netheravon Parish Council	498	£64,527
Netherhampton Parish Council	71	£9,200
Nettleton Parish Council	304	£39,390

Parish	No. of Dwellings	Max CIL/annum
Newton Tony Parish Council	177	£22,934
North Bradley Parish Council	766	£99,252
North Newnton Parish Council	199	£25,785
North Wraxall Parish Council	183	£23,712
Norton & Foxley Parish Meeting	55	£7,126
Norton Bavant Parish Council	52	£6,738
Odstock Parish Council	250	£32,393
Ogbourne St Andrew Parish Council	171	£22,157
Ogbourne St George Parish Council	219	£28,376
Orcheston Parish Council	117	£15,160
Patney Parish Council	70	£9,070
Pitton & Farley Parish Council	340	£44,054
Poulshot Parish Council	156	£20,213
Preshute Parish Council	89	£11,532
Quidhampton Parish Council	192	£24,878
Ramsbury Parish Council	898	£116,356
Redlynch Parish Council	1137	£147,323
Rowde Parish Council	596	£77,225
Rushall Parish Council	70	£9,070
Salisbury City Council	19124	£2,477,935
Savernake Parish Council	137	£17,751
Seagry Parish Council	138	£17,881
Sedgehill & Semley Parish Council	279	£36,151
Seend Parish Council	510	£66,082

Parish	No. of Dwellings	Max CIL/annum
Semington Parish Council	420	£54,420
Shalbourne Parish Council	271	£35,114
Sherrington Parish Council	31	£4,017
Shrewton Parish Council	885	£114,671
Sopworth Parish Council	59	£7,645
South Newton Parish Council	279	£36,151
South Wraxall Parish Council	206	£26,692
Southwick Parish Council	909	£117,781
Stanton St Bernard Parish Council	78	£10,107
Stanton St Quintin Parish Council	251	£32,523
Stapleford Parish Council	125	£16,196
Staverton Parish Council	806	£104,435
Steeple Ashton Parish Council	431	£55,846
Steeple Langford Parish Council	246	£31,875
Stert Parish Council	90	£11,661
Stockton Parish Council	89	£11,532
Stourton Parish Council	98	£12,698
Stratford Tony Parish Council	27	£3,498
Sutton Benger Parish Council	532	£68,932
Sutton Mandeville Parish Council	112	£14,512
Sutton Veny Parish Council	319	£41,333
Swallowcliffe Parish Council	90	£11,661
Teffont Parish Council	133	£17,233
Tidcombe & Fosbury Parish Council	48	£6,219

Parish	No. of Dwellings	Max CIL/annum
Tidworth Parish Council	3877	£502,351
Tilshead Parish Council	148	£19,177
Tockenham Parish Council	111	£14,382
Tollard Royal Parish Council	58	£7,515
Trowbridge Town Council	16463	£2,133,144
Upavon Parish Council	546	£70,746
Upper Deverills Parish Council	120	£15,549
Upton Lovell Parish Council	83	£10,754
Upton Scudamore Parish Council	143	£18,529
West Ashton Parish Council	215	£27,858
West Dean Parish Council	102	£13,216
West Knoyle Parish Council	66	£8,552
West Overton Parish Council	295	£38,224
Westbury Town Council	7024	£910,114
Westwood Parish Council	534	£69,191
Whiteparish	636	£82,408
Wilcot & Huish Parish Council	259	£33,559
Wilsford Parish Council	38	£4,924
Wilsford-cum-Lake Parish Council	53	£6,867
Wilton Town Council	2166	£280,653
Wingfield Parish Council	134	£17,363
Winsley Parish Council	885	£114,671
Winterbourne Bassett Parish	71	£9,200
Winterbourne Parish Council	551	£71,394

Parish	No. of Dwellings	Max CIL/annum
Winterbourne Stoke Parish Council	88	£11,402
Winterslow Parish Council	854	£110,654
Woodborough Parish Council	126	£16,326
Woodford Parish Council	212	£27,469
Worton Parish Council	264	£34,207
Wylve Parish Council	209	£27,081
Yatton Keynell Parish Council	355	£45,998
Zeals Parish Council	328	£42,500

New Berryfield Village Hall Project

The information provided for this meeting on 17th May, is to hopefully provide enough information to members to make an “in principle decision” to approve the necessary consultation to take place re applying for a Public Works Loan to pay for the construction of the Berryfield Village Hall this year.

There are a number of income streams agreed for this project, and some that have been mooted, and the Finance Committee are meeting before the next Full Council meeting to make their recommendations on the contractor to appoint following the tender procedure; this will give the final construction price.

The Finance Committee will also make their recommendation on the amount that a Public Works Loan should be for; and the timescale. As mentioned above, there are funding streams already held in an Earmarked Reserve for this project, and identified funds from a s106 legal agreement, but the timing of the income is unknown and difficult to anticipate and so one of the prime reasons for a Public Works Loan is to overcome cashflow difficulties and to allow the project to go ahead this year. Repayment of the loan will be when identified amounts are received, and the majority will **not** come from future Precept.

The Finance Committee will also be able to look at the timescales involved, when the tenders received lose their validity, when staged payments will need to be made, and when a likely timeframe for receipt of any loan would be, and if the parish council have the cashflow to make the timescales work. The advantages of going ahead this year are that the planning permission and building regulations are still current and valid, as are the tender prices if the council move swiftly. The tender process was undertaken at this time to see what builders were prepared to build the hall for, which is different to the amount that the Cost Consultant estimated it would cost to build. The other benefit to residents is that the work is carried out whilst the other housing development is finished on the surrounding site, rather than wait until it is all cleared and then start digging up the pavement again! There could be a small financial benefit of undertaking the work this year, before inflation increases in the next couple of years, but noting that the s106 funding when received is index linked and so will benefit from inflation. I note that the advice from the Wiltshire Council s106 officer last week was that the index linked rates are likely to be negligible over the next couple of years.

As you will see from the Guidance provided in Agenda item 22d, the parish council need to “*provide evidence of public support to increase the precept to cover the loan repayment (e.g., the result of any consultation)*” and therefore the meeting on the 17th May is looking for the approval to go ahead and seek comments of parish residents to enable you to review their feedback at the June Full Council meeting and provide as evidence with the application, if appropriate.

As this affects the residents of the parish, and not just Berryfield and Semington Road, you could put a paid advert in the Melksham News as this is delivered to the house of every parish resident (except for approx. 30 dwellings say in Redstocks and

Sandridge that could receive a hand delivered copy of the article from the council). As a guide a full-page advert is circa £400 and smaller ones pro rata. This could also be publicised on the parish council's social media, website and at the Annual Parish meeting on 26th May. The agendas for the May and June Full Council meetings, and the Finance Committee meetings when detail is discussed, are in the public domain and those meetings accessible to the public, and they count towards the evidence base too.

The estimated cost of the build (before furniture and fittings) is **£832,000**. The Finance Committee are still to review the Project Manager's recommendation on the contractor and the report of the due diligence checks of the Cost Consultant and so the final amount is an estimate based on a range of tenders received and other costs to be incurred. The decision to appoint the contractor will be made at the June Full Council meeting, following recommendations of the Finance Committee. To date the parish council have spent £33,812.66 on this project.

With regards to Income streams, this is as follows:

Income			
	Anticipated income	Amount confirmed	Actual amount received
CIL	£ 33,807.50	£33,807.50	£33,807.50
	£ 39,442.09	£39,442.09	£39,442.09
	£ 33,807.00	£39,442.09	£39,442.09
S106	£ 500,000.00	£136,450.00 + £375,000.00 index linked	£136,450.00
	£ 150,000.00	£150,000.00*	£150,000.00
Estimated CIL from adjacent housing development on Semington Road	£ 90,000.00		

Tranche 1- received April 2019
Tranche 2- received October 2019
Tranche 3- received October 2020
Currently received 25% (Index linked)- Received 11th May 2021 (£125k index linked)
£150,000 from Pathfinder Place CIL transferred into Berryfield Village Hall reserve at end of 2020/21

£847,056.59	£774,141.68	£249,141,68
Difference between income and expenditure		
- £57,907.32 *		

So, at present, this shows that there is a surplus of £57,907 of income to expenditure, but as mentioned above one of the main reasons for the Public Works Loan is for cashflow as two of the income amounts are paid on occupation or building of houses.

For the £500,000 from the s106 legal agreement with Bellway Homes against planning application 16/00497/OUT & 17/12514/REM Land east of Semington Road (*no known as Bowood View*), the amount is due:

“Schedule 4 Village Hall Contribution

4 (a) To pay 25% of the Village Hall Contribution to the Parish Council or the Council’s nominee prior to Occupation of the 76^{yh} (seventy-sixth) Residential Unit

4 (b) To pay the remaining 75% of the Village Hall Contribution to the Parish Council or the Council’s nominee prior to Occupation of the 112th (One Hundred and Twelfth) Residential Unit.”

The development reached 76th dwelling occupation in February 2021 and Wiltshire Council invoiced the developers at the end of February, and payment was received at the end of March, and paid to the Parish Council and received in the bank on 11th May 2021 (today as I write!). This first £125k was index linked, as per the s106 agreement, and £136,450 has been received. The remaining £375,000 will also be index linked but the parish council do not have visibility of when this will be, or how much the final amount will be.

On 27th January 2021 the Wiltshire Council Strategic Planning Committee approved the planning application for 144 dwellings to the site adjacent to Bowood View, and the village hall site. This is still to have its decision notice provided, as its subject to the signed s106 agreement. The Parish Council requested that this application 20/01938/OUT provided some s106 funding to the adjacent village hall construction but that was not accepted as there would be CIL funding also. The estimate of CIL to come from this development is circa £90,000 based on 144 dwellings of this application based on the similar amount received of £112,691.68 from Bowood View for 150 dwellings, but again the council do not have visibility of the finite amount, or timescale at all. Please refer to the CIL Guidance at Agenda Item 22a which details timescales for varying amounts; and note that CIL is only payable on market value housing units, and not on affordable housing which is 30% of the builds.

The £150,000* shown as transferred into the Berryfield Village Hall Reserve from the CIL (Community Infrastructure Levy) from the Pathfinder Place development was agreed in principle at the December 2020 Full Council meeting, and followed up by resolutions as part of the Budget Setting in January 2021. However, this was

acknowledged to be making up the funding shortfall *“that may be repaid from other sources at a later date”*. This funding is currently in the bank, and held in the Earmarked Reserve for the new hall construction. Since the budget setting the adjacent housing development was approved by Wiltshire Council Planning and therefore there is now visibility of circa £90,000 that could repay this amount and therefore if the remainder of the “loan” from the Pathfinder Place CIL was to be transferred back into the CIL pot, then you would be looking about £60,000 to come from the Public Works Loan from the Precept. You will also need some funding for loose furniture, internet connections and maybe intruder alarm and cctv and so perhaps – for the purposes of the consultation - you would be looking at say up to £100,000 from the precept, with the rest of the loan being repaid from CIL and s106 funding streams.

As a crude example, £100,000 to be paid from the Precept against a Tax Base of 2655 = £37.66 So, an average Band D household in the parish would contribute £37.66 each to the village hall project.

If you paid back the whole Public Works Loan from the Pathfinder Place CIL (as well as the determined funding streams) then there would be minimal impact on the Precept; and, of course, there are a sliding scale of amounts in between.

You will need to give a Precept indication amount for the public consultation, as my understanding of the loan application process is that you are demonstrating that you have consulted the residents on the prospect of paying back (part of) the loan from the future Precept.

The Berryfield Village Hall Reserve shows a figure of £379,324.68 as of 31st March 2021 when the budget setting was undertaken, this assumed a spend from the reserve this year of £22,000. We are looking at these figures in depth as the week progresses as part of the Year End Accounts work required. In addition, a separate Reserve has been made of £5,000 for the removal and ‘making good the site’ of the temporary portacabin village hall in Berryfield Park. These monies are in the parish council’s bank account and earmarked for this project. This may help with any gap in work starting on site and payments to be made, before the transfer of funds from any Public Works Loan. The commencement date on site is also dependent on the developers, Bellway, handing over the land as part of the s106 agreement, and whether they will allow access over the land and connection to services before the roads are adopted by Wiltshire Council. The Parish Council’s solicitor is working on this on the parish council’s behalf.

If you have any queries or require any further information, please do feel free to contact me before the meeting, I have tried to provide the information you will need for a decision on “in principle” proceeding with consulting the parish residents. The devil is in the detail, and that is what the Finance Committee will be looking at, and making its recommendations to the June Full Council meeting.

Teresa Strange, Clerk & RFO (Responsible Finance Officer)

11th May 2021



A checklist of key information to be provided with any Parish and Town Councils borrowing application

Councils wishing to borrow will have to get in touch with the County Association, whether a member or not, to submit the Application Form. Where a borrowing approval is required the purpose must be detailed on the application and in a report to Council. Approvals should only be sought for capital expenditure. Please complete the borrowing application form and provide the following supporting information;

1. Copy of full minute of the Full Council Meeting with the resolution to seek the Secretary of State's approval for the proposed borrowing;
2. Copy of the Council's budget for the current year, and next year (if available), showing the provision made to meet the loan costs;
3. Full report to the Council or business case. This should include a breakdown of the proposed works, estimated costs, financial planning to fund the loan repayments and the steps/options the Council/has in place to mitigate the risk for not being able to afford the loan repayments;
4. Please provide information on how the Council will afford the loan repayments, breakdown of funding resources, amounts to be used from reserves, and any increase of precept to fund the borrowing;
5. If the Council precept is to be increased to cover the loan repayment, please confirm the amount and percentage of the planned increase related to the loan only (if possible how much increase for house holders at Band D);
6. If applicable, please provide evidence of public support to increase the precept to cover the loan repayment (e.g. the result of any consultation).
7. You still need to provide details how local residents were consulted on the project and associated borrowing even if you are not increasing precept to fund the loan (e.g. newsletter/website/in the agenda of public meeting).

Full provision of this information with the application demonstrating that it meets the guidance criteria will expedite the approval process. For further information,

- Please read full guide to parish borrowing in Page 5;
- For any queries, please contact your local association at first instance or;
- For clarification on aspect of this guidance, please contact Mr Shafi Khan at DCLG on 0303 444 3132 / email: parish.borrowing@communities.gsi.gov.uk



Department for Communities and Local Government



APPLICATION FOR BORROWING APPROVAL FOR TOWN/PARISH COUNCILS

- If you have any queries about completing this form please contact your local county association.
- When completing this form please use CAPITALS.
- Once completed and signed please send this form to your local county association.

Name of Council	
Name of Clerk Working Address (inc. Postcode) Email address Telephone	
Name of Chair Home Address (inc. Postcode) Email address Telephone	
District/Unitary Council area	
Purpose of Borrowing Please give a brief description of the purpose for which funds are required. Example of Capital projects : Purchase of land/building or, construction/building works or, provision of other assets or; provision of grants to another body for a Capital expenditure	
Total Contract/Project Value Funding from Council's own resources Funding from other sources Amount to be borrowed	£ £ £ £

Deadline for approval (if applicable) If borrowing is required by a specific date – eg an auction date, or to meet matchfunding requirements - give details here.				
Is funding from other sources confirmed?	Yes	No		
Proposed Borrowing Source				
Intended Borrowing Term (please specify the number of years)				
Details of Existing Loans	1st loan	2nd loan	3rd loan	4th loan
Date Taken Out				
Amount Outstanding	£	£	£	£
Unexpired Term				
Are you increasing Precept to fund this borrowing?	Yes	No		
What will be the amount and percentage of the planned increase per annum?	£	%		
What will cost band D per annum?	£			
If applicable, have you assessed the extent of public support to increase precept for this loan?	Yes	No		
If yes, what were the results of the assessment to increase precept for this loan?				
Precept for previous year:	£	for Band D:		
Precept for Current year:	£	for Band D:		
Precept for next year:	£	for Band D:		
Number of Electorate				
Value and purpose of all funds, capital/revenue reserves and balances currently held				

Have you provided the following supporting evidence? a) Full Council minutes with resolution to apply to DCLG for borrowing approval b) Report to the Council c) Council Budget for current year and next year if available d) Consultation and outcome of consultation	Please tick the appropriate box a) Yes b) Yes c) Yes d) Yes
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Approval of Full Council

The above application was agreed by resolution of the full council on..... (date), the Report to Council and Budget attached have been taken to and approved by the full Council, and the draft Minutes attached have been seen and authorised for submission by the Chairman.

The Council undertakes to notify the Department for Communities and Local Government (DCLG), as soon as reasonably practicable, in the event:-

- of not exercising the approval, or,
- it finds that the original amount requested is greater than the actual borrowing need.

SIGNED..... DATE.....
(Chair of the Council)

NAME.....

SIGNED..... DATE.....
(Responsible Financial Officer)

NAME.....

Please send signed, completed forms and all supporting information to your county association of local councils.

Failure to submit all required information will delay your borrowing approval.

A GUIDE TO PARISH AND TOWN COUNCIL BORROWING IN ENGLAND

Introduction

1. In this guide, all references to statutory provisions are to provisions in the Local Government Act 2003 ('the 2003 Act'). References to parish councils include those designated as town councils, village councils, community councils, neighbourhood councils and city councils in England.

2. This guide replaces all previous guidance on borrowing by parish councils in England and reflects the legal framework in force as at 1 April 2015. The law that allows a parish council to borrow money is contained in paragraph 2 of Schedule 1. Before such a council can borrow a sum of money, it must first receive an approval to borrow from the "appropriate person": in England the Secretary of State by way of the Department for Communities and Local Government (DCLG), and in Wales, the Welsh Ministers. Evidence of the borrowing approval may be required at audit.

3. This guide sets out the criteria that the Secretary of State generally applies in deciding whether to give borrowing approval, and how parish councils should go about applying for approval. It applies only to England. Community and town councils in Wales should contact the Local Government Finance Division of the Welsh Government (telephone: 029 20 823227 or 029 20 825223) for details of the approval system applicable to them.

4. There is no national limit on the total annual amount of borrowing approvals that will be granted. Councils should only apply for borrowing approval when they are fully ready to take up the borrowing, for example, when planning permission has been obtained. Applications by councils for borrowing approval should be sent to the local County Association affiliated to the National Association of Local Councils (NALC). This applies whether or not the council is a member of NALC.

5. If the Association considers that the application form is complete with no obvious omissions or errors, and that the application is made in good faith, the application will be forwarded to DCLG. Where an Association has any concerns it will raise the matter with the council. The council may, if it wishes, take up any disputed issue with DCLG. The review by the County Association is intended to assist councils in submitting well-founded applications to DCLG. The County Association will provide a brief factual report to DCLG with the application.

Local Accountability and Transparency

6. The Government's localism agenda aims to place more power into people's hands. For democratic accountability to increase, local people need to be able to hold local authorities to account over how they spend public funds and the decisions that are made on their behalf. This principle applies to decisions made by all levels of local government, including parish councils. Transparency is the foundation of this accountability and, if people are to play a bigger role in society, they need to have the tools and information to enable them to do so.

7. When considering whether to apply for borrowing approval, parish councils should be fully open and transparent with their residents and taxpayers in all their dealings. Details of the project and plans for borrowing and loan repayment must be available to residents from an early stage. This could include discussion of proposals in open meetings, and ensuring that information is available for the public before and after a decision is taken, for example on the council website or published in local newsletters. Evidence of this will be taken into account in considering whether to give approval for borrowing. When increasing precept to fund borrowing, evidence of public support for increasing the associated precept will be required to support the loan application.

What is a Borrowing Approval?

8. It is a formal approval issued by the Secretary of State to borrow money.

9. The Secretary of State's decision on the borrowing application will be sent direct to the Clerk to the council. A copy of the decision letter will also be sent to the Chair of the council and the local County Association. Where approval to borrow is given, as well as containing the legal authority for the council to borrow money, the approval will state the maximum amount of money that can be borrowed, the purpose for which the money may be used, the period within which money must be borrowed, and the maximum period within which the borrowing must be repaid.

10. Where a council wishes to use borrowed money for a purpose other than that specified in the borrowing approval letter, written consent to the change of use must be obtained from DCLG, prior to committing to the expenditure. This applies to unused funds.

Who can apply for Borrowing Approval?

11. Any parish council in England.

When is a Borrowing Approval not required?

12. Under paragraph 2(3)(a)(i) of Schedule 1, no approval is required for borrowing by temporary loan or overdraft from a bank or otherwise of sums which the council may temporarily require to meet expenses pending the receipt of revenues receivable by it in respect of the period of account in which the expenses are chargeable.

13. A council may also borrow by temporary loan or overdraft pending the raising of the loan permitted by a borrowing approval (paragraph 2(3)(a)(ii) of Schedule 1). A council must be in possession of the borrowing approval when the temporary loan is taken out, but no second approval is required. The temporary loan must be for the purpose of meeting expenses intended to be met by the approved borrowing. A council can also raise a further loan to repay the original loan without the need for another approval, so long as the new borrowing takes place within the fixed period (paragraph 2(3)(b) of Schedule 1). For the meaning of "fixed period" see paragraph 33 of this guide.

14. In all other circumstances, borrowing approval is required.

How is an application for borrowing approval made?

15. In the first instance, councils should complete the application form included in this guidance. Contact should also be made with the local County Association who will process the application form once it is completed. All questions in the form need to be answered and all supporting information must be supplied (see paragraph 16 below). The making of the application requires approval by resolution of the full council (paragraph 4 of Schedule 1). The form must be signed by the Chair of the council and the responsible financial officer (in most councils the Clerk is also the responsible financial officer, but the post is sometimes a separate appointment). The completed form must be sent in hard copy to the County Association (see paragraph 4 above).

What information must be provided?

16. In addition the form must be accompanied by:-

- a copy of the council's budget for next year (or for the current year if next year's is not available),
- a copy of the written report considered by the council in reaching its decision to apply for borrowing approval,
- the full minutes of the meeting at which the resolution to make the application was passed,
- evidence that residents have been consulted on the following:
 - i) the proposed project,
 - ii) the council's intention to borrow,
 - iii) proposals to increase the precept to meet borrowing costs, if applicable; and
 - iv) if applicable evidence of public support to increase precept because of the proposed borrowing.

17. Where the council intends to provide a grant to another body the references to "project" in this guide and in the application form apply to the assistance being provided by the council, not to the project towards which the assistance is given. For example, if a council wishes to borrow £50,000 to part finance a grant of £100,000 towards the construction by a local charity of a village hall costing £250,000, the application form should show £100,000 as the total cost of the project and £50,000 as the amount to be borrowed, and explain how the remaining £50,000 is to be financed by the council.

Parish council precepts and council tax referendum principles

18. When planning budgets and considering whether to apply for borrowing approval, parish councils should bear in mind the provisions of Chapter 4ZA of Part 1 of the Local Government Finance Act 1992 relating to council tax referendums. Each year, the Secretary of State will determine "excessiveness principles". If an authority breaches those principles, it must arrange a referendum to seek the approval of its local electors to the excessive increase in council tax it has set. For 2014-15, no

principles were set for parish councils: so the new referendum provisions did not apply to them for that year.

19. However, Ministers have made it clear that when setting principles in future years, the Secretary of State will consider whether principles should be set in respect of parish councils, in light of the extent to which restraint in relation to council tax in 2014-15 has been exercised.

20. Ministers are putting on notice that they are prepared, if necessary, to apply the referendum thresholds to larger town and parish councils from 2015-16 onwards to provide protection for local taxpayers and extend the principle of direct democracy.

21. If the Secretary of State decides to determine council tax referendum principles in relation to parish councils for the financial year 2015-16, (and in subsequent financial years), a parish council would need to consider whether its relevant basic amount of council tax¹ was excessive by reference to those principles. Councils with precept increases resulting in a relevant basic amount of council tax which exceeded the principles would be required to hold a referendum to seek local electors' approval to that increase. The result of the referendum would be binding and where an increase was not approved, the parish precept would be substituted with a precept that produced a relevant basic amount of council tax that was not excessive by reference to the principles. Parish councils would be responsible for meeting the costs of any referendum.

22. It should be noted that the Secretary of State will **not** exclude increases in parish council tax precepts attributable to a borrowing approval when considering whether to set council tax referendum principles for parish councils in 2015-16 and in future years.

23. The Secretary of State intends to determine excessiveness principles in parallel with the process for deciding the annual local government finance settlement for each year; so it is expected that principles will be proposed in November/December alongside the announcement of the provisional settlement.

What are the criteria for borrowing approval?

24. The Secretary of State will generally apply the following criteria in deciding whether to give borrowing approval:

- a) the borrowing should be for a purpose that would be capital expenditure as defined in section 16 of the 2003 Act. Appendix A to this guide explains what is covered by the section 16 definition;
- b) the amount to be borrowed should generally not be less than £5 multiplied by the number of local government electors for the area of the council as counted at the latest register for the electoral roll. However, the Department will consider applications for a lower borrowing amount where the total project cost is above the threshold and grants or other resources intended for the project expenditure will be refused or reduced if the borrowing does not go ahead;

¹ For the meaning of "relevant basic amount of council tax" see section 52ZX(5) of the Local Government Finance Act 1992.

- c) any unallocated balances (including, where appropriate, capital receipts), beyond those required for the prudent financial management of the council, should be used in the project for which borrowing is required;
- d) the council should have a realistic budget (this must be affordable, taking account of its effect on the council's precept) for the servicing and repayment of the debt. The Secretary of State will expect to see that the affordability of the loan charges and any other revenue costs arising from the project is demonstrated in the written report to the council recommending the borrowing application. A copy of the report should be submitted with the application form. The report should provide:
 - an estimate of the annual costs, and an indication of whether they will be covered by reductions in other expenditure, or by additional income from the precept or other sources,
 - in cases where an increase in the precept is proposed, an estimate of the amount of the increase in both monetary and percentage terms, and recognition that any proposed increase in precept may be subject to council tax referendum principles in future years,
 - evidence that any risks and uncertainties affecting the financing of the project have been taken into account in assessing its affordability,
 - details of any significant financial developments that might affect the ability of the council to finance the costs in future years, so far as can reasonably be foreseen.
- e) The council should have consulted local residents on the project and associated borrowing. The format of consultation with residents is a matter for the council to decide, however councils should note the following:
 - details of the project and plans for borrowing and loan repayment must be accessible to residents from an early stage,
 - decisions on borrowing must be taken in an open and transparent way, following discussion in open meetings,
 - inclusion of the matter on an agenda for a public meeting of the council will not, in itself, be considered sufficient evidence of consultation,
 - the council should ensure that information about the progress of the project continues to be available to residents following the approval to borrow,
 - in particular, any proposal to increase the precept to meet borrowing costs **must** be backed by evidence of public support.

When should a council apply?

25. All councils are encouraged to let their County Associations know of their borrowing requirements as soon as possible. However, councils should not apply for borrowing approval until all negotiations have been completed and all other consents (eg planning permission) have been obtained. If an applicant council is successful, processing of the borrowing approval should generally take about 15 working days from the date of its receipt by DCLG. The borrowing approval will authorise the council to take out a loan within a period of twelve months starting with the date of issue of the borrowing approval.

How much can a council borrow?

26. The amount that an individual council will be authorised to borrow will normally be limited to a maximum of £500,000 in any single financial year for any single purpose.

27. Where borrowing approval is sought for an amount higher than £500,000, DCLG may issue the borrowing approval phased over the life of the project. An approval-in-principle for the full amount will normally be issued at the outset of the project, with formal approval letters issued at stages agreed with the council. DCLG may request project progress reports at any time during the phased approvals process.

28. A council wishing to borrow more than £500,000 is encouraged to contact DCLG as early as possible to discuss the approvals process.

Where can councils go for funds?

29. Councils may not, without the consent of HM Treasury, borrow otherwise than in sterling (section 2(3)). In practice, most councils are likely to obtain funds from the Public Works Loan Board or the clearing banks. When councils apply for funds, the Public Works Loan Board will insist that they have sight of the original borrowing approval. Loans may also be taken out from private or voluntary sector organisations, or from individuals. Irrespective of the proposed source of borrowing, councils must have borrowing approval in place before arranging a loan. Evidence of the borrowing approval may be required at audit. Councils are advised to seek appropriate advice.

30. Councils are reminded that the decision to borrow must be taken by the full council (paragraph 2(4) of Schedule 1). This is a separate decision from the decision to apply for borrowing approval. Lenders will generally offer a variety of loan structures such as fixed or variable repayment rates of interest, discount or premiums for early repayment in certain circumstances.

Timing of borrowing

31. A council may borrow by temporary loan or overdraft pending the raising of the loan permitted by a borrowing approval (paragraph 2(3)(a)(ii) of Schedule 1). This means that progress on a project need not be delayed until the longer-term borrowing is arranged. See paragraph 13 above for the requirement for borrowing approval in these circumstances.

Security for the lender

32. All borrowing by a council, together with interest on it, is charged indifferently on all the revenues of the council (section 13(3)). A council cannot mortgage or charge any of its property as security for money borrowed or which it otherwise owes; any security given in breach of this provision is unenforceable (section 13(1) and (2)).

Period of loan

33. Councils must determine the period within which the money borrowed will be repaid, and they are required to make charges to revenue account sufficient to repay the principal within that period and meet the interest charges on the borrowing (paragraphs 3 and 5 of Schedule 1). The period determined is known as the "fixed period", and the council's determination requires the consent of the Secretary of State. The borrowing approval letter will normally specify the maximum period for the repayment of the loan. The maximum period will begin on the date on which the money is borrowed, and will generally be either:

- *50 years*, for the acquisition of, or works on or to, land, buildings, roads or structures, or the making of grants for such purposes; or
- *10 years or life span of an asset*, in all other cases.

34. Councils are asked to consider carefully whether it would be appropriate to borrow for the permitted maximum or for a shorter period. Generally the borrowing period should be no greater than the period for which the expenditure is forecast to provide benefits to the council (or the body being assisted). Thus if a piece of equipment is only thought likely to last for five years, it would be more appropriate to borrow for five years than for the ten years that the borrowing approval might permit.

When a borrowing approval is no longer required

35. If a council finds it no longer needs the borrowing approval issued to it, it must inform DCLG.

36. If a council finds that it does not need to borrow the full amount as specified in the approval letter, DCLG should be informed of the actual loan amount as soon as is reasonably practical.

Best Practice

- Seek appropriate advice and guidance at early stage of the project.
- Programme prudent use of balances as well as borrowing.
- Budgets or revised budgets should be considered before applying for borrowing approval.
- The borrowing term should not exceed the life of the asset.
- Even if the council secures an interest free loan, it will still require borrowing approval.
- Consult local residents about the proposed project and the intention to borrow.
- Make sure residents have access to as much information as possible about the project and loan, both before and after the decision to borrow.
- If increasing precept, ensure residents are consulted on the increase and obtain evidence to support loan application.

Issued July 2015

APPENDIX A

DEFINITION OF CAPITAL EXPENDITURE

- 1 Section 16 of the 2003 Act defines "capital expenditure" as "expenditure of the authority which falls to be capitalised in accordance with proper practices". In turn section 21(2) defines "proper practices" as those accounting practices that local authorities are required to follow by virtue of any enactment, or of a code of practice or other document specified in regulations. Under this power the Secretary of State has specified (among other documents) the CIPFA/LASAAC *Code of Practice on Local Authority Accounting in the United Kingdom* ("the Code"). The Code does not apply to parish councils. However, the first of the criteria set out in paragraph 24 of this guide relies on the Code's provisions to provide a definition of capital expenditure for parishes consistent with the definition applicable elsewhere in the public sector. This is done purely to ensure that all applications are judged against uniform criteria, and does not imply that the Code is in any way applicable to a parish council's accounting statements.
- 2 The key relevant paragraphs of the 2012-13 Code for the purposes of the capital expenditure definition are as follows:

4.1.2.11 Property, plant and equipment are tangible assets (ie assets with physical substance) that are held for use in the production or supply of goods and services, for rental to others, or for administrative purposes, and expected to be used during more than one period.

Recognition

4.1.2.16 The cost of an item of property, plant and equipment falling under this section of the Code shall be recognised (and hence capitalised) as an asset on a local authority Balance Sheet if, and only if:

- *it is probable that the future economic benefits or service potential associated with the item will flow to the authority, and*
- *the cost of the item can be measured reliably.*

4.1.2.17 Costs that meet the recognition principle in paragraph 4.1.2.16 include initial costs of acquisition and construction, and costs incurred subsequently to enhance, replace part of, or service the asset.

The Code goes on to exclude day-to-day servicing (ie repairs and maintenance) from the definition if they do not add to the future economic benefits or service potential of the asset.

- 3 In addition, section 16 allows the Secretary of State to adjust the definition of capital expenditure by regulation, and, in the case of a particular authority, by direction. Regulation 25 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (SI 2003/3146), as amended, provides as follows:

Expenditure to be capital expenditure

25. —(1) *For the purposes of Chapter 1 of Part 1 the following expenditure of a local authority, incurred on or after 1st April 2004, shall be treated as being capital expenditure insofar as it is not capital expenditure by virtue of section 16(1) —*

- (a) expenditure incurred on the acquisition or preparation of a computer program, including expenditure on the acquisition of a right to use the program, if the authority acquire or prepare the program for use for a period of at least one year for any purpose relevant to its functions;*
- (b) subject to paragraph (2), the giving of a loan, grant or other financial assistance to any person, whether for use by that person or by a third party, towards expenditure which would, if incurred by the authority, be capital expenditure;*
- (c) the repayment of any grant or other financial assistance given to the local authority for the purposes of expenditure which is capital expenditure;*
- (d) subject to paragraph (3) the acquisition of share capital in any body corporate;*
- (e) expenditure incurred on works to any land or building in which the local authority does not have an interest, which would be capital expenditure if the local authority had an interest in that land or building;*
- (ea) expenditure incurred on the acquisition, production or construction of assets for use by or disposal to, a person other than the local authority which would be capital expenditure if those assets were acquired produced, or constructed for use by the local authority; and*
- (f) the payment of any levy by a local authority under section 136 of the Leasehold Reform Housing and Urban Development Act 1993 (levy on disposals)*

(2) Where the expenditure referred to in paragraph (1)(b) is a loan given by a parish council or charter trustees to any person, it shall not be treated as being capital expenditure by virtue of this regulation.

(3) Where the expenditure referred to in paragraph (1)(d) is—

- (a) an investment in a money market fund; or*
- (b) an investment in the shares of a company to which Part 4 of the Finance Act 2006 (Real Estate Investment Trusts) applies; or*
- (c) the acquisition of shares in an investment scheme approved by the Treasury under section 11 (1) of the Trustee Investments Act 1961 (local authority investment schemes).*

it shall not be treated as being capital expenditure by virtue of this regulation.

Parish councils should note in particular the effect of paragraph (2) of the regulation.

Wiltshire Council

Section 14(1) of the Road Traffic Regulation Act 1984

Temporary Closure of: Woodrow Road (Part), Melksham (Ref: TTRO 7212)

Notice is hereby given that the Wiltshire Council has made an Order to close temporarily to all traffic:

Woodrow Road (Part), Melksham; from its junction with Woodcombe for a distance of approximately 130 metres in a southerly direction.

To enable: Wessex Water to carry out new sewer construction and associated works.

Alternative route: via Woodrow Road (unaffected length) – Church Lane – A3102 – New Road - Woodrow Road (unaffected length) and vice versa.

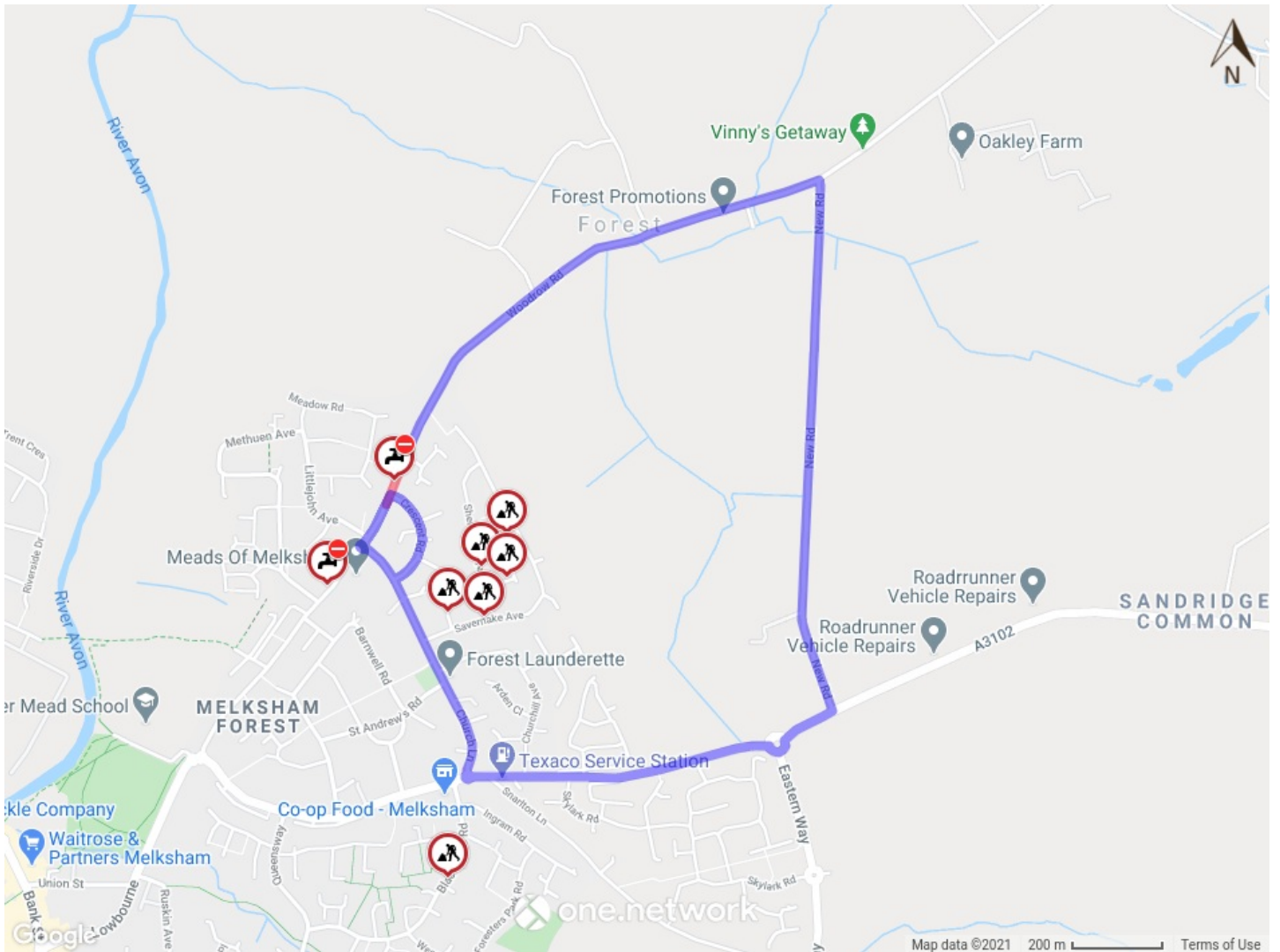
The closure and diversion route will be clearly indicated by traffic signs.

This Order will come into operation on 31 May 2021 and the closure will be required until 12 July 2021. It is anticipated that the works will take the stated duration to complete depending upon weather conditions. Access will be maintained for residents and businesses where possible, although delays are likely due to the nature of the works. The Order will have a maximum duration of 18 months.

For further information please contact James Chin 0345 600 4 600 on behalf Wessex Water.

Sustainable Transport Group, County Hall, Bythesea Road, Trowbridge BA14 8JN

28 May 2021



Map data © [Google Terms of Use](#)

Indicative Plan : Woodrow Road (Part), Melksham

24a

Lorraine McRandle

Subject: FW: Update on the Shaw and Whitley Community Hub

From: Whitley Community Hub <whitleycommunityhub@gmail.com>

Sent: 07 May 2021 13:06

To: Richard Wood <richard.wood@melkshamwithout.co.uk>; Teresa Strange <clerk@melkshamwithout.co.uk>; Mary Pile <mary.pile@melkshamwithout.co.uk>; Gregory Coombes <greg.coombes@melkshamwithout.co.uk>; Terrence Chivers <terry.chivers@melkshamwithout.co.uk>

Subject: Update on the Shaw and Whitley Community Hub

Hello all,

It's been a while since we updated you on our progress and we have some exciting news to share.

The new owners of the shop on Top Lane have approached us with an offer of space for the Shaw and Whitley Community Hub to rent. So after months of weighing up options of alternative locations, we are right back where we first started!

We are very excited about working with Tom – who will be living above the shop and very much part of the community – and about sharing the space with Spindles Bike Shop and their new café.

Our portion of the shop will be small, but we're confident that we can pack a lot in and will be able to offer the goods and services the village really wants. Of course, being small and renting space means that we will need to raise only a fraction of what we had at one point anticipated in order to get started, which is good news all round.

We've been talking with Abi Dicks, who I know has plans for a shop within her proposed development on Corsham Road. This news for us means that we can (hopefully) restore a shop to the village while her plans are still in progress and, being only very small, we anticipate being able to co-exist once Abi is up and running. It will be terrific to have a suite of thriving businesses within the village!

We are finalising the small print and working out logistics but feel very excited that this is a really positive new venture for Whitley and Shaw, rooted in sustainability, community spirit and keeping things local. We're looking forward to finally getting going.

Thank you again for all your support so far and for bearing with us through various changes in direction along the way. We're feeling optimistic, and the sun is shining.

Will keep you posted as things progress.

All best,
Alison

UPDATES ON THE SHAW & WHITLEY FACEBOOK GROUP

Whitley Community Hub 7th May 2021

We have news! After months of searching for a suitable alternative location for our community shop, we're delighted to share with you that the new owners of the shop on Top Lane have approached us with an offer of space for the Shaw and Whitley Community Hub to rent. So we are back where we first started!

We are very excited about working with Tom and about sharing space with Spindles Bikes and their new café.

The community shop will be owned and run by you – the community – funded by a share offer scheme which will be communicated to every household in Whitley and Shaw in the coming weeks. Any profits will be invested back into the business and given as grants to community projects and groups.

The shop will be small, but will offer everyday essentials and some carefully selected local produce, as well as a place to meet and an opportunity for all villagers to give back to the community by volunteering their time, help and skills, by investing in shares, or by shopping with us.

We've listened to what you asked for in our survey last year and will shape our business around that. We can't promise a Post Office in such a small space, but hope to organise regular visits from a mobile Post Office to the shop.

We are finalising the small print and working out logistics but will be able to share more news soon. This is a very positive new venture for Whitley and Shaw, rooted in sustainability, community spirit and keeping things local. We're looking forward to finally getting going.

Whitley Community Hub 9th May 2021

You may have received a flyer over the weekend from the owners of Middle Farm, the proposed housing development site in the neighbourhood plan.

We must clarify that Shaw and Whitley Community Hub is not involved in any part of this residential development, which might possibly involve a commercial shop and café. This is not a community shop model and hence not something we can be involved in. It's equally important to state we do not oppose the potential idea of a shop as part of this proposal.

As communicated our focus is developing a small community shop on 116 Top Lane, in collaboration with that site's new owners. We are well advanced and can hopefully move fast to open in the coming months.

A community shop will be owned and run by the community, for the community and with any profit invested back into the community.

Thank you once again for all of your support.

Abi Dicks 10th May 2021

Hi Folks,

As promised here is a little more information about the Middle Farm housing allocation along Corsham Road, as mentioned in the flyers which are being delivered around Shaw and Whitley currently.

It is located at the Northern end of Corsham Road, opposite the junction with Top Lane. The site is due to comprise of approximately 18 houses of various types, and will have to incorporate a proportion of affordable housing within that number. This site was included in the Neighbourhood Plan at the start along with 31 other sites, and has been left as the only remaining plot to be included within the plan at this latest stage. Many of you will have seen the updates from Teresa Strange MelkshamWithout, on the progress of the plan as it has gone through various phases of consultation, and you can look up all the information on the Neighbourhood Plan website:

• <https://www.melkshamneighbourhoodplan.org/> •

We have been invited by CAWS to speak at their AGM on Tuesday 18 May at 7pm (not 6.30pm, apologies) to share our ideas for what a new shop on this development could look like and the kind of services it could provide. Why not come along to the meeting if you are able, and find out about all the work that the CAWS Committee members have been doing in our local area over the past year as well as all the current progress from both potential shop ventures. We look forward to meeting you there.

Abi Dicks