

AGENDA

12th May 2021

Dear Councillor

You are summoned to the:

Annual Meeting of Warminster Town Council
on Monday 17th May 2021 at 7pm
to be held at
Civic Centre, Sambourne Road, Warminster, BA12 8LB

Membership:

Cllr Allensby (West)	Cllr Keeble (West)
Cllr Brett (East)	Cllr Macdonald (East)
Cllr Cooper (Broadway)	Cllr Macfarlane (West)
Cllr Davis (East)	Cllr Parks (North)
Cllr Fraser (West)	Cllr Robbins (East)
Cllr Fryer (Broadway)	Cllr Syme (Broadway)
Cllr Jeffries (North)	

Members of the public are welcome to attend meetings of the Council and Committees, unless excluded due to the confidential nature of the business.

Due to Covid19 social distancing rules, if you wish to attend in person, please contact the council offices in advance of the meeting as numbers are restricted.

If you wish to contribute during public participation, please contact admin@warminster-tc.gov.uk prior to the meeting to enable this to be facilitated. If you do not wish to attend in person, the chairman may read out your contribution. The meeting is streamed live and recorded. If you wish to view the meeting, please see the link on the Warminster Town Council Website www.warminster-tc.gov.uk in the meetings diary.

Yours sincerely



Fiona Fox BA (Hons) MCIPD FSLCC
Town Clerk and Responsible Financial Officer

1. **Election of Chairman of the Council and Town Mayor for the Municipal Year 2021–22**
Cllr Jefferies has been nominated as chairman of the council, and town mayor for the ensuing year. **Proposed: Cllr Keeble, Seconded: Cllr Brett**
Members to receive any further nominations, and to vote and appoint accordingly.

After formal election, the retiring mayor, Cllr Chris Robbins, will make way for the newly elected mayor who will then chair the meeting.
2. **Declaration of Acceptance of Office**
The newly elected mayor will read out and sign the Declaration of Acceptance of Office and deliver it to the town clerk.

The new Mayor will be invested with the chain of office by the town clerk and will return thanks for his election.
3. **Election of Vice Chairman of the Council and Deputy Town Mayor for the Municipal Year 2021-2022**
Cllr Brett has been nominated as vice chairman of the council, and deputy town mayor for the ensuing year.

Members to receive any further nominations, and to vote and appoint accordingly.

The town clerk will present the badge of office to the newly appointed deputy mayor.
4. **Immediate Past Town Mayor – Vote of Thanks**
The retiring Mayor, Cllr Chris Robbins, to pass on thanks for his year in office.
5. **Apologies for Absence**
To receive and accept apologies, including reason for absence, from those unable to attend.
6. **Declarations of Interest**
To receive any declarations of interest under Warminster Town Council's Code of Conduct issued in accordance with the Localism Act 2011.
7. **Minutes**
 - 7.1 To approve as a correct record, the minutes of the full council meeting held on Monday 22nd March 2021 and the extraordinary full council meeting held on Thursday 22nd April 2021, copies of these minutes have been circulated and standing order 12.1 provides that they may therefore be taken as read.
 - 7.2 To note any matters arising from the minutes of the full council meeting held on Monday 22nd March 2021. and the extraordinary full council meeting held on Thursday 22nd April 2021.
8. **Chairman's Announcements**
 - 8.1 Announcements.
 - 8.2 Mayor's engagements. On the 26th April the Mayor presented Phil Seddon with a commemorative book of photos about his time as town crier. **Members to note.**

9. **Correspondence Circulated**

Members to note the list of all correspondence circulated since the last meeting. (See attached).

10. **Questions**

To receive questions from members of the council submitted in advance to the Clerk.

***Standing Orders will be suspended
to allow for public participation.***

11. **Public Participation**

To enable members of the public to address the Council with an allowance of three minutes per person regarding any item on the agenda and to receive any petitions and deputations. The Mayor may read out statements submitted in advance.

***Standing Orders will be reinstated
following public participation.***

12. **Reports from Unitary Authority Members and the Police**

To note any reports provided which are relevant to the Full Council.

13. **Proceedings of Committee**

To receive minutes with recommendations from committees, already circulated, and to consider any questions arising from them.

13.1 **Finance and Audit Committee** meeting held on 8th March 2021; questions to Cllr Robbins, chairman of the committee.

13.2 **Planning Advisory Committee** meeting held on 15th March 2021 and 12th April 2021; questions to Cllr Jefferies, vice chairman of the committee.

13.3 **Parks and Recreation Committee** meeting held on 25th January 2021; questions to Cllr Brett, chairman of committee.

13.4 **Town Development Committee** meeting held on 22nd February 2021; questions to Cllr Macfarlane, chairman of committee.

13.5 **HR Committee** meeting held on 8th February 2021; questions to Cllr Robbins, chairman of the committee.

13.6 **Environmental Services Committee** meeting held on 12th September 2020; questions to Cllr Fraser, chairman of the committee.

14. **Standing Committees and Full Council Working Groups**

14.1 The council requires a consistent, streamlined, and timely system by which new, current and anticipated policies and procedures, including codes of conduct and standing orders, can be reviewed. In line with other councils, it is recommended that WTC introduce a Policies and Procedures Committee to carry out this function. The attached terms of reference outline the responsibilities of the committee. In order that all committees are represented, the membership will consist of the council's chair, vice chair and chairs of standing committees. The committee will meet on an ad hoc basis to meet the council's needs.

Members to approve the establishment of a Policies and Procedures Committee.

To appoint members to standing committees. Standing committees have the delegated authority to form their own sub-committees and working groups and to agree their terms of reference. **To agree membership of the standing committees and full council working groups.** (Councillor Jefferies is collating nominations and a list will be circulated prior to the meeting).

1. Finance and Audit Committee – seven elected members
2. Planning Advisory Committee – seven elected members
3. Town Development Committee – seven elected members, three advisers
4. Parks and Estates Committee – seven elected members, up to three advisers
5. HR Committee – Comprised of the chair and vice chair of council, and standing committee chairs
6. Policies and Procedures Committee - Comprised of the chair and vice chair of council, and standing committee chairs
7. **Full council working groups:**
 - 7.1 Climate Change
 - 7.2 Paddling Pool
 - 7.3 Community Infrastructure Levy (CIL)

15. Terms of Reference (TOR) and Delegation of Powers to Committees 2021–2022

Proposed amendments account for agreed committee changes, where decide elsewhere in this agenda. The documents are taken as read. **(See attached).**

Members to approve and adopt the Terms of Reference and Delegation of Powers 2021–2022

16. Standing Orders and Financial Regulations

The working group met on 22nd April 2021 and resolved to recommend that the new council appoints a new working group to consider the two proposed changes to standing orders. **Minute FC/20/134 refers.**

Members to accept the recommendation and refer the matter to the Policies and Procedures Committee.

17. Council Policies

All Council policies remain the same as last year except as follows:

Presented to the HR Committee, 27th April 2021, and recommended to members for adoption HR/20/063 refers:

17.1.1 Data Protection Policy 2021- changes recommended by the council's external HR advisors, no change in substance.

17.1.2 Dispute Resolution Policy 2021 – changes recommended by the council's external HR advisors, this combines, updates and replaces the Grievance Procedure and Dignity at Work/Bullying and Harassment Policy

17.1.3 Equality Policy 2021 – references updated **23.2 refers.**

17.1.4 Health and Safety Policy – personnel updates, no change in substance

17.1.5 Recruitment Policy and Procedure – codifies the council's current practices which follow ACAS guidelines.

17.2.1 Presented to the Finance and Audit Committee, 4th May 2021, and recommended to members for adoption FA/20/093 refers:

17.2.2 Grants Policy and Procedure 2021 to add the follow – *Any grant budget not allocated at the meeting in, or nearest to July, will be available for allocation up to 31st March in the following year. This will be available only to new applicants who have not already been previously considered within that financial year.*

For the past two years the council has not allocated all its grant budget, therefore, this amendment allows additional opportunities to spend, should there be budget available after July in the given year.

17.2.3 To change to: *Payments will be issued as soon as possible.* The current wording states September.

17.3.1 Treasury Management Policy 2021-22 – updated in line with year end figures. (See attached).

Members to approve and adopt the recommendations received from its standing committees and the Treasury Management Policy 2021 - 2022

18.1 Code of Conduct

Minute HR/20/062 refers

Warminster Town Council's (WTC) Code of Conduct had been revised in line with the Local Government Association's (LGA) new model 2021.

The WTC code presented to members of the HR Committee, incorporated the revised Member-Officer Protocol, which was referenced in the LGA code. The WTC revised code had been brought to members of the HR committee, as it codified and clarified significant employment welfare issues. Members had been issued with two copies of the revised code: one with tracked changes and one fair copy.

It was confirmed that once adopted by council, an easy guide to the code would be produced for members and officers. **(See attached).**

HR Committee recommended that the revised WTC Members Code of Conduct be adopted by council at its meeting on the 17th May 2021.

Members to approve the recommendation and adopt the new code.

19. Appointments to Outside Bodies

Members to resolve on appointments to outside bodies (attached) and to agree on report back to council by,

a) a brief written report to be submitted to the clerk for inclusion with the agenda,

or b) to confirm that apologies were sent to the respective meeting.

20. Annual Risk Assessments and Summary for 2021 – 2022

To comply with the WTC annual governance statement, the council must receive an annual risk assessment summary report, which demonstrates that it has carried out an assessment of the risks facing the council and that, where necessary, it is taking appropriate steps to manage these via an action plan. A summary of all risks has been compiled and an action plan is attached for members to adopt. **(See attached)**. Throughout the year the council produces regular risk assessments using the Local Council Risk System (LCRS), which are presented to members of the HR Committee under its Terms of Reference.

Recommendation: Members to receive the annual risk report and to resolve to adopt the action plan.

Members to adopt and confirm the plan.

21. Council's Annual Subscriptions

For Members to approve. Rates quoted are for 2021 – 2022, unless stated otherwise.

Subscription	Amount per annum
Visit Wiltshire	760.00
Society of Local Council Clerks 21/22	757.00
West Wiltshire Elblag Twinning Association	10.00
Wiltshire Association of Local Councils	721.00
National Association of Local Councils	909.42
Warminster Fleurs Association	40.00

22. Switching the Council's Bank

That members resolve that the council switches from HSBC to Unity Trust Bank plc with immediate effect. (See attached).

23. General Power of Competence

Renewal of the General Power of Competence (GPC) is required at a 'relevant' meeting of the full council. A 'relevant' annual meeting is the annual meeting of the council after the ordinary election that normally takes place every four years. Local councils in England were given a GPC in the Localism Act 2011, sections 1–8. Councils no longer need to ask whether they have a specific power to act as this legislation gives eligible councils, 'the power to do anything that individuals generally may do', if their actions are lawful.

To be eligible councils must:

Have two-thirds of the total number of councillors elected and not co-opted, and
Employ a Clerk who possesses the recognised sector-specific qualifications.

Warminster Town Council fulfils the eligibility criteria and therefore it is proposed that the Council uses the GPC for the ensuing four-year term of office.

Members to agree to renew the General Power of Competence.

24. Appointment of Internal and External Auditors

24.1 The Members to approve that the internal auditor Stuart Pollard of Auditing Solutions, Clackerbrook Farm, 46 The Common, Bromham, Chippenham, Wiltshire will continue to carry out the Council's internal audit. In compliance with our annual governance, Stuart Pollard and Auditing Solutions are competent, independent of the financial controls and procedures of the council, and can provide an objective view on whether the internal controls meet the needs of WTC.

The Members to approve that the external auditors will be PKF Littlejohn LLP, 1 Westferry Circus, Canary Wharf, London E14 4HD. Members to note that PKF Littlejohn LLP have been allocated as external auditors to all Wiltshire local councils under the new audit regulations.

25. Insurance and Assets

Members to note The Council is insured with WPS Insurance Brokers and Risk Services, Spargo House, 10 Budshead Way, Plymouth, Devon PL6 5FE.

Members to Note an inventory of the council's land and other assets including buildings and office equipment will be presented to a future meeting.

26. Revised Calendar of meetings for the Municipal Year 2021–22

A couple of amendments have been suggested to the calendar of meeting previously adopted. Members are requested to approve the revised meetings calendar for municipal year 2021 – 2022. (See attached).

27. Armed Forces Community Covenant

Members to note that an Armed Forces Community Covenant was signed by Warminster Town Council on 20th February 2012. It continues to be referenced with our community work.

28. Time Capsule

Members to note that a time capsule is buried at Sambourne School to be recovered in the year 2085.

29. Communications

Members to decide on items requiring a press release and **to nominate** a speaker for any item on the agenda if required.

Minutes from this meeting will be available to all members of the public either from our website www.warminster.uk.com or by contacting us at Warminster Civic Centre.

Introduction

- 1.1 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 councillors can be held accountable and all adopt the behaviours and responsibilities associated with the role. Your conduct as an individual councillor affects the reputation of all councillors, the council and officers.
- 1.2 You represent local residents, working to develop better services and deliver local change. The public have high expectations of you and entrust you to represent our local area; taking decisions fairly, openly, and transparently. You 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.
- 1.3 Everyone who interacts with the council: members, officers, external stakeholders and the public has a right to be free from intimidation, abuse, bullying or threatening behaviour by anyone.
- 1.4 This Code has been designed to protect your democratic role, encourage good conduct and safeguard the public's trust in local government.
- 1.5 This Code of Conduct is composed of a number of sections which together are the Code of Conduct of Warminster Town Council, all sections and sub-sections apply to the conduct of councillors in accordance with the Localism Act 2011 and will be taken into account when any complaints regarding councillors are considered by the Monitoring Officer.

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Definitions

1.6 For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of Warminster Town Council (WTC/the council). 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

- is a member of any committee or sub-committee of WTC, or;
- is a member of, and represents WTC on, any joint committee or joint sub-committee of WTC

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

Purpose of the Code of Conduct

1.7 The purpose of this Code of Conduct is to assist you 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.

1.8 This code is directly drawn from the Local Government Association (LGA) Code of Practice 2020, who 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

- 1.9 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.
- 1.10 As a member or co-opted member of Warminster Town Council you shall have regard to the following Nolan Principles: selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.
- 1.11 Building on these principles, the following general principles have been developed specifically for the role of councillors as individuals.

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

- 1.12 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.
- 1.13 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
 - you attend any meetings, functions and events organised, solely or jointly, by Warminster Town Council (WTC)

- when you are on/in council premises or land
- when you are discussing council business;

1.14 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.

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

1.16 Wiltshire Council's monitoring officer has statutory responsibility for the implementation of the Code of Conduct. You are encouraged to seek advice from the town clerk, who may refer matters to the monitoring officer.

Standards of councillor conduct

1.17 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.

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

General Conduct

1.19 Respect

1.19.1 As a councillor:

- I treat other councillors and members of the public with respect
- 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.

- 1.19.2 Respect means having due regard for someone's feelings, wishes, rights or professional judgement, 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.
- 1.19.3 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.
- 1.19.4 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.

1.20 Bullying, harassment discrimination

1.20.1 As a councillor:

- I do not bully any person.
- I do not harass any person.
- I promote equalities and do not discriminate unlawfully against any person.

1.20.2 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.

1.20.3 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.

1.20.4 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.

1.20.5 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.

1.21 Impartiality of officers of Warminster Town Council

1.21.1 As a councillor:

- I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of Warminster Town Council.

1.21.2 Officers work for WTC as a whole and must be politically neutral. 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.

1.22 Confidentiality and access to information

1.22.1 As a councillor:

- I do not disclose information given to me in confidence by anyone or acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless:
 - I have received the consent of a person authorised to give it;
 - I am required by law to do so;
 - 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
 - the disclosure is:
 - reasonable and in the public interest; and
 - made in good faith and in compliance with the reasonable requirements of the local authority; and
 - I have consulted the town clerk prior to its release.
- 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.
- I do not prevent anyone from getting information that they are entitled to by law.

1.22.2 WTC 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.

1.23 Disrepute

1.23.1 As a councillor:

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

1.23.2 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 Warminster Town Council's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring the council into disrepute.

1.23.3 You are able to hold WTC 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.

1.24 Use of position

1.24.1 As a councillor:

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

1.24.2 Your position as a member of WTC 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.

1.25 Use of local authority resources and facilities

1.25.1 As a councillor:

- I do not misuse council resources.
- I will, when using the resources of WTC or authorising their use by others:
 - act in accordance with the council's requirements; and
 - 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 WTC or of the office to which I have been elected or appointed.

1.25.2 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.

- 1.25.3 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.

1.26 Complying with the Code of Conduct

1.26.1 As a Councillor:

- I undertake Code of Conduct training provided by my local authority.
- I cooperate with any Code of Conduct investigation and/or determination.
- I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.
- I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

- 1.26.2 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 Warminster Town Council

1.27 Interests

1.27.1 As a councillor:

- I register and disclose my interests.

- 1.27.2 Section 29 of the Localism Act 2011 requires the monitoring officer to establish and maintain a register of interests of members of the authority.

- 1.27.3 A copy should also be provided to your clerk, where a link on the council's website will be created directing members of the public to your register held on the principal authority's website.

- 1.27.4 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.

1.27.5 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.

1.27.6 **Appendix B** sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your town clerk, who may refer to the monitoring officer.

1.28 Gifts and hospitality

1.28.1 As a councillor:

- 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.
- I register with the town clerk any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.
- I register with the town clerk any significant gift or hospitality that I have been offered but have refused to accept.

1.28.2 In order to protect your position and the reputation of WTC, 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 town clerk for guidance.

Appendices

A Appendix A – The Seven Principles of Public Life

The principles are:

A.1 Selflessness

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

A.2 Integrity

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

A.3 Objectivity

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

A.4 Accountability

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

A.5 Openness

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

A.6 Honesty

- Holders of public office should be truthful.

A.7 Leadership

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

B Appendix B – Registering interests

B.1 General

- B.1.1 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)**.
- B.1.2 “**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.
- B.1.3 “**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.
- B.1.4 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.
- B.1.5 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.
- B.1.6 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.

B.2 Nonparticipation in case of disclosable pecuniary interest

- B.2.1 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.
- B.2.2 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

B.3 Disclosure of Other Registerable Interests

- B.3.1 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.

B.4 Disclosure of Non-Registerable Interests

B.4.1 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.

B.4.2 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.

B.4.3 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.

B.4.4 If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

B.4.5 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.

B.5 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

Subject	Description
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.

* '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.

B.6 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)

Warminster Town Council: Member-Officer Protocol 2021

1. INTRODUCTION AND PRINCIPLES

- 1.29 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. It offers guidance on some of the issues which most commonly arise, with the hope that the approach it adopts to these issues will serve as a guide to dealing with other circumstances.
- 1.30 This protocol is to a large extent a written statement of current practice and convention. 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.
- 1.31 It seeks to build upon the principles underlying the Code of Conduct. The shared object of the code is to enhance and maintain the integrity (real and perceived) of local government and the code, therefore, demands very high standards of personal conduct.
- 1.32 This protocol is consistent with both the Members Code of Conduct and the Officers Code of Conduct. Consequently, a breach of the provisions of the protocol may also constitute a breach of these codes.
- 1.33 This protocol should be read in conjunction with the Codes of Conduct and any guidance issued by the 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 inspect any Town Council property without authority or issue orders or correspondence.
- 2.2 The Town Council collectively is the employer and the unofficial actions of an individual member could destroy the entire basis of the employer–employee relationship. Employees are entitled to a “reasonably congenial working relationship”.

3. THE ROLES OF MEMBERS

- 3.1 Members have the following main roles:
- Determining the policy of the council and giving it political leadership
 - 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. THE ROLE OF OFFICERS

- 4.1 Officers have the following main roles:

- Initiating policy proposals/recommendations
- 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
- Ensuring WTC's finances are robust and managed correctly

5. THE RELATIONSHIP: OFFICER SUPPORT TO MEMBERS AND OFFICERS: GENERAL POINTS

- 5.1 Whilst members and officers are servants of the public and they are indispensable to one another, their responsibilities are distinct. Members are accountable to the electorate and serve only as long as their term of office lasts. Members are responsible for setting policy. Officers are accountable to the council as a whole. Their job is to give advice to members and the council, and to carry out the council's work under the direction of the council and its various bodies.
- 5.2 At the heart of the Codes of Conduct 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.
- 5.3 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.
- 5.4 It must be recognised by all officers and members that in discharging their duties and responsibilities they serve the council as a whole.
- 5.5 Informal and collaborative two-way contact between members and officers is encouraged, but personal familiarity can damage the relationship, as might a family or business connection.
- 5.6 Inappropriate relationships can be inferred from language/style. To protect both members and officers, officers should address members at all formal meetings of the council as councillor XXX and chair or mayor, 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.
- 5.7 It is not enough to avoid impropriety. Members and officers should always be open about their relationships to avoid any reason for suspicion and any appearance of improper conduct. Where a personal relationship has been disclosed, those concerned should avoid a situation where conflict could be perceived. Specifically, a member should not sit on a body or participate in any decision which directly affects the officer on a personal basis.

- 5.8 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 they have not been treated with proper respect or courtesy, or has any concerns about the conduct or capability of an officer, they should raise the matter with the town clerk or the mayor. Any action taken against an officer in respect of a complaint will be dealt with in accordance with the provisions of the council's Dispute Resolution Policy.
- 5.9 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.
- 5.10 Where an officer feels they have not been properly treated with respect and courtesy by a member they should raise the matter with the town clerk. In these circumstances the town clerk will take appropriate action by approaching the member and /or group leader, or by referring the matter to the Wiltshire Council monitoring officer as a complaint.
- 5.11 Officers work to the instructions of their senior officers, not individual members. It follows that, whilst such officers will always seek to assist a member, they must not be asked to exceed the bounds of authority they have been given by their managers. Except when the purpose of an enquiry is purely to seek factual information, members should normally direct their requests and concerns to the Town Clerk, at least in the first instance.
- 5.12 Officers will do their best to give timely responses to members' enquiries. However, officers should not have unreasonable requests placed on them. Their work priorities are set and managed by the Town Clerk. Members should avoid disrupting officers' work by imposing their own priorities.
- 5.13 Members will endeavour to give timely responses to enquiries from officers.
- 5.14 Officers shall not discuss with a member personal matters concerning themselves or another individual employee. This does not prevent officers raising on a personal basis, and in their own time, a matter with their ward member.
- 5.15 Members and officers should respect other's free (i.e. non-Council) time.

6. THE COUNCIL'S DECISION-MAKING PROCESS

- 6.1 The town clerk and officers are responsible for day-to-day management and operational decisions within the council and will provide support to all councillors in their various roles.
- 6.2 Members must always remember that decisions and policies, once determined by the council are binding.
- 6.3 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.
- 6.4 In giving such advice to members and in preparing and presenting reports, it is the

responsibility of the officer to express their 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.

6.5 The town 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 town clerk and other officers in the discharge of their responsibilities and must not victimise them for discharging their responsibilities.

6.6 The following key principles reflect the way in which officers generally relate to members:

- All officers are employed by and are 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 Town Clerk and other officers; and
- All officers will be provided with training and development to help them support the various member roles effectively.

6.7 Finally, it must be remembered that officers within WTC are accountable to their line manager, and ultimately the town clerk, and that 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 their line manager or the town clerk.

7. RELATIONSHIPS BETWEEN MEMBERS AT COMMITTEES AND OFFICERS AT MEETINGS OF THE COUNCIL

7.1 The town clerk, or other appointed officer, are responsible under statute, for preparing the agendas for all meetings of the council, its committees, sub-committees and working groups. They are also responsible for the circulation of the same to meet statutory requirements and will normally do so in consideration with the appropriate chair.

7.2 An officer will be present at all meetings involving members of the 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, where these are appropriate. Working groups do not require formal minutes.

7.4 Reports should always contain a recommendation unless the issue is clearly one where a political judgement is required. They will also include the name of the officer. Members should raise issues with that officer prior to the meeting if at all possible.

7.5 Chairs and members shall give officers the opportunity to present any report and give any advice the officer considers it is advisable to give.

7.6 All members shall seek the advice of the town clerk, where they consider there is doubt about the power for decision or where they consider a decision might be

contrary to pre-determined policies of the council.

- 7.7 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, officers must not be publicly critical of the council or its policies.

8. MEMBERS OF OTHER COMMITTEES OR WORKING GROUPS AND OFFICERS

- 8.1 Members of a committee or working group shall take decisions within the remit of that committee or working group, and will not otherwise instruct officers to act.
- 8.2 Members may pass resolutions which authorises a named officer to take action between meetings in consultation with the chair. In these circumstances it is the officer, not the chair, who takes the action and is responsible for it. A chairman has no legal power to take decisions on behalf of a committee or working group.

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

- 9.1 It must be recognised by all officers and members that in discharging their duties and responsibilities they serve the council as a whole.
- 9.2 The only basis on which the council can lawfully provide support services (e.g. stationery, typing, printing, photocopying, 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.

10. OFFICER RELATIONSHIPS WITH PARTY GROUPS

- 10.1 The council recognises political groups and it is common practice for such groups to give preliminary consideration to matters of council business in advance of consideration by the relevant council body. Meetings between the town clerk and chairs and/or group leaders will be held when appropriate albeit that they have no executive powers.
- 10.2 The town clerk has the right to refuse such requests, but will not attend a meeting of a party group where some of those attending are not members of the council.
- 10.3 Officer support will not extend beyond providing factual information or professional advice in relation to matters of council business. Officers must not be involved in advising on matters of party business, and will not be present at meetings or parts of meetings when such matters are to be discussed.
- 10.4 In dealings with members, in particular when giving advice to political party groups, officers must demonstrate political impartiality, and must not suppress professional advice due to political views.
- 10.5 Any particular cases of difficulty or uncertainty in this area of officer advice to political party groups should be raised with the town clerk who will then discuss them with the relevant group leader(s).

11. MEMBERS IN THEIR WARD ROLES AND OFFICERS

- 11.1 To enable them to carry out their ward role effectively, members need to be fully informed about matters affecting their ward. The town clerk must ensure that all relevant staff are aware of the requirement to keep local members informed, thus allowing members to contribute to the decision-making process and develop their representative role.
- 11.2 Issues may affect a single ward. Where they have a wider impact, a number of local members will need to be kept informed.
- 11.3 Whenever a public meeting is organised by the council to consider a local issue, all the members representing the wards affected should be invited to attend the meeting as a matter of course. 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.
- 11.4 Should members or local residents convene a local meeting, officer attendance will be at the direction of the council or at the discretion of the town clerk, and will take account of the purpose of the meeting.
- 11.5 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.
- 11.5 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 within this Code of Conduct.
- 11.5 No such meetings should be arranged or held in the immediate run-up to council elections.
- 12. MEMBERS' ACCESS TO DOCUMENTS AND INFORMATION**
- 12.1 Members may ask for information pursuant to their legal rights. 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 a department's activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the relevant Officer.
- 12.2 As regards the legal rights of Members to inspect Council documents, these are covered partly by statute and partly by the common law.
- 12.3 Members have a statutory right in inspect any Council document which contains material relating to any business which is to be transacted by the Council. The right applies irrespective of whether the Member is a member of the meeting concerned and extends not only to reports which are to be submitted to the meeting, but also to any relevant background papers.
- 12.4 The common law rights of Members remain intact, are much broader and are

based on the principle that any Member has a prima facie right to inspect Council documents so far as their access to the document is reasonably necessary to enable the Member properly to perform their duties as a Member of the Council. This principle is commonly referred to as the 'need to know' principle.

- 12.5 The exercise of this common law right depends therefore, upon an individual Member being able to demonstrate that they have 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 will initially be determined by the Town Clerk.
- 12.6 In some circumstances (e.g. a Member wishing to inspect documents relating to the business of a meeting of the Council or its bodies) 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.
- 12.7 Whilst the term 'Council document' is very broad and includes for example, any document produced with Council resources, it is accepted by convention that a Member of one party group will not have a 'need to know' and therefore, a right to inspect, a document which forms part of the internal workings of another party group.
- 12.8 Further and more detailed advice regarding Members rights to inspect Council documents may be obtained from the Town Clerk
- 12.9 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.

13. PUBLICITY AND PRESS RELEASES

- 13.1 The council is accountable to its electorate. Accountability requires local understanding by the council, explaining its objectives and policies to the electors and taxpayers. Local councils increasingly use publicity to inform the community and to encourage public participation. Every council needs to tell the public about the services it provides. Good, effective publicity aimed to improve public awareness of a council's activities is, in the words of the Government, to be welcomed.
- 13.2 All formal relations with the media must be conducted in accordance with any council agreed procedures.
- 13.3 Press releases or statements made by officers must promote or give information on council policy or services. They will be factual and consistent with council policy.
- 13.4 Officers will keep relevant members informed of media interest in the council's

activities, especially regarding strategic or contentious matters.

13.5 Before responding to enquiries from the media, officers will ensure they are authorised to do so.

13.6 If members are contacted by, or contact, the media on an issue, they should:

- indicate in what capacity they are speaking (e.g. as ward member, in a personal capacity, on behalf of the council, or on behalf of a party group);
- be sure of what they want to say or not to say;
- if necessary, and always when they would like a press release to be issued, seek assistance from the town clerk, except in relation to a statement which is party political in nature;
- consider the likely consequences for the council of their statement (e.g. commitment to a particular course of action, image, allegations of jumping to conclusions);
- never give a commitment in relation to a matter which may be subject to claims from third parties and/or are likely to be an insurance matter;
- consider whether to consult other relevant members; and
- take particular care in what they say in the run-up to local or national elections to avoid giving the impression of electioneering, unless they have been contacted as an election candidate or political party activist.

13.7 Officers and members using websites or social media must do so in compliance with policies or guidance issued by the council.

14. CORRESPONDENCE

14.1 Correspondence between an individual member and an officer should not be copied to another member unless the author expressly intends and states that this is the case or consents. Where correspondence is copied, this should always be made explicit, i.e. there should be no “blind” copies.

14.2 Official letters written on behalf of the Council should normally be in the name of the relevant officer. The Mayor may initiate correspondence in his/her own name relating to his/her role as Mayor.

14.3 Letters which create legally enforceable obligations or which give instructions on behalf of the Council should never be sent in the name of a member.

14.4 When writing in an individual capacity as a ward member, a member must make clear that fact.

15. ACCESS TO PREMISES

15.1 Officers have the right to enter council land and premises to carry out their work.

15.2 Members have a right of access to council land and premises to fulfil their duties. When making visits as individual members, members should:

- whenever practicable, notify and make advance arrangements with the

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 member(s) beforehand; and
- take special care at schools and establishments serving vulnerable sections of society to avoid giving any impression of improper or inappropriate behaviour.

16. USE OF COUNCIL RESOURCES

16.1 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 them in 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 or campaigning activities.

16.2 Members should not put pressure on staff to provide resources or support which officers are not permitted to give.

17. CONCLUSION

17.1 Mutual understanding and openness on these sorts of sensitive issues and basic respect are the greatest safeguard of the integrity of the council, its members and officers.

17.2 Questions of interpretation of this protocol will be determined by the town clerk.

17.3 Copies of the protocol will be issued to all members, upon election, and all line managers.

CORRESPONDENCE LIST

Date	Name	Item/Response	Action Taken
18.03.21	Neighbourhood Alert	Burglary at Superdrug in Warminster 18/03/2021	Email
19.03.21	Wiltshire Council	Planning Appeal Decision - 20/06434/FUL - 6 Ash Walk, WARMINSTER,	Email
19.03.21	Wiltshire Council	Latest news and events from Warminster Our Community Matters for 03/19/2021	Email
22.03.21	Wiltshire Council	Temporary Closure of: Alcock Crest (Part), Warminster (03/05/21 - 14/05/21)	Email
22.03.21	Neighbourhood Alert	Warminster Community Area, Police Report 15th - 21st March 2021 - Mere 22/03/2021	Email
22.03.21	Neighbourhood Alert	Worried About Getting Hacked? 22/03/2021	Email
24.03.21	Wiltshire Council	COVID-19 One year on - Thank you video for community groups and volunteers.	Email
25.03.21	Neighbourhood Alert	Bought Any Motorbike Parts Recently? 25/03/2021	Email
26.03.21	Neighbourhood Alert	Smoke Alarms Save Lives Make Sure Yours Work Test Them Now 26/03/2021	Email
26.03.21	Wiltshire Council	Temporary Closure of: Portway (Part), Warminster (15/05/21 - 05/06/21)	Email
26.03.21	Wiltshire Council	Latest news and events from Warminster Our Community Matters for 03/26/2021	Email
29.03.21	GWR	Timetable uplift	Email
29.03.21	Wiltshire Council	Closure Smallbrook Road, (part) Warminster 04/05/21	Email
30.03.21	Neighbourhood Alert	22nd To 28th March - Warminster 30/03/2021	Email
30.03.21	Wiltshire Council	Parsons Lane, Crockerton 12/04/21	Email
31.03.21	Neighbourhood Alert	Neighbourhood Watch Launches Protect Your Car Campaign 31/03/2021	Email
31.03.21	Wiltshire Council	New planning system is now live	Email
02.04.21	Wiltshire Council	Latest news and event from Warminster Our Community Matters 04/02/2021	Email
06.04.21	Wiltshire Council	Meeting cancelled - 14/04/2021, 15:00, Western Area Planning Committee	Email
06.04.21	Wiltshire Police	29th March - 4th April 2021 06/04/2021 12:03:50	Email

CORRESPONDENCE LIST

07.04.21	Neighbourhood Alert	Our News Newsletter - April Edition 07/04/2021	Email
07.04.21	Wiltshire Council	Use of Outside Areas for the Hospitality Trade - Guidance for Step 2	Email
12.04.21	WALC	April news	Email
12.04.21	Wiltshire Police	Local Impactive Crimes 5th To 11th April 2021 12/04/2021	Email
16.04.21	Wiltshire Council	Latest news and events from Warminster Our Community Matters for 04/16/2021	Email
18.04.21	Neighbourhood Alert	Local Impactive Crimes 12th To 18th April 2021 - Warminster 19/04/2021	Email
19.04.21	Neighbourhood Alert	Please Help Us To Improve The System 19/04/2021	Email
22.04.21	Netitude	Spam filter change	Email
28.04.21	Wiltshire Council	Briefing Note 21-06: Payphones consultation	Email
30.04.21	Wiltshire Council	Blanket TTRO - Warminster Journal Area	Email
07.05.21	Wiltshire Council	Warminster Smallbrook Rd TPO 2018/00006/WOOD Ash die-back in highway - 5 day notice to fell	Email
10.05.21	Wiltshire Council	Application to vary a premises licence - The Prestbury Sports Bar	Email
12.05.21	Wiltshire Council	Wiltshire Council Standards Committee - Recruitment of Co-opted Members	Email



Terms of Reference and Delegation of Powers to Committees

2021–2022

Adopted by Full Council 17.05.21



Committee	Page Number
Full Council	3
Human Resources (HR)	4
Finance and Audit	6
Planning Advisory	8
Town Development	10
Parks and Estates	12
Policies and Procedures	13
Sub-committees and working groups	14
Co-option Policy	16 15

Note: Amendments to these Terms of Reference and Delegation of Powers to Committees may be made from time to time by resolutions of Full Council.

Terms of Reference

Full council

The following matters shall be reserved for decision by full council, but the appropriate committee(s) may make recommendation for the council's consideration:

1. The Precept.
2. Borrowing money.
3. Making, amending or revoking standing orders, financial regulations, duties and powers of Proper Officer provisions.
4. Making, amending or revoking by-laws.
5. Making of Orders under statutory powers.
6. Matters of principle or policy.
7. Addressing recommendations in any report from the Internal and External Auditors.
8. Nomination or appointment of representatives of the town council on any authority, organisation or body that requests one (except approved conferences or meetings).
9. Nomination of members of all standing committees.
10. New powers or duties.
11. Prosecution or defence in a Court of Law.
12. Nomination or appointment of representatives of the town council to any enquiry on matters affecting the town.
13. To receive and adopt the Annual Accounts.
14. To receive and sign off the Annual External Audit and Return.
15. To receive reports and recommendations referred to full council from the various committees.
16. To set up direct reporting working groups as necessary.
17. To receive reports and recommendations and consider recommendations from all direct reporting working groups set up by full council or indirect groups where considered appropriate by the town clerk or committee chairs due to timetable restrictions.
18. To authorise the sealing of various documents with the Common Seal.
19. To confirm the appointment of the Town Mayor/deputy Mayor.
20. To confirm the schedule of meetings of full council and the standing committees for the ensuing year.
21. To receive petitions and deputations from members of the public or any organisations.
22. Any other matters not delegated to a standing committee or referred to full council by standing committees.

Terms of Reference

HR committee

The HR committee is responsible for: all staffing matters for the council; and includes all training and development matters, including elected members; all health & safety issues and the relevant required risk assessment; and to deal with any complaints made against the town council in accordance with the council's complaints procedure.

1. Membership

Mayor and deputy Mayor, and the chairmen of all the full committees.

2. Delegated Business

The committee has been delegated authority to deal with the following matters to conclusion:

- 2.1 ~~To advertise staff appointments and arrange interviews, interview for staff appointments and make decisions on appointments through to conclusion.~~
- 2.2 To carry out the town clerk's staff appraisal and agree objectives.
- 2.3 To agree and arrange staff salaries within the agreed budget.
- 2.4 To agree and arrange training requirements for staff and councillors within the agreed budget.
- 2.5 To consider, and bring to a final conclusion, any matters of grievance or discipline as outlined by the policies **contained in the staff handbook** applicable to all members of staff employed by the town council.
- 2.6 Following discussions with the town clerk, and staff concerned, to receive and resolve any issues relating to staffing levels and regrading, pay levels and staffing structures.
- 2.7 To receive and note annual and other appraisals and be the point of contact for any appeal.
- 2.8 To deal with any complaints made against the town council in accordance with the Council's Complaints Procedure.
- 2.9 To deal with any staff complaint concerning the town clerk.
- 2.10 To deal with any staff matters referred by the town clerk.
- 2.11 To ensure that the council complies with health and safety issues including the annual risk assessment procedure.
- 2.12 Any other personnel matters delegated by the town council.

HR committee continued

- 2.13 To form sub-committees or “task and finish” working groups as required. To determine the terms of reference, schedule of meetings and whether the meetings are open or closed to the public.

3. Referred Business

- 3.1 To review staff requirements and job descriptions received from other committees, revise as necessary.
- 3.2 To consider the implications of the services to be devolved from Wiltshire Council and their impact on HR matters.

DRAFT

Terms of Reference

Finance and Audit committee

The Finance and Audit committee oversees the town council's budgets to ensure all expenditure is authorised where necessary and income is collected. The committee may undertake an audit and scrutiny of any spending decision by any committee or officer. The committee manages the following assets of the town that the Council owns or manages: Dewey House; Warminster Civic Centre; ~~the Tynning allotments~~, and any other asset not managed by another committee

1. Membership

Seven elected Members.

2. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion:

2.1 All financial matters

2.1.1 Monthly management accounts.

2.1.2 To receive reports of paid invoices for goods and services.

2.1.3 Draft budget for submission to full council for decision.

2.2 To form sub-committees or “task and finish” working groups as required. To determine the terms of reference, schedule of meetings and whether the meetings are open or closed to the public.

2.3 Specific matters referred by full council.

2.4 Allocation of grants within the agreed criteria and budget of the town council.

2.5 Agree and manage maintenance contracts and budgets for all services and assets which fall under the remit of the committee.

2.6 To act as a tender committee as and when necessary and to report the outcome of any tendering procedure to full council.

2.7 Administration, maintenance and use of all buildings and public spaces which fall under the remit of the committee.

2.8 Receive petitions and deputations from members of the public or any organisation relevant to the work of the committee.

Finance and Audit Committee continued

3. Referred Business

The Committee may consider and report to full council or committees on the following matters:

- 3.1 To report on the Finance and Audit committee's allocation of grants within the agreed criteria and budget of the town council.
- 3.2 To provide council with a budget and precept recommendation annually in January, to be prepared no later than November of the preceding year.
- 3.3 Monitor income and expenditure within the budget estimates approved by Full Council and make necessary recommendations.
- 3.4 Review the town council's Financial Regulations as necessary.
- 3.5 All implications of any services devolved from Wiltshire Council, and the impact on the ability of the town council to properly budget and execute its financial responsibilities.
- 3.6 Any other matters referred to the Finance and Audit Committee by Full Council that are not within their terms of reference.

Terms of Reference

Planning Advisory committee

The Planning Advisory committee meets to consider all planning applications in the town. Comments are sent to the Wiltshire Council as part of their consultation procedure. The aim is to use planning law, the National Planning Policy Framework, Wiltshire Council's Core Strategy, Policy and Periodic Planning Guidance notes to preserve and enhance the town's character, whilst encouraging its commercial and social vitality. It will also consider the policies, aspirations and recommendations of the Neighbourhood Plan Review Working Group.

1. Membership

Seven elected Members.

Co-opted: The chairman of the Neighbourhood Plan Review Working Group.

2. Delegated Business

The committee has delegated authority to deal with the following matters to conclusion:

- 2.1 At meetings to consider all planning applications sent for consultation by Wiltshire Council.
- 2.2 To comment on behalf of the town council on planning applications having due regard to the town council's policies and that of the Neighbourhood Plan.
- 2.3 To deal with requests for street naming.
- 2.4 To produce and publish any information for the public about planning matters, except plans which hold copyright.
- 2.5 To delegate the power to the town clerk in discussion with the chairman or vice chairman, to make recommendations to Wiltshire Council on minor revisions to applications for which there is insufficient time to call a planning committee or sub-committee meeting. The exercise of this power should be consistent with established practice and policy of the committee, where defined, and shall be reported to the next Planning Advisory Committee meeting.
- 2.6 To form sub-committees or "task and finish" working groups as required. To determine: the terms of reference, schedule of meetings and whether the meetings are open or closed to the public.
- 2.7 Equipment within the area of its responsibilities and not under the control of any other committee.
- 2.8 Receive petitions and deputations from the general public or any organisation relevant to the work of the committee.

Planning Advisory Committee continued

- 2.9 To receive reports and recommendations from the Neighbourhood Plan Review Working group, or any other group set up by other committees.

3. Referred Business

To consider and make recommendations to full council on the following matters:

- 3.1 Any other matters referred to the committee by full Council.

Terms of Reference

Town Development committee

The Town Development committee co-ordinates all transport, highways and environmental issues in the town. These include CCTV, lighting, spatial planning, road maintenance, new highway projects and speed limits, rural footpaths, and town settlement boundary issues, byways and all other rights of way and flooding. The committee manages the following assets of the town that the council owns or manages: the Tynning allotments. The Town Development committee shall consider how to promote the town as a place to live, work and enjoy. This shall include consideration of events, publicity and marketing and the promotion of the town as a destination for visitors.

1. Membership

- 1.1 Seven elected Members.
- 1.2 Three Advisers one of whom will be the chair of the Neighbourhood Plan Review Working Group.

2. Delegated Business

The committee has been delegated to deal with the following matters to conclusion:

- 2.1 To consider and comment on any highways and transport matters and oversee related projects.
- 2.2 To make referrals to the Community Area Transport Group where necessary following 2.1 above.
- 2.3 Footpaths, bridleways and rights of way.
- 2.4 Equipment within the area of its responsibilities and not under the control of any other committee.
- 2.5 To request funds from the Capital Fund cost centre as agreed by the committee, to be reported to the Finance and Audit committee if over £7500 and under £20,000.
- 2.6 To form sub-committees or “task and finish” working groups as required. To determine the terms of reference, schedule of meetings and whether the meeting is open to the public or closed.
- 2.7 To receive monitoring reports from the Spatial Planning Review Working Group. To monitor and report on all Warminster based Spatial Planning Issues including Town Settlement Boundary Issues being considered or proposed by Wiltshire Council. The committee will also manage any spatial planning and town settlement boundary proposals by Wiltshire Council. To allow such reports to go direct to the Planning

Advisory Committee after consultation with the committee chair and/or town clerk, if timetable constraints do not allow placing on the next meeting agenda.

Town Development Committee continued

- 2.8 To delegate the power to the town clerk in discussion with the chairman or vice chairman, to make recommendations or minor revisions to matters for which there is insufficient time to call a Town Development committee meeting. The exercise of this power should be consistent with established practice and policy of the committee, where defined, and shall be reported to the next committee meeting.
- 2.9 The committee will agree an annual calendar of town council events and consider requests from outside organisations to use the Lake Pleasure Grounds for their own events. This will include dates and budget cost.
- 2.10 A councillor will be nominated lead member for all major events organised by the town council.
- 2.11 The Mayor and members of the Town Development committee will be invited to attend the debrief reports into town council events in order to ascertain the performance and suitability of the event for future support. All hours worked by staff including the time-off-in-lieu which is taken shall be included in the report.

3. Referred Business

To consider and make recommendations to the town council on the following matters:

- 3.1 Budget estimates, to be prepared no later than September each year.
- 3.2 Any other matters referred to the Committee by the town council.

Terms of Reference

Parks and ~~Estates~~ ~~Recreation~~ Committee

The Park and Estates committee manages the park and estate related assets owned or maintained by the town council. These include the Lake Pleasure Grounds, the Pavilion Café, the Boat House, play areas, closed church yards, the War Memorial, the Obelisk and Yeates Meadow, Boreham Cemetery and Ashley Place amenity space, the road sweeper and depot, hanging baskets, the public toilets. The committee manages projects which directly affect these assets and services and requests to use said services or assets. The committee will be responsible for any such similar services that are delegated or devolved from Wiltshire Council including, grass cutting, hedges, shrubs, shelter belts, trees, amenity footpaths, leaf clearance, balancing ponds, fencing, litter picking, litter bins, anti-fly tipping measures, graffiti removal, hazardous waste disposal, markets and roadkill.

1. Membership

- 1.1 Seven elected Members
- 1.2 Up to 3 Co-opted non-members.

2. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion:

- 2.1 To form sub-committees or “task and finish” working groups as required. To determine the terms of reference, schedule of meetings and whether the meetings are open or closed to the public.
- 2.3 Agree and manage maintenance contracts and budgets for all assets and services which fall under the remit of the committee. Capital Projects over £20,000 to be referred to full council.
- 2.4 Administration, maintenance and use of all assets and services which fall under the remit of the committee.
- 2.5 Manage projects on all assets and services which fall under the remit of the committee.
- 2.6 Receive petitions and deputations from members of the public or any organisation relevant to the work of the committee.

3. Referred Business

To consider and make recommendations to full council on the following matters:

3.1 Any other matters referred to the committee by full council

3.2 Budget estimates, to be prepared no later than September each year.

Terms of Reference

Environmental Services Committee

The Environmental Services Committee manages services and assets related to services within the town these include the council's; road sweeper, depot and other facilities linked to the road sweeper. The committee will be responsible for any such similar services that are delegated or devolved from Wiltshire Council including, Grass cutting, Hedges, Shrubs, Shelter belts, Trees, Amenity footpaths, Leaf clearance, Balancing ponds, Fencing, Litter picking, Litter bins, anti-Fly tipping measures, Graffiti removal, Hazardous waste disposal, Markets and road kill.

1. Membership

1.1 Seven elected Members

1.2 Co-opted non-members as appropriate

2. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion:

2.1 To form sub-committees or "task and finish" working groups as required. To determine the terms of reference, schedule of meetings and whether the meetings are open or closed to the public.

2.2 Any matters referred to the Environmental Services Committee by Full Council that are not within their terms of reference.

2.3 Agree and manage maintenance contracts and budgets for all Environmental Services and Assets which fall under the remit of the committee.

2.4 Administration, maintenance and use of all devolved buildings and public spaces which fall under the remit of the committee.

2.5 Manage projects on all assets and services which fall under the remit of the committee.

2.6 Receive petitions and deputations from members of the public or any organisation relevant to the work of the committee.

3. Referred Business

~~To consider and make recommendations to Full Council on the following matters:~~

~~3.1 Any other matters referred to the Committee by Full Council~~

~~3.2 Budget estimates, to be prepared no later than September each year.~~

Policies and Procedures Committee

The Policy and Procedures Committee is responsible for: reviewing proposals for creation of, amendments to or changes to policies and procedures that arise due to any changes in legislation, legal advice, best practice, officer recommendations, advice from the council's external advisors, decisions by council or committees, and in response to or in anticipation of an identified need.

1. Membership

Mayor and deputy mayor, and the chairmen of all the full committees.

2. Delegated Business

The committee has been delegated authority to deal with the following matters:

2.1 To receive, and consider and review any changes in policies and procedures, protocols, practices, and guidelines, including standing orders and the code of conduct and to make recommendations to be received, ratified and adopted by full council.

2.2 To receive and consider and respond to any consultations that would impact on the council's procedures, protocols, practice, and guidelines, including standing orders and the code of conduct.

2.3 To respond to any other matters referred to the committee by full council or any committee, sub-committee or working group.

3. Referred Business

To consider and make recommendations to full council or any committee, sub-committee or working group on the following matters:

3.1 Any matters relating to policies and procedures, protocols, practices, and guidelines, including standing orders and the code of conduct referred to the committee by full council or any committee, sub-committee or working group.

Sub-Committees and Working Groups

Sub-Committees and working groups can be set up by Full Council, Finance and Audit, HR, Town Development, Parks and Estates and the Planning Advisory Committee. The appointing committee shall resolve on whether the sub-committee or working group holds open or closed meetings.

1. Membership

Members can be appointed and so can non-elected members of the public or any other representative from a properly constituted body. Sub-committees and working groups can consist entirely of non-elected or co-opted members if members agree.

2. Delegated Business

The working group is an informal group which has delegated authority to discuss and debate items as specified in their terms of reference as minuted by the parent committee or sub-committee.

- 2.1 No working group shall have powers to make decisions on policy or budget commitment. Recommendations shall be put before the relevant parent committee or sub-committee for ratification.

To delegate the power to the town clerk in discussion with the leader of the working group, to make recommendations or minor revisions to matters for which there is insufficient time to call a working group meeting. The exercise of this power should be consistent with established practice and policy of the working group, where defined, and shall be reported to the next working group meeting

- 2.2 If requested by the working group a calling note can be put together by the clerk's office in conjunction with the leader of the working group.
- 2.3 Minutes of the sub-committee or working groups will be made available to all members and the general public on request. They will be prepared by the clerk's office unless other arrangements have been made.
- 2.4 Meetings of sub-committees and working groups will not necessary be open to the public but all minutes will be available once adopted by the parent committee.
- 2.5 The general ToRs can be expanded for any working group if required to enable the completion of a project. Any additional ToRs will be adopted by the parent committee.

Terms of Reference

Co-option Policy

1. All committees of Warminster Town Council, with the exception of the Finance and Audit Committee, can co-opt members who are not elected Councillors to assist with the work of their committee.
2. The co-option of an individual is not to be confused with the filling of a casual vacancy on full council, which would only arise if an elected member should resign, die or be disqualified.
3. Co-option will not be politically led nor be a vehicle to enlist those parties not represented on Warminster Town Council.
4. Co-opted members appointed to a Committee of the Council will have the authority of the organisation they are representing and this should be advised in writing to the clerk of the council if requested.
5. Co-opted members will be known as Advisers to the committee.
6. Advisers can be appointed by a committee in the event that additional expertise is required to make decisions or add knowledge that would be of benefit to the committee concerned.
7. Advisers will have no voting rights. There are exceptions to this rule, and non members would have a vote in four cases. These four are: the management of land owned or occupied by the council; harbour functions if the council is a harbour authority; any function under section 144 of the Local Government Act 1972 relating to the promotion of tourism; any function under section 145 of the Local Government Act 1972 relating to the management of a festival.

‘Management’ does not include the determination of the total amount of money which may be expended in any financial year by the council in respect of the land or festival.
8. All members of a Committee will vote for an individual adviser to be appointed by way of a resolution in a public meeting, with the exception of the HR Committee who will appoint in private.

Treasury Management Policy 2021-2022

1. Overview

1.1 This document gives guidance on borrowing and investments by the town council and highlights that the council is committed to treasury management to ensure that:

- Capital expenditure plans are affordable;
- All external borrowing and other long-term liabilities are within prudent and sustainable levels;
- Treasury management decisions are taken in accordance with good professional practice.

2. Introduction

2.1 The Town Council currently had, at March 2021, £1,182,292 of General and Earmarked reserves spread across its current and instant access accounts, of which £913,805.33 currently in CCLA's PSDF Account. In summary the reserves break down as follows:

General Reserve	£209,948
Capital Projects (incl CIL)	£398,809
Services to be devolved	£254,235
CCTV	£ 5,829
Other Earmarked Funds	£313,471

2.2 Leaving these funds in the normal day-to-day bank accounts achieves a poor rate of return and the Council acknowledges the importance of prudently investing the temporarily surplus funds held on behalf of the community.

3. Investment Objectives

- 3.1 The Council's investment priorities are the security of reserves and liquidity of its investments.
- 3.2 The Council will aim to achieve the optimum return on its investments commensurate with proper levels of security and liquidity.
- 3.3 All investments will be made in sterling.
- 3.4 The Department for Communities and Local Government maintains that borrowing of monies purely to invest, or to lend and make a return, is unlawful and this Council will not engage in such activity.

4. Specified Investments

- 4.1 Specified investments are those offering high security and high liquidity, made in sterling and with a maturing of no more than one year.
- 4.2 For the prudent management of its treasury balances, maintaining sufficient levels of security and liquidity, the Council will use:
1. Deposits with banks, building societies, local authorities or other public authorities.
 2. Churches, Charities and Local Authorities Investment Management Ltd (CCLA) in 'The Public Sector Deposit Fund'.

5. Non-Specified Investments

- 5.1 Non-specified investments have greater potential risks – examples include investment in the money market, stocks and shares. The Council will not use this type of investment.

6. Liquidity of investments

- 6.1 The Responsible Financial Officer will determine the maximum period for which funds may prudently be committed so as not to compromise liquidity.
- 6.2 Investments will be regarded as commencing on the date the commitment to invest is entered into, rather than the date on which the dues are paid over to the counterparty.

7. Long-Term Investments

- 7.1 It is not anticipated that the Council will enter into long-term investments beyond one year without advice from its accountants.

8. Investment Reports

- 8.1 Interest income is identified in the monthly management accounts and reported monthly and year to date.
- 8.2 The CCLA 'Public Sector Deposit Fund' is an instant access account, with funds returned to the Council's current account on the same day if the request is sent by 11am.
- 8.2 Investment programme recommendations:
- (a) Approximately 6 weeks Gross Expenditure to be held in the Council's Instant Access Bank Account (currently with HSBC). (Currently appr. £150,000).
 - (b) Balance of all Funds to be held in CCLA PSDF.
 - (c) Precept – when received invest each instalment in CCLA PSDF.
 - (d) Draw down 1 month's Net Expenditure from PSDF to Instant Access Account. (Currently appr. £110,000).

9. Approval and Mechanism

- 9.1 The outline figures in (a) and (b) above are commended to the Council for approval and once approved the Town Clerk will carry out all transactions in the normal way. Investigation will be made to improve the rate from CCLA the but will consider other institutions and take into account high street presence, accessibility of funds, service level, bank charges and ethical credentials.

10. Earmarked Reserves

- 10.1 The Council will maintain reserves for the following reasons:
- (a) A sum equivalent to a minimum of three months net revenue expenditure is held in the General Reserve in line with good practice. The amount currently required is a minimum of £319,000.
 - (b) The Capital Reserve has been built up to meet any needs identified in the Strategic and Tactical Delivery Plan or for unexpected expenditure or emergencies.
 - (c) Other reserves held have been identified for specific purposes or future development, to meet commitments and will be maintained as necessary.

11. External Borrowing Strategy

- 11.1 The Council acknowledges the importance of borrowing funds and the financial impact on the authority.
- 11.2 During the 2021 - 2022 financial year it is not anticipated that the Council will have any need to borrow funds for any of its projects. However, for any borrowing the Council would use the Public Works Loan Board which has strict guidelines on applications and the normal processes would be followed. Members have asked that the option of borrowing from the Public Work Loan Board be investigated as an option to contribute toward the cost of a splash pad in the Lake Pleasure Grounds, but no decision on whether to proceed has been made.
- 11.3 For the existing borrowing in place, provision is made in the revenue budget to repay the borrowing within the planned period.

This policy will be reviewed by Council at the Annual Meeting of the Council, May 2022.

Outside Body 2021-22	Nominees 2021-22
Warminster Area Board: attendee NOT member	
Athenaeum Trust	
Carnival	
Wiltshire Council Community Area Transport Group	
Dewey Trust	
Elblag	
Warminster Festival	
Flers Assoc	
Health and Wellbeing Forum: attendee NOT member	
Local Youth Network	
Market Town Forum	
Neighbourhood Tasking Group	
Park Community Centre	
Pub Watch	
Relief in Need	
Operational Flood Working Groups (OFWG)	
Trans Wilts Partnership	
Tynings Allotments	
Warminster & Villages Development Trust	
Warminster & Villages Community Partnership	
Wiltshire Association Local Council	
Warminster Community Radio CRAB	
Westbury CCTV Committee	
Warminster Action Group	

LCRS 6. Overall risk summary

Warminster Town Council

Assessment year: 2021

Area / Function	Duty	Responsibility	No of risks	Number scored	No of uncontrolled Risks	Your action plan rank
Allotments	Duty to provide allotments. Power to improve and adapt land for allotments, and to let graz	Parks and Estat	20	20	0	<input type="text"/>
Bar Services	Powers to provide		8	8	0	<input type="text"/>
Bus Shelters	Power to provide and maintain shelters	Parks and Estat	7	7	0	<input type="text"/>
Bye Laws	Power to make bye-laws in regard to pleasure grounds Cycle parks	Clerk	1	1	0	<input type="text"/>
Cemeteries/Churchyards	Power to provide Power to acquire and maintain	Parks and Estat	19	19	0	<input type="text"/>
Clocks	Power to provide public clocks	Parks and Estat	5	5	0	<input type="text"/>
Code of Conduct	Duty to adopt a code of conduct	Clerk	1	1	0	<input type="text"/>
Commons and Common Pastures	Powers in relation to enclosure, as to regulation and managemen nt, and as to providing common pasture	Parks and Estat	17	17	0	<input type="text"/>
Community Centres	Power to provide and equip buildings for use of clubs having at hletic, social or educational objectives.		16	15	0	<input type="text"/>
Computing	Power to facilitate discharge of any function	Clerk	3	3	0	<input type="text"/>
Council Meetings	Power to meet		4	4	0	<input type="text"/>
Council Property and Documents	Duty to disclose documents and to adopt publication scheme		4	4	0	<input type="text"/>
Crime Prevention - CCTV	Powers to spend money on crime detection and prevention mea sures.	CCTV Supervis	10	10	0	<input type="text"/>
Data Protection	Duty of Notification and Duty to Disclose (subject access)	Clerk	1	1	0	<input type="text"/>
Drainage	Power to deal with ponds and ditches	Parks and Estat	7	2	0	<input type="text"/>

LCRS 6. Overall risk summary

Warminster Town Council

Assessment year: 2021

Area / Function	Duty	Responsibility	No of risks	Number scored	No of uncontrolled Risks	Your action plan rank
Employment of Staff	Duty to Appoint		8	8	0	<input type="text"/>
Entertainment and the arts	Provision of entertainment and support of the arts		17	16	0	<input type="text"/>
Financial Management	Duty to ensure responsibility for financial affairs		11	11	0	<input type="text"/>
GDPR	Duty to comply with the regulations.	Clerk	23	23	0	<input type="text"/>
Gifts	Power to accept gifts	Clerk	1	1	0	<input type="text"/>
Investments	Power to participate in schemes of collective investment		4	4	0	<input type="text"/>
Land	Power to acquire by agreement, to appropriate, to dispose of land	Clerk	14	14	0	<input type="text"/>
Litter	Power to provide receptacles. Power to take enforcement action against those that litter.	Parks and Estate	7	7	0	<input type="text"/>
Local functions	N/a - Local group to cover any risks not listed in other groups	Parks and Open	4	3	0	<input type="text"/>
Meeting of the Council	Duty to meet		5	5	1	<input type="text" value="1"/>
Newsletters	Power to provide information relating to matters affecting local government	Clerk	7	7	0	<input type="text"/>
Open spaces	Power to acquire land and maintain	Parks and Estate	13	13	0	<input type="text"/>
Play Areas	Power to provide	Parks and Estate	4	4	0	<input type="text"/>
Provision of Office Accommodation	Power to provide	Civic Centre Manager	6	6	0	<input type="text"/>
Provision of Website/Internet Access	Power to provide 'free resource'	Office manager	2	2	0	<input type="text"/>
Public Conveniences	Power to provide	Parks and Estate	14	13	0	<input type="text"/>

Assessment year: 2021

Area / Function	Duty	Responsibility	No of risks	Number scored	No of uncontrolled Risks	Your action plan rank
Shelters & Seats	Power to provide	Parks and Estat	6	6	0	<input type="text"/>
Skatepark	Power to provide	Parks and Estat	6	6	0	<input type="text"/>
Street/Footway Lighting	Power to light roads and public places	Parks and Estat	8	8	0	<input type="text"/>
Village Signs	Power to erect (with Highway Authority approval)	Parks and Estat	4	4	0	<input type="text"/>
War memorials	Power to maintain, repair, protect and alter war memorials	Parks and Estat	3	3	0	<input type="text"/>
Water Supply	Power to utilise well, spring or stream and to provide facilities for obtaining water from them		3	2	0	<input type="text"/>
Web Sites	Power for councils to have their own websites	Office manager	19	19	0	<input type="text"/>

Completed by:



Overall totals/scores

312

302

1

Date: 30/4/2021

Position: ASSISTANT TOWN CLERK

How to complete:

1. Review each area and the number of uncontrolled risks.
2. Decide which area is at most risk and should be actioned firstly mark this as number one.
3. Repeat on all areas until all uncontrolled areas are allocated.

Your Duty = Duty to meet

Assessment year: 2021

Act = s 12 Local Government Act 1972

Scoring note:
Low = 1
Medium = 2
and High = 3

Risk / Hazard / Requirement		Control	Medium = 2 and High = 3	Review timing & Responsibility	Likelihood of occurrence	Impact on Council	Score	Your action required
Administration/Legal								
Failure to comply with new Regulations /Legislation								
			Monthly	Medium	High	6	Yes	
			Responsibility:					
			Action by: Clerk					
			Action by date: 17/05/2021					
			Action plan: Council to ensure membership of appropriate local/national associations is maintained.					
			Council to continue to subscribe to appropriate publications.					
			Encourage staff networking.					
			Clerk to undertake CPD and training as and when required/appropriate.					
			Poster is displaying regarding the recording of meetings.					

33	All Meetings open to everyone.	<p>Clerk to keep up to date with changing regulations/legislation and undertake training as required.</p> <p>Council to ensure membership of appropriate local/national associations is maintained.</p> <p>Council to continue to subscribe to appropriate publications.</p> <p>Encourage staff networking.</p> <p>Clerk to undertake CPD and training as and when required/appropriate.</p> <p>Poster is displaying regarding the recording of meetings.</p>
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Completed by:

Date:

Position:

No of Risks 1

No of risks scored: 1

No of Action Plans: 1

REPORT FOR DECISION

Annual Meeting of the Council
Monday 17 May 2021

Switching Warminster Town Council's (WTC) bankers from HSBC to Unity Trust Bank (UTB)

Recommendation

That members resolve that the council switches from HSBC to Unity Trust Bank plc.

Purpose of the Report

To provide members with information to make an informed decision.

Background

The HSBC business model does not fit fulfil WTC's needs, and the HSBC service has been poor: many months to change bank mandates, months to replace worn fobs, telephone banking support not available to us, basic banking services at the post office, therefore involving officers travelling to Frome. It took so long for the bank to set up a basic BACS service when the payroll moved to Wiltshire Council – over six months – that we almost lost this excellent payroll service.

This poor level of service is not down to any individuals. It is simply that we as a council do not fit their model of business. This has been the case for some while, and as the council continues to grow apace, this level of service is unacceptable. As our business needs have increased, so has the need for a more responsive, timely and best fit service from our bankers. HSBC cannot provide this.

We do not fit a 'charity' business model, we sit outside many of the 'tick box' forms and this is now causing increasing issues and delays.

Findings

None of the mainstream 'high street' banks provide a service which fits with our business needs, however, the internet banking market does. Unity Trust Bank plc (UTB) provides specialist services to trade unions, councils, charities and other not-for-profit organisations. UTB plc is authorised by the Prudential Regulation Authority and regulated by both the Financial Conduct Authority and the Prudential Regulation Authority. It is the main banker for UK unions, SLCC and many other councils.

Its charges are comparable with HSBC, but their service is much better. In summary:

HSBC	Unity Trust Bank plc
No accessible telephone banking service	Direct dial to bank, anyone of the team can answer queries and is authorised to action requests, once this has been set up with letters of authority from the council
Changes to bank mandate: this has taken several months to action; the process is not council friendly and often leads to confusion within the bank	Council mandates are part of the day-to-day activities of UTB and have a 10 day turn around

Forms for services are not council friendly as we do not fit in the business model	Forms are available online, council friendly and the one management form covers most activities on the account
Online bank statements available	Online bank statements available
Cheque book available	Cheque book available
Cash: deposits at the post office. This requires a traditional paying in book.	A multi-pay card on the council's accounts, to be used at the post office, allows for detailed deposits to be automatically made. We can also use Natwest or RBS. This method is more secure than the traditional paying in book
Visits to HSBC branch in Frome required for withdrawing petty cash	This can be done at the post office, RBS or Natwest
Payment cards not available	Multi-pay cards allow the council to limit an amount on each card and to a specific use e.g. petrol only, this is then cleared at the end of each month and refreshed.
Changes to the management of the account can take many months	Changes to the management of the account takes days to action

Conclusion

Following extensive research and investigation, having spoken at length with other UTB users and discussed WTC's requirements direct with UTB the responsible financial officer (RFO) is confident that moving to UTB plc, will be the best solution for the council.

Financial and Resource Implications

The costs are comparable, with UTB plc being marginally less than HSBC, in addition there will be a time saving in officer hours.

Legal Implications and Legislative Powers

The council has the power action this under the General Power of Competence.

Environmental Implications

Officers are not aware of any issues the council should consider but will consider the council's policies.

UTB plc, culture and work practices aligns with WTC's vision and strategic priorities.

Risk Assessment

UTB plc is authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and the Prudential Regulation Authority. It is the main banker for UK unions, SLCC and many other councils.

Crime and Disorder

The RFO is not aware of any issues the council should consider under the Crime and Disorder Act.

Fiona Fox

Town Clerk and RFO May 2021

Warminster Town Council Meetings, 2021/2022

	2021														2022												
	May		June		July		August		September		October		November		December		January		February		March		April		May		
Mon													1														
Tues			1										2						1		1						
Wed			2						1				3		1				2		2						
Thurs			3		1				2				4		2				3		3						
Fri			4		2				3		1		5		3				4		4			1			
Sat	1		5		3				4		2		6		4		1		5		5		2				
Sun	2		6		4		1		5		3		7		5		2		6		6		3			1	
Mon	3		7		5	F&A	2		6	F&A	4	HR	8	F&A	6		3		7	HR	7	F&A	4	Town Mee	2		
Tues	4	PAC & F&A*	8		6		3		7		5		9		7		4	F&A	8		8		5		3	F&A*	
Wed	5		9		7		4		8		6		10		8		5		9		9		6		4		
Thurs	6	Elections	10		8		5		9		7		11		9		6		10		10		7		5		
Fri	7		11		9		6		10		8		12		10		7		11		11		8		6		
Sat	8		12		10		7		11		9		13		11		8		12		12		9		7		
Sun	9		13		11		8		12		10		14		12		9		13		13		10		8		
Mon	10		14	PAC	12	P&E	9		13	P&E	11		15	P&E	13	PAC	10	P&E	14		14	P&E	11	PAC	9	PAC	
Tues	11		15	CCTV	13		10		14	CCTV	12		16		14	CCTV	11		15		15	CCTV	12		10		
Wed	12		16		14		11		15		13		17		15		12		16		16		13		11		
Thurs	13		17		15		12		16		14		18		16		13		17		17		14		12		
Fri	14		18		16		13		17		15		19		17		14		18		18		15		13		
Sat	15		19		17		14		18		16		20		18		15		19		19		16		14		
Sun	16		20		18		15		19		17		21		19		16		20		20		17		15		
Mon	17	Ann Mtg	21	Full Council	19	PAC	16	PAC	20	PAC	18	PAC	22	PAC	20		17	Full Council	21	PAC	21	PAC	18		16	Ann Mtg	
Tues	18		22		20	HR*	17		21		19		23		21		18		22		22		19		17		
Wed	19		23		21		18		22		20		24		22		19		23		23		20		18		
Thurs	20		24		22		19		23		21		25		23		20		24		24		21		19		
Fri	21		25		23		20		24		22		26		24		21		25		25		22		20		
Sat	22		26		24		21		25		23		27		25		22		26		26		23		21		
Sun	23		27		25		22		26		24		28		26		23		27		27		24		22		
Mon	24	P&E	28	Town Dev	26	Full Council	23		27	Full Council	25	Town Dev	29	Full Council	27		24	PAC	28	Town Dev	28	Full Council	25	Town Dev	23	P&E	
Tues	25		29		27		24		28		26		30		28		25				29		26		24		
Wed	26		30		28		25		28		27				29		26				30		27		25		
Thurs	27				29		26		29		28				30		27				31		28		26		
Fri	28				30		27		30		29				31		28						29		27		
Sat	29				31		28				30						29						30		28		
Sun	30						29				31						30								29		
Mon	31						30										31								30		
Tues							31																		31		