



# **DEVIZES TOWN** **COUNCIL**

You are summonsed to attend a meeting of the Devizes Town Council Committee at the following, place and date.

Date: 29 October 2009

Time: **6.30 pm**

Venue: Council Chamber, Town Hall, St John's Street, Devizes

Enquiries: Town Hall - Tel: 01380 722160

Chairman: The Town Mayor (Councillor Leighton)

Councillors:	Beinhorn	Mrs Burton	Callow
	East	Evans	Mrs Evans
	Gagen	Gudgeon	Hopkins
	Nash	Parsons	Smith
	A R Taylor	Mrs Taylor	C S Winchcombe
	Mrs Winchcombe		

## **AGENDA**

### **1. MINUTES**

To approve as a correct record and authorise the Chairman to sign the minutes of the Meeting of the Council held on the 15 September 2009.

### **2. APOLOGIES FOR ABSENCE**

### **3. DISCLOSURE(S) OF INTEREST**

To receive any disclosures by a Councillor(s) and/or Officers in matters to be considered at this meeting in accordance with the provisions of

DEVIZES TOWN COUNCIL  
29 OCTOBER 2009

Sections 94 or 117 of the Local Government Act 1972 or the National Code of Local Government Conduct.

4. To receive announcements and communications.
5. To answer questions (if any) under standing order No. 15.

**6. MINUTES OF MEETINGS FOR INFORMATION**

Since the last meeting of the Council on 15 September 2009 the following Committees have taken place whose minutes have been approved as a correct record and signed by the appropriate committee chairman.

The minutes of these meetings have been previously circulated to all members.

<b>COMMITTEE NAME</b>	<b>COMMITTEE DATE</b>
Planning	1 September 2009
Planning	15 September 2009
Planning	29 September 2009
Community & Civic Resources	1 September 2009
Community & Civic Resources	15 September 2009
Recreation & Properties	4 August 2009

**NOTE:** Before dealing with the next item (No 7) the Council will wish to consider whether or not to suspend Standing Order No 5 (members to stand when speaking). If the Standing Order is to be suspended, it must be done by way of a proposition, duly seconded and carried.

**7. REPORT FOR INFORMATION – AUDITOR OF ACCOUNTS**

The accounts of Devizes Town Council for the year ended 31 March 2009 have been audited. The auditors Mazars LLP have issued an unqualified audit.

The independent auditors' report to the Members of Devizes Town Council is annexed.

**8. REPORT FOR INFORMATION – UPDATE ON CURRENT AND PROPOSED PROJECTS**

Circulated alongside this agenda is a list detailing the current position with regard to ongoing and proposed projects.

**9. REPORT FOR DECISION – GRANT REQUEST, DEVIZES CARNIVAL**

**Recommendation**

To consider a request from Devizes Carnival for an increase in the annual grant it receives from Devizes Town Council.

**Purpose of the Report**

To consider a request by Devizes Carnival and International Street Festival.

**Background**

A letter has been received (doc 9/1-9/3) requesting an increase in its annual grant. Within their letter the Carnival explain how the event has started to gain national recognition and is promoted as an example of good practice. Historically, the funding has come from the District and County Councils, supported by the Arts Council and other funders such as the Town Council.

The carnival committee set out their need for financial security through more regular funding, but have only received half the funding from Wiltshire Council that they have historically received from the former District and County Councils. There is also concern that the level of funding they have received from Arts Council England is not sustainable. Whilst it is recognised that the Town Council gives excellent backing to the Carnival, for the event to continue at its present level, they need to secure additional income and are therefore asking the Town Council to increase its grant to £5,000.

**Options Considered**

The Council needs to decide if it wishes to increase the annual carnival grant from £500 to £5000.

**Implications & Risks**

**Financial and Resource Implications**

The level of grant awarded will have a direct impact on the level of precept required.

**Legal Implications and Legislative Powers**

The Local Government Act 1972 s.145 proved the Council with the power to provide entertainment and support the arts.

**Environmental Implications**

Officers are not aware of any environmental implications associated with this decision.

**Risk Assessment**

Officers are not aware of any environmental implications associated with this decision.

**Crime and Disorder**

Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder act 1998.

**10. REPORT FOR DECISION – DEVIZES HOSPITAL AND COMMUNITY RADIO**

**Recommendation**

That the Council considers a funding request from Devizes Hospital and Community Radio for the relocation of their studio.

**Purpose of the Report**

To determine if the Town Council will support a grant request from the Devizes Hospital and Community Radio.

**Background**

A letter had been received from Devizes Hospital and Community Radio (doc 10/1) seeking a grant from the Town Council to support their relocation from Northgate Gardens to the School Grounds following the end of their current lease on premises currently owned by Sarsen Housing Association.

In their letter the DHCR have estimated the cost of the relocation in the region of £17,715 and currently they only have £13,692 of potential funding required leaving a shortfall of £4,020.00

**Options Considered**

The Council needs to determine if they wish to support the grant application.

**Implications & Risks**

**Financial and Resource Implications**

The level of grant awarded will have a direct impact on the level of precept required.

**Legal Implications and Legislative Powers**

The Local Government Act 1972 s.145 provides the Council with the power to provide entertainment.

**Environmental Implications**

Officers are not aware of any environmental implications associated with this decision.

**Risk Assessment**

The financial sustainability of the organisation requesting funding is unclear and therefore officers are unable to determine the risk in not supporting the grant application.

**Crime and Disorder**

Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder act 1998.

**11. REPORT FOR DECISION – DREWS POND WOOD PROJECT GRANT**

**Recommendation**

That the Council considers a funding request from the Drews Pond Wood Project for training and an outdoor classroom area.

**Purpose of the Report**

To determine if the Town Council will support a grant request from the Drews Pond Wood Project.

**Background**

A letter has been received from the project coordinators (doc 11/1 to doc 11/2), setting out two projects which have been identified to enable the project as a whole to be more sustainable.

The first project is an outdoor classroom area, which will help to develop the important work the group already does with young people from a broad section of backgrounds. The details of the classroom construction are set out in their letter however the anticipated cost is £500.

The second project will increase the skill of volunteers providing chainsaw training. This extra training will allow the Drews Pond Project to provide a regular income from the sale of firewood. The cost of the training will be £1000.

**Options Considered**

The Council needs to decide if they wish to financially support the Drews Pond Project and if so to what level.

**Implications & Risks**

**Financial and Resource Implications**

The level of grant awarded will have a direct impact on the level of precept required.

**Legal Implications and Legislative Powers**

The power to provide support for these projects would be carried out under Section 137 of the Local Government Act 1972.

**Environmental Implications**

Officers are not aware of any environmental implications associated with this decision.

**Risk Assessment**

The financial sustainability of the organisations requesting funding is unclear and therefore officers are unable to determine the risk in not supporting the grant application.

**Crime and Disorder**

Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder act 1998.

**12. REPORT FOR DECISION – ANNUAL GRANTS**

**Recommendation**

That the Council considers applications for annual grants and decides what should be put forward to be considered as part of the Council annual budget.

**Purpose of the Report**

To consider what level of annual grant funding should be considered within the overall annual budget for 2010/11.

**Background**

Annual grant requests have been made from the Devizes Development Partnership for CCTV revenue funding and The Wiltshire Archaeological and Natural History Society for revenue funding for the museum. For the last two years revenue funding for these organisation has been included in the Council's budget to help with their general running expenses and ensure that the facilities are able to benefit the local residents and tourists to the town.

Devizes Development Partnership (doc 12/1A)

Funding Request 2010-11	£7,500
Funding Granted 2009-10	£7,500
Funding Currently Allocated	£7,500

The request is for ongoing revenue funding for costs such as venue hire, insurance, electricity, Broadband, equipment maintenance and the employment of a part time manager.

The approximate cost of running the system is £23,000 per annum. The Development Partnership continues to seek additional funding however the employment of a part time manger has reduced the cost of maintenance. The former district council made a financial contribution before its demise, which covers the period up to the financial year-end 2010-11.

Wiltshire Archaeological and Natural History Society (doc 12/1B)

Funding Request 2010-11	£4,000
Funding Granted 2009-10	£3,000
Funding Currently Allocated	£3,000

The request is for the ongoing revenue funding for the museum and support the work they do with local schools and the wider community. The current financial crisis has reduced income from investments, which will result in a funding shortfall for the current year. The museum is having success controlling costs but is asking if the council can increase its contribution.

### **Options Considered**

### **Implications & Risks**

#### **Financial and Resource Implications**

The level of grant awarded will have a direct impact on the level of precept required.

#### **Legal Implications and Legislative Powers**

**CCTV** The Local Government and Rating Act 1997, s31 provides the Town Council with powers to spend money on crime prevention measures.

**Museum** Local Government Act 1972, s144 provides the Council with the power to spend money on tourism.

#### **Environmental Implications**

Officers are not aware of any environmental implications associated with this decision.

#### **Risk Assessment**

The financial sustainability of the organisations requesting funding is unclear and therefore officers are unable to determine the risk in not supporting the grant application.

#### **Crime and Disorder**

Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder Act 1998, which states that parish councils have a duty to consider the impact of all their functions and decisions on crime and disorder in their local area. As the provision of CCTV is not a function of this Council it is not covered by this legislation.

**12. REPORT FOR DECISION – GRANT REQUEST FROM ROYAL BRITISH LEGION**

**Recommendation**

That the Council considers a request by the Devizes Branch of the Royal British Legion for financial support to place additional inscriptions on the War memorial to commemorate the names of servicemen killed since 1939.

**Purpose of the Report**

To consider a grant request Devizes Branch of the Royal British Legion.

**Background**

Earlier this year Devizes Branch of the Royal British Legion, approached the Joint Burial Committee seeking consent for additional plaques to be added to the War Memorial to commemorate the names of servicemen killed since 1939. The Joint Burial Committee gave their consent for these additional plaques and since then the RBL have been actively trying to raise funds to pay for the work. To date £940 has been raised from individual donations, a street collection and a £200 grant from Roundway Parish Council.

The cost of the plaques is estimated at approximately £2000 and the British legion is hopeful that a grant application to the War Memorial Trust will be successful.

The grant is likely to be required after April therefore officers have placed a sum of £500 in the estimates for 2010/11 in anticipation the Council will support this Royal British Legion Project.

**Options Considered**

The Committee needs to decide if they agree with the £500 placed in the 2010/11 estimates to support the Devizes Branch of the Royal British Legion project to commemorate the names of servicemen killed since 1939.

**Implications & Risks**

**Financial and Resource Implications**

Provision needs to be made in the 2010-11 estimates.

**Legal Implications and Legislative Powers**

The War memorial (Local Authorities' Powers) Act 1923 s1; as extended by the Local Government Act 1948s 133 provides the Council with the power to maintain, repair and Adapt War Memorials.

**Environmental Implications**

Officers are not aware of any environmental implications associated with this decision.

**Risk Assessment**

Officers are not aware of any risk implications associated with this decision.

**Crime and Disorder**

Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder act 1998.

**13. REPORT FOR DECISION – DRAFT ESTIMATES FOR 2010/11**

**Recommendation**

The Council is recommended to formally consider and decided if they wish to make further amendment to draft estimates for financial year 2010-11.

**Purpose of the Report**

To formally consider the budgeted income and expenditure for financial year 2010-11.

**Background**

Following the informal meeting of members on the 29 September, the Council is formally asked to consider the revised draft estimates for financial year 2010-11.

*Member Training*

Two years ago, members training was increased to prepare for the new council. It is hoped that members who feel that they would benefit from training will come forward and seek appropriate training.

*Parish Council Election Fund*

Following the 2007 elections, the reserves held by the council for this purpose were exhausted. The fund is now being gradually built up again.

*Twinning Travel Costs*

Next year the twinning visit will take place in Mayenne, France.

*Devizes and District Twinning Association*

The Twinning Association now deals with its own affairs for which it receives a grant.

*Mayoral Allowance*

This has been increased in line with the retail price index in September 2009.

*Town Crier Allowance*

The Council has agreed that they would extend the duties of the Town Crier and this has a cost implication.

*Web Site Costs*

This budget represents the ongoing hosting and maintenance costs.

*Marketing & Promotion*

This is the cost associated with the production of the Messenger.

*Miscellaneous and professional advice*

From time to time the council seeks specialist advice on a number of issues. It is therefore prudent that budget provision is made to meet such costs.

*Central Services to the Public*

Grace & Favour and Free Lettings

This is the notional cost of Grace & Favour lettings and free lettings to the agreed list of organisations. The grant is used to offset the income shown in the venues department.

Commercial Property Repairs

In most circumstances it is the responsibility of the tenant to undertake repairs. However, on occasions there are times when that responsibility falls to the Town Council, therefore some budget provision is strongly advisable.

Commercial Properties Bad Debt

Audit requirements mean that an allowance must be made for bad debt. It is anticipated that no debt will be written off in the current financial year therefore this will be placed in an EMR if not utilised and no 2010/11 provision will be made.

Commercial Property Legal Fees

Each year there is usually some work required in a change to a lease or an issuing of a new lease, which incurs legal costs.

Commercial Property Management

Although Town Council staff deals with the day-to-day collection of rent, the Council employs an agent to deal with rental valuations, survey and condition reports, marketing and for general advice. This is five-year contract, which is due for renewal in mid 2010.

Festival & Carnival Free Use

This is the notional cost of free use extended to the Festival and Carnival that is offset by an equal notional Venues income. Members may at some time wish to review the principles of the grant and ask the recipients to demonstrate their need for continued Town Council support.

Hillworth Park Events

Budget in preparation of publicising events in anticipation of receipt of the green light on the HLF Stage 2 application.

*Heritage*

Water Rates

Water rates in respect of the fountain.

Chandelier Restoration

Cost of rewiring of three chandeliers in Assembly Room. Additional budget for replacement parts for chandeliers. Officers have found it almost impossible to find spares despite trawling round the main dealers in the UK.

Picture Restoration

The picture frames of George III and Queen Charlotte in the Assembly Room have become very distressed and will look even shabbier once the Assembly Room has been redecorated. The frame of the picture of Joshua Smith is also need of some attention before it can be rehung.

Grant

Officers have made a £3000 allocation in the budget for the Museum as has happened in the last two years. However this is subject to a separate report.

*Venues – Town Hall & Corn Exchange*

Utility Costs

The Councils' Admin & Finance Manager has recently contracted a new two-year electricity deal and one-year gas deal therefore stabilising utility charges over the short term.

Marketing

The Direct Services Manager is planning a number of activities for 2010/11 and has determined that she will need to similar budget to the current year to achieve this.

Maintenance

Maintenance within the venues is split into three cost headings.

Maintenance contracts for service contracts.

Responsive Maintenance as a contingency for breakdowns, which inevitably occur.

Planned Maintenance is small works that each year that the Direct Services Manager thinks should be undertaken to keep the building in good order.

Purchase of Tools and Equipment

Within the estimates the purchase of tools and equipment is shown in two ways. The heading 'Replacement of Tools and Equipment' is where funding is allocated for those items that fail in any financial year and need to be replaced or where it is felt the purchases of a piece of equipment will aid the operation of the business. New capital style equipment is identified in the project list.

Licences

Each year the individual premises licences will need to be renewed and there is naturally a cost implication associated with that.

*Leisure Centre*

Revenue Funding

It should be noted that the agreement actually stipulates that the level of increase is based on the RPI for April.

Sports Pitches

With the removal of the pre-fabricated changing facility and with no firm plans on the table costs associated with Green Lane will be rent and minimal maintenance costs.

*Open Spaces*

Hillworth Park Project

No revenue budget allocation has been made in respect of project reserves. However there is allocation made in the capital programme to continue to build the matched funding committed in the HLF application.

*Community Spaces Central Support*

Utility Costs

The Councils' Admin & Finance Manager has recently contracted a new two-year electricity deal and one year Gas deal in respect of the Town Hall and the Corn Exchange. Any utility charges falling outside that scope will also be subject to a new contract.

Telephone Fax

Within the Parks Department some staff need to carry a mobile phone in addition to their radio.

Replacement Tools and Equipment

As with the venues, within the estimates the purchase of tools and equipment is shown in two ways. The heading replacement of tools and equipment is where funding is allocated for those items that fail in any financial year and need to be replaced or where it is felt that the purchase of a piece of equipment will aid the operation of the business.

Planned new equipment is usually identified in the project list at the end of the estimates

Seeds and Bulbs

The budget for Seeds and Bulbs are split across two cost centres – this in Open Spaces and also in tourism to reflect the contribution that the floral displays make. Costs are split between the two cost centres

Tree and Woodland Management

The budget heading was significantly increased in 2008/09 as a result of the In house tree survey, which was undertaken.

In 2010/11 further works will be needed to trees on the Small and Large Green and other locations.

*Tourism*

Christmas Lighting

The Budget is in line with last year.

Watering Contact

The Budget is in line with last year.

Hanging Basked Poles

The location of the poles for both the hanging baskets and the Christmas lights allows for maximum visual impact. Unfortunately this makes them vulnerable to vehicle impact, which resulting each year with one or two requiring replacement.

Devizes in Bloom – South West in Boom

The Budget for Devizes In Bloom has been increased a little to meet the current costs of the event. South West in Boom has been kept as the current level.

Town Centre Manager

The Council has agreed that it would make a £20,000 contribution to the Town Centre Manager costs for 2010/11.

*Central Support*

Staff Training

Maintaining well-trained and knowledgeable staff is essential to the council. Again this year there is a number of staff booked on training courses and seminars later this year and it is planned to continue this next year.

*Telephone / Postage*

No budget increase against 2009/10.

Insurances

Insurance costs have reduced and therefore the 2010/11 budget has been reduced to correspond.

Financial Services

This cost heading is for professional accountancy services needed to help prepare the year-end accounts. The Admin & Finance Manager has been in post for 9 months and is now more familiar with the RBS Software and Town Council accounting requirements. It is anticipated that assistance at year-end will be less for 2009/10 and this budget has been reduced accordingly.

*Devizes and Roundway JBC*

Precept

At its meeting on the 15 October 2009, the burial committee set a precept of £80,397 for financial year 2010/11. Devizes Town Council portion of the precept is 73.4% totalling £59,012.

*Community*

CCTV Revenue Funding

This is for the maintenance contribution on behalf of Devizes Town Council for the CCTV system in Devizes.

Salaries

The national negotiated salary increase for financial year 2009/10 has been completed and therefore officers have allowed for 1.0%. An assumed increase for 2010/11 is set at 1.5%. Some staff will also receive an incremental rise on their salary scale.

The cost of salaries also included a provision for sickness which is 3% of the gross payroll. Likewise an amount of mileage has also been included.

No provision has been made for any increase that might accrue from the adoption of the National Terms and Conditions of Service

*Income*

Corporate and Democratic

Although the Council is carrying a high level of earmarked reserves bank interest has collapsed due to the global banking crisis. Officers have adjusted the budget accordingly

Commercial Properties

Budgeted income reflects current lease contracts.

Town Hall and Corn Exchange

Bookings for the venues are currently fairly good and therefore officers have increase room hire income to reflect this. However officers have been more cautious with the income for ancillary services as the current trend is for hirers to limit the amount of extras they book.

Sports Pitches

With the removal of the pre-fabricated changing facility and with no firm plans on the table income associated with Green Lane will be minimal.

Open Spaces

A small increase in income for hiring the Green 2010/11.

Central Support

The resources needed to run and administer to the affairs of the Joint Burial Committee have been reviewed, and the level of work, which the Town Council will undertake has been agreed. The review has influenced the charge made to the Joint Burial Committee

***NEW PROJECTS***

Within the heading new projects, officers have set out items of expenditure, which are one off in nature and therefore should not be considered under the normal revenue headings.

Dishwasher & Kitchen upgrade

The pass through dishwasher in the Town Hall is now worn out and needs to be replaced. This will entail additional plumbing works.

Ceres Hall Floor

The wood floor in the Ceres Hall needs to be stripped, sanded and resealed.

Town Hall and Corn Exchange Decoration

Painting of the walls in the Assembly Room whilst the first floor rooms and painting the area of the stairs in the Corn Exchange is a requirement.

Curtains – Corn Exchange

It is intended that the monies will be budgeted over a three-year period for this project. This will also include black out blinds in the Wessex Room which will help with both insulation and controlling glare on the projection screens.

Carpets – Corn Exchange

New carpet in the Foyer and the stairs.

2012 Olympics

General provision on the request of members of the Council to commit a sum to celebrate the 2012 London Olympics.

Mower

New mower for Hillworth Park and all other open spaces under control of Town Council.

Buffer

New buffer to enable cleaning the floors of both venues.

Podium for Conferences

Lectern podium which may be hire out. Currently we hire this in.

War Memorial

A proposal to include the names of Devizes people who have lost their lives in conflicts since the First World War on the War Memorial in Long Street has been received from the Royal British Legion. The budgeted amount reflects a contribution from Devizes Town Council.

Royal Celebration

General provision on the request of members of the Council to commit a sum to commemorate the Royal celebration in 2012.

BMX Park

General provision on the request of members of the Council to commit a sum towards a BMX Park.

Devizes Hospital & Community Radio

Request for a grant of £4,000 to provide a portakabin at Devizes School site and make fit for purpose.

Drews Pond Wood

Request for funding to enable four volunteers to receive training in Chainsaw usage.

Carnival Grant Additional Funding

Request from Devizes Carnival committee for an additional £4,500 as a contribution towards the 2009 Carnival and street festival.

Keeping the precept to below 1% the following adjustments were suggested at the meeting of forward planning held on 29 September, resulting in a 0.6% increase in the precept.

Devizes Hospital & Community Radio request for a grant of £4,000 reduced to £1,000.

Drews Pond Wood grant request for £1,000 reduced to £500.

Request for Carnival grant additional funding of £4,500 reduced to £2,000.

Suggested budget of £2,000 as a contribution to a BMX Park.

### **Options Considered**

Members need to decide what level of income and expenditure they wish for financial year 2010/11.

### **Implications & Risks**

#### **Financial and Resource Implications**

The budget reflects the Council's ability to fund its Financial and Resource needs for financial year 2010/11.

#### **Legal Implications and Legislative Powers**

In accordance with section 50 of the Local Government Finance act 1992, the Council must calculate its budget requirement, being the difference between its income and expenditure. This will allow the Town Council to set a precept in accordance with Section 41, of the Local Government Finance act 1992.

#### **Environmental Implications**

Officers are not aware of any environmental implications associated with this decision.

#### **Risk Assessment**

Not setting a budget would leave the committee open to challenge by the auditors for financial mismanagement. In addition, the Council will not be able to set a precept and therefore will have its precept imposed by the District Council.

#### **Crime and Disorder**

Officers are not aware of any implications Under Section 17 of the Crime and Disorder act 1998.

### **14. TO PASS THE FOLLOWING SEALING RESOLUTION**

THAT the Common Seal of the Council be affixed to or the Town Clerk do sign on behalf of the Council where appropriate any Orders, Deeds or Documents necessary to give effect to any of the matters and recommendations contained in the reports received and adopted at this meeting or other decisions of the Council thereat.

### **15. QUESTION TIME**

At the Town Mayor's discretion members will be allowed a short period in which to put Questions on matters of concern to the Council which are not contained in the reports of matters formally considered by the Council at this meeting.

**16. PUBLIC PARTICIPATION**

At the Chairman's discretion, members of the public attending the meeting will be allowed to ask questions addressed to the Chairman concerning the administration, function or responsibilities of the Council or upon a matter, which was the subject of debate at the meeting.

A person may also be permitted to make a statement or address the Council upon a matter of concern to that person which is relevant to local government, or to the Council's administration or upon a subject, which may be of general interest to the Council. A time limit of 5 minutes per person will be permitted, but this may be extended at the Chairman's discretion and a maximum period of 20 minutes has been allocated by the Council for this item of business.

DEPUTY TOWN CLERK