



Devizes
Town Council

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SPECIAL **DEVIZES TOWN** **COUNCIL**

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

Date: TUESDAY 26 JANUARY 2010

Time: 7.00 pm

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

Enquiries: Town Hall - Tel: 01380 722160

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 17 December 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

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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 17 December 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.

COMMITTEE NAME	COMMITTEE DATE
Planning	8 December 2009
Planning	17 December 2009
Community & Civic Resources	24 November 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 DECISION – TO ELECT A CHAIRMAN OF THE COUNCIL

Recommendation

That the Council elects a chairman for Devizes Town Council for the remainder of the current civic year ending 13 May 2010.

Purpose of the Report

To elect a Chairman of the Council.

Background

Following the death of the Town Mayor Councillor John Leighton, the Council is legally required to elect a new Chairman of the Council.

The post of Chairman does not necessarily need to carry the title of Mayor, which is primarily a ceremonial role.

Options Considered

The Council needs to decide what arrangements it wishes to make for the Chairmanship of the Town Council.

Implications & Risks

Financial and Resource Implications

Officers are not aware of any financial or resource implications associated with this decision.

Legal Implications and Legislative Powers

The Council is required in law to elect a Chairman of the Council.

Environmental Implications

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

Risk Assessment

Not having a Chairman of the Council will leave the authority and any of its decision open to a legal challenge.

Crime and Disorder

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

8. REPORT FOR DECISION – CONTRACT BETWEEN THE TRUSTEES OF THE NATIONAL HERITAGE MEMORIAL FUND & THE BIG LOTTERY FUND AND DEVIZES TOWN COUNCIL

Recommendation

That the Devizes Town Council enters into the contract with the Trustees of the National Heritage Memorial Fund and the Big Lottery Fund for the grant award in respect of Hillworth Park and agrees to abide by the conditions set out in the contract.

That the Chairman of the Council is authorised to sign the contract on behalf of Devizes Town Council.

Purpose of the Report

For the Council to agree to enter into the contract.

Background

Devizes Town Council has been awarded a grant of £1,203,000 through the Heritage Lottery and Big Lottery Funds 'Parks For People' programme.

The conditions of the grant are set out in a contract (circulated alongside this agenda). The Council must formally agree to enter into this contract

Options Considered

The Council can agree to enter into the contract or decide not to enter into the contract.

Implications & Risks

Financial and Resource Implications

Failure to enter into the contract will result in the award of £1,203,000 being withdrawn.

There are significant financial and staff resource implications in entering into the contract in terms of delivery of the Hillworth Park Project which have previously been understood and agreed in the process of the submitting the grant application.

Legal Implications and Legislative Powers

Powers to acquire land for or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them, to provide gymnasiums, playing fields, holiday camps are provided for in the following legislations – Public Health Act 1875 s 164, Local Government Act 1972 Sched.14, Public Health Acts Amendment Act 1890 s44, Open Spaces Act 1906 ss 9 & 10, Local Government (Miscellaneous Provisions) Act 1976 s 19.

Entering into a contract to accept a grant to deliver services under these powers is provided for by Section 111 of the Local Government Act 1972 which allows for action that is incidental exercise of those powers.

Environmental Implications

Any environmental implications of the Hillworth Park project have previously been understood and agreed in the process of the submitting the grant application.

Risk Assessment

Failure to agree to enter into the contract will result in a significant risk to the Hillworth Park Project.

Crime and Disorder

The Hillworth Park project contains a number of measures to reduce antisocial behaviour and low-level vandalism. This decision should be considered in terms of the Council's duties under Section 17 of the Crime and Disorder act 1998.

9. 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.

10. 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.

11. 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.

Councillor Peter Evans

Councillor Ray Taylor