



Devizes
Town Council

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DEVIZES TOWN **COUNCIL**

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

Date: 15 December 2016

Time: 6.45pm

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

Enquiries: Town Hall - Tel: 01380 722160

Councillors:	Mrs Bridewell	Mrs Burton	Carter
	Corbett	East	Evans
	Mrs Evans	Geddes	Giraud-Saunders
	Hopkins	Johnson	Nash
	Ody	Parker	Mrs Rose
	Wooldridge		

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 4 October and 1 November 2016.

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 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 4 October 2016 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 Committee	20 September 2016
Planning Committee	4 October 2016
Planning Committee	18 October 2016
Planning Committee	1 November 2016
Community & Civic Resources	12 July 2016
Community & Civic Resources	23 August 2016
Community & Civic Resources	20 September 2016
Recreation & Properties	23 August 2016
Recreation & Properties	20 September 2016
Joint Governance	16 June 2016
Joint Governance	11 August 2016

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 – PROJECT LIST

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

8. REPORT FOR INFORMATION - APPOINTMENT OF MAYORAL NOMINATION FOR 2017/2018

It is tradition that at this meeting that the Council decides who will be agreed nomination for Mayor for the following year. The actual decision and ratification for Mayor is made Annual Meeting of the Council (Mayor Making).

This year due to the amalgamation of Roundway into Devizes it was agreed that this decision would not be made until the 11 April 2017 which will be the first meeting that the new arrangements come into place and therefore will give representative from the new Roundway ward, the existing Roundway Councillors, an opportunity to take part in the debate.

9. REPORT FOR DECISION – LEASE RELATING TO NEWLANDS AND BELVEDERE WOOD

Recommendation

That the Council authorised officers to sign a lease for the Management of Newlands and Belvedere woods for a 10 year period ending 31 December 2016.

Purpose of the Report

To agree that the Council takes over the management of Newlands and Belvedere woods which will allow authorised public access and allowing some management of the current problems those using the woods is causing for the community.

Background

In August 2015 officers were authorised to negotiate with the Merchant Ventures to see if a solution could be found to tackle the problem rough sleeps congregating in Newlands and Belvedere and the impact that was having on the community.

In November of the same year it was made clear that the Merchant Venturers, whilst they owned the wood, were not prepared to invest in a strategy that would see the potential permanent solution of the management of rough sleepers or the wood itself. However; it was clear that they were prepared to offer the Town Council a ten year lease on a peppercorn rent, based on a management plan that would see the woods transformed as a pleasant walk linking the canal towpath, through the cemetery, to Quakers Walk. To facilitate this, Merchant Ventures agreed to fund the drawing up of the lease and cleaning of the wood before handing it over with "Vacant Possession".

In February 2016 this year, officers supported by members met with the Merchant Venturers to inspect the wood and set out the principle of the lease.

At the beginning in December 2016, that lease was submitted to the Council for agreement. Officer have taken some legal advice on the content of lease and this resulted in some suggested minor amendment to protect the Council's interested. The committee are now asked to authorise officers to sign the lease.

The principals of the lease are as follows:

- The lease is for 10 years (31/12/2026)
- Rent Chargeable is a peppercorn
- Woods to be managed in accordance with the “Management Plan” drawn up by Devizes Town Council.
- Prior to the commencement of the lease, the Landlord to clear the woods of rough sleepers and rubbish.

Options Considered

The Council needs to decide if it supports signing of lease between the Merchant Venturers and the Town Council for the maintenance and management of Newland and Belvedere Woods.

Implications and Risks

Financial and Resource Implications

Some provision has been made in the 2017/18 budget.

Legal Implications and Legislative Powers

The Council will be considering this matter under its General Power of Competence

Environmental Implications

Officers are unaware of any environmental implication for the Council associated with this decision.

Risk Assessment

Officers are unaware of any risk implication for the Council 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 – EARLY ADOPTION OF INTERIM GOVERNANCE ARRANGEMENTS

Recommendation

To accept the Joint Governance Committee’s recommendation that the full membership of both Devizes Town and Roundway Parish Councils voluntarily combine to provide interim governance arrangements prior to the elections in 2017.

Purpose of the Report

To agree a recommendation from the Joint Governance Committee that Devizes Town Council and Roundway Parish Council will operate jointly from the end of February 2017 until vesting day on the 1 April 2017.

Background

It is confirmed that Community Governance Order will come into force on 1 April 2017 with interim governance arrangements operating until four days following the elections.

The two Councils have already agreed that from the 1 April 2017, the decision making body will be the membership of the two councils.

In order support the changes that will need to be planned prior to vesting day, the Joint Governance Committee are recommending that Devizes Town and Roundway Parish Councils enter into voluntary interim arrangement from an earlier date and agree the delegation of all decisions to, what would effectively be, a the Joint Governance Committee now comprising of all members.

Introducing these arrangements from 28 February, will give greater opportunity to deal with any complications or snagging issues prior to vesting day.

Additionally, in order to protect the interests of the individual councils in respect of matters which relate solely to one or other of the councils, it is proposed that a protocol is adopted. (Doc10 refers).

There is the option of including a proviso that, where a matter on an agenda relating exclusively to either council or a matter on which either council has already made a previous decision or commitment, that the members of the council in question reserve the right to hold the matter to be considered by the members of that council alone.

Prior to 1 April 2017, both authorities will remain legal entities and, therefore have its own Chairman. In recognition of this, it is further recommended that the Chairmanship of the Joint Governance Committee alternate between the Town Mayor and the Chairman of Roundway Parish Council or their deputies.

Options Considered

The Town Council needs to decide if it agrees following recommendations from the Joint Governance Committee;

- 1) Devizes Town Council and Roundway Parish Councils enter into a voluntary interim governance arrangement from 28 February 2017

And, if so

- 2) That the protocol outlining specific governance arrangements for this period is agreed.
- 3) The Council delegates all decisions, except where it is precluded from doing so by law, to the Joint Governance Committee from the 28 February

- 4) And that the Chairmanship of the Joint Governance Committee alternates between Devizes Town and Roundway Parish Council

Implications & Risks

Financial and Resource Implications

There are no significant financial implications although there are resource implications to coordinate the business of the two councils into a single agenda. However, this will be required anyway, so the resource is not wasted.

Legal Implications and Legislative Powers

There is no impediment to the Council's delegating responsibility to a joint body with the exception of setting a rate or taking out a loan.

Environmental Implications

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

Risk Assessment

A longer transitional period would mitigate the risk of issues being overlooked

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 – DRAFT ESTIMATES FOR 2017/18

Recommendation

The Council is recommended to agree the budget for financial year 2017/18.

Purpose of the Report

To consider the budgeted income and expenditure for the financial year 2017-18 and provide sufficient financial resources for any additional services the Council may consider it wishes to take on.

Background

Officers have prepared the draft budget for financial year 2017-18 in line with identified business activities and plans or those which are projected.

One specific area of projection is devolution of services from Wiltshire Council. Negotiations have progressed throughout the financial year and there is a significant chance that before the end of the financial year 2016 – 2017 and during the 2017 – 18 financial year, some services may be either withdrawn by the Unitary Authority or cut to such an extent that they no longer meet the needs of Devizes Community.

At that point the Town Council may wish to step in to insure that it can deliver on its Corporate Objective and Mission Statement.

Set out below is a commentary on the principal budget headings.

Explanation of Budget Headings

Revenue Budget

Officers have, where possible, held the budget at the 2016/17 level. The potential devolution of services from Wiltshire Council and the amalgamation of Roundway Parish Council into a new Town Council will have a significant impact on these calculations.

Corporate

Democratic Services

This is a revenue budget for the cost of the democracy, and includes the cost of preparing and servicing of meeting, working parties, officers attending meetings and consultation with the public.

Member Support

Members are encouraged to participate in training when available. The budget heading also provides funding for members to attend conferences and networking opportunities.

Twinning

Devizes will host the twinning weekend in 2017. The budget heading provides for the costs associated with the arrival of the civic delegations from the twin towns of Mayenne and Waiblingen. Additional to this a moderate Ear Marked Reserve of £1876 has been put aside from previous financial years. An Eu grant has recently been awarded to help fund the weekend.

Civic & Ceremonial

The civic events along with the civic officers' allowances ensure that Devizes is able to uphold its civic traditions. In the past, consultation with the community has indicated that it is these kinds of events which make Devizes special.

Mayoral Allowance

This budget heading has been increased in line with inflation, in accordance with a council policy made some years ago.

It would be for members to decide to increase or reduce this amount. It should be noted, however, that the Mayoral year is very demanding and the budget is intended to defray the costs of the year to ensure that financial considerations are not a barrier to taking on the role.

Communications

Due to an exercise to requote for the printing of the Town Council Messenger, officers are confident that although the Town Council will not be able to defray the cost of delivering to the residents of Roundway Parish by receiving a contribution from Roundway Parish Council, this budget heading will reduce from the previous financial year.

With the development of the new website complete the budgets has reduced to cover maintenance only.

Corporate Management

This cost centre is where the majority of senior management time is accounted for. It encompasses the cost of running the organisation, managing the various strategic corporate objectives and delivering Council decisions. It also includes items such as audit fees, professional advice and the annual report.

Bank Interest

As the level of earmarked reserves has reduced to fund larger capital projects, the value of cash reserves held by the Council have decreased, this reduced the cash base limits the level of interest earned. Reserves will again be placed on deposit for different terms as appropriate and are constantly reviewed to maximise the return in a very difficult climate.

Grants

Grace and Favour bookings & Free Lettings

Provided to organisations, which benefit the community of Devizes, technically there is no limit to the value of these bookings as they are allowed in accordance with Council policies. The income is allocated against the Venues income. However, there is a cost to the Council in terms of the buildings not being available for commercial bookings and in staffing and utility costs.

General Grants

These have remained the same and are distributed in October and March of each year to organisations who apply.

Annual Grants

There are a number of organisations in the Town who receive an annual grant. A new policy agreed this year does require that they need to make their application in writing.

Historically the Council has taken the view that the activities they undertake for the town are worthy of regular direct support. The grant payable to the Drews Pond Wood has been increased to include the grant previously paid by Roundway Parish Council.

Commercial Properties

The Commercial Property Management charges are at a contract price. Legal fees and estimated repair costs remain the same as last year. Officers have increased the provision to defray the loss of income should a property(ies) become vacant during the financial year from £15,000 to £20,000.

There are 4 rent reviews scheduled for the 2017 -18 financial year.

Arts Development

Devizes Outdoor Celebratory Arts and Devizes Festival

The Council gives support for DOCA and The Devizes Festival provided by free use of its venues and in the case of DOCA direct financial support.

Venues – Town Hall & Corn Exchange

Expenditure

Officers have thoroughly reviewed these cost centres and have stripped back as far as possible without impacting on service delivery. Many of the cost centres relate to items which fluctuate with the usage of the buildings.

Income

A recent members forward planning session detailed venues income over the past four years revealing a falling away of income particularly with regard to the Corn Exchange. Members agreed the need for specialist marketing advice to expand our client base. Officers are of the opinion that a maximum of £5,000 should be allocated to this specialist marketing advice.

Devizes Leisure Centre

Devizes Town Council is subject to a 60-year agreement which commenced in 1988 which requires ongoing annual revenue funding. This is subject to a calculated formula.

Parks & Open Spaces

Hillworth Park

This cost centre relates specifically to the café operation which has been taken in house since September 2015. Regular financial reports relating to the operation of the Park café are reported to members.

Open Space Management

This costs centre will be subject to a substantial increase in costs due to the introduction of services previously under the control of Roundway Parish Council, the potential devolution of services from Wiltshire Council and the non-Park Café costs associated with Hillworth Park.

An increase in the costs of general maintenance reflects the upkeep of open spaces, waste management and trees and woodland in the Roundway parish whilst a provision for the upkeep of play area reflects the position of Wiltshire Council with regards to Play area upkeep.

Officers have identified a requirement for two additional leased vehicles to ensure the efficient operation of the new area with the resultant increase in fuel costs. A new provision for gull deterance and an enhanced provision for Street Furniture and allotment costs has been provided with the cost previously incurred by Roundway Parish Council.

An accurate reflection of the costs of utilities within the Park Centre is now included within this cost centre whilst an increase in the provision for sport field expenses reflecting officer/member plans to develop the Green Lane site.

The Council will continue to outsource activities such as the watering and the buying in of plants although the main grounds maintenance delivery will be delivered through in house staff. In the past full outsourcing has been tested however due to the relatively small value of the contract sum and the nature of the contract complexity, it makes it difficult to realise savings of enough significance to make it worth the reduction in service flexibility.

If members wish to reduce these budgets then there will need to be clarity of expectation as to where the reductions in service will be made.

Public Conveniences

The Town Council took over the provision of the Devizes Superloo and the Toilets on the Green in April 2016 and as a result TUPE'd over two members of staff. The lack of information from the transferring authority has meant that officers are still collating information regarding utility costs and usage over the current financial year. Income is proving to be marginally above that which was anticipated at the outset.

Christmas Lights

Christmas Business Trees

It was agreed this year to continue with the project which helps to increase the amount of Christmas lights displays in the town.

Christmas Festival & Lights

Officers supported by the Christmas Lights Working Party tendered for a new installation contract in 2016. This has now fixed the price for the next two years.

Admin Support

All costs have been reviewed and in some cases reduced even with the merger of Roundway Parish Council. The provision for professional advice has however increased significantly on the assumption that legal costs will be incurred with the potential devolution of assets from Wiltshire Council. An amount of £4000 has been included in respect of Election costs.

Cemetery

Precept income from both Devizes Town Council and Roundway parish Council are no longer applicable. Costs incurred and income derived from the operation of Devizes Cemetery are broadly in line with the historical data incurred in the preparation of the financial results of the Devizes & Roundway Joint Burial committee.

Community Safety

The Council has currently agreed to further the Town's CCTV system to a value of £18000.

Town Centre Management

Town Council uses this budget to support economic regeneration projects. With the development of groups such as the retailers this is likely to be an ongoing demand on this project.

Salaries

Whist salaries have seen an increase, this is due to a more accurate reflection of Café Staff payroll costs and the provision of Public convenience staff which were not provided for in the 2016/17 financial year.

Three members of staff have stated that they would wish to join the Wiltshire Council pension Scheme. This has resulted in an increase in payroll cost of approximately £9,500.

An estimated increase of 1% has also been provided on the assumption that current member salaries will increase to that percentage.

The Park café salary costs are partially offset against café income.

Future Operational Activities

As set out in the introduction to this report officers have increased the enhanced service provision on the assumption that this will be required during 2017/18 financial year in order to maintain the upkeep of the Town in line with the expectations of residents of the amended Town/parish area.

Capital Expenditure

Items, which are not regular revenue expenditure, are identified separately. In line with members wishes, funding has been included to support a town wide community event. Quotations have been sought in respect of the replacement of the boiler in the Town Hall in the sum of £20,000. An amount of £10,000 has been provided in the 2017/18 estimates with an additional provision of £10,000 in the 2018/19 estimates. Officers are hopeful that the boiler will last into the 2018/19 financial year.

Earmarked Reserves

In addition to the budget, officers have attached a copy of the Council's Earmarked Reserves. These are funds which have been accumulated for specific projects where it has not been possible to raise the finance in a single financial year. Officers have identified a specific reserve relating to play equipment in the sum of £19,068 therefore officers have not made a specific provision for play equipment in the 2017/18 estimates.

Options Considered

The Council needs to decide if they feel that the proposed budget is in line with the level of services it wishes the Council to deliver in 2017/18

Implications & Risks

Financial and Resource Implications

The budget reflects the Council's ability to fund its Financial and Resource needs for the financial year 2017/18.

Legal Implications and Legislative Powers

The Council will be considering this matter under its power of General Competence

Environmental Implications

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

Risk Assessment

Not setting a budget would leave the Council 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 Wiltshire Council.

Crime and Disorder

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

12. REPORT FOR DECISION – AGREE PRECEPT FOR FINANCIAL YEAR 2017/18

Recommendation

The Council are required to set the precept for the financial year 2017/2018 in accordance with the agreed budget for the same period.

Purpose of the Report

The purpose of this report is for the Council to pass a resolution setting the precept for financial year 2017/2018.

Background

Before this agenda item, the committee will have reviewed the proposed estimates for financial year 2017/2018.

In agreeing the budget, there is a calculation for the funding needed to fund the anticipated expenditure.

The Committee are now required to formally agree this figure and set the level of precept for financial year 2017/2018 which will be served on Wiltshire Council.

Options Considered

Members are required to set a level of precept in line with the budget for financial year 2017/2018.

Implications & Risks

Financial and Resource Implications

The precept underpins the agreed financial budget and therefore must be set in accordance with that budget.

Legal Implications and Legislative Powers

Under section 41 of the Local Government Finance Act 1992 the Council has a power to raise finance through local taxation.

Environmental Implications

Officers are not aware of any environmental implications associated with setting the 2017/2018 precept.

Risk Assessment

If the Council was not to set a precept, the Unitary Council has the power to set a precept on the Town Council's behalf. If this was to happen the Town Council might not be able to fund its agreed expenditure.

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. 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.

14. QUESTION TIME

A short time is allowed at the discretion of the Town Mayor for councillors to ask questions on matters which are not on the current agenda but which are related to matters which have been previously discussed on an agenda relevant to the committee.

At least 24 hours' notice must be given to officers of the intended question. All other matters should be raised on an agenda and the request should be submitted through the Town Clerk

15. 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