



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: 24 APRIL 2018

Time: 7.00 pm

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

Enquiries: Town Hall - Tel: 01380 722160

Councillors:	Bridewell	Burton	Corbett
	Carter	P Evans	S Evans
	Gay	Geddes	Giraud-Saunders
	Godwin	Greenwood	Hopkins
	Johnson	Nash	Parsons
	Rose	Rowland	Shaw
	Stevens	Von Berg	Wooldridge

AGENDA

- 1. APOLOGIES FOR ABSENCE**
- 2. 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.

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

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.

5. **REPORT FOR DECISION – BRAESIDE CLOSURE**

Recommendation

That the Council discusses the proposed closure of Braeside Educational and Conference centre and decides how it wishes to respond to this news.

Purpose of the Report

To provide the Council with an opportunity to debate the proposed closure.

Background

On the 29 April, Wiltshire Council announced the potential closure of Braeside which has caused significant concern locally.

At a meeting of the Planning Meeting on 10 April Councillor Rose raised a question asking if the Council could have an opportunity to debate the closure of Braeside this agenda item facilitates this. The Town Council has very little in the way of background papers to inform the debate; however, there is an agenda for a special meeting of Wiltshire Council's Overview and Scrutiny Committee which debated the Cabinet decision to close outdoor education facilities.

A copy of that agenda can be found on the Wiltshire Council Website.

At that meeting it is hoped that other stakeholders, who have may have an opportunity to continue the service, will be in attendance.

Options Considered

The committee needs to decide what actions it wishes to take in respect of the proposed closure of Braeside.

Implications and Risks

Financial and Resource Implications

Without firm proposals officers cannot provide advice on potential financial or resource implications for the Council associated with any decision.

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 implications 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.

6. REPORT FOR DECISION – ADOPTION OF ANNUAL INVESTMENT POLICY

Recommendation

That the Council reviews and adopts an Investment Policy for the financial year 2018/19.

Purpose of the Report

That the Council reviews and adopts an Investment Policy for the financial year 2018/19

Background

Legislation requires that Town Councils are transparent in the activity and decision making processes.

To support the Council to achieve this, it is important that it adopts and reviews policies which provide a framework for risk management.

One area of potential risk is through investments and therefore each year the Council is required to review its investment strategy and policy which sets out any risks to capital which the authority may hold.

The policy document (issued alongside) sets out the type of investments the Council will hold, reporting on performance.

Options Considered

The Council needs to decide if it wishes to adopted or amend the policy.

Implications and Risks

Financial and Resource Implications

Officers are unaware of any financial or resource implication for the Council associated with this decision.

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

Not having an investment strategy in place may result in an adverse comment within the audited accounts.

Crime and Disorder

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

7. REPORT FOR DECISION – APPOINTMENT TO VACANT POSITION OF TOWN CLERK

Recommendation

That the Council accepts the Personnel Panel recommendation that a recruitment process is commenced to appoint a new Town Clerk to the vacant position

Purpose of the Report

To set out the process the Council should follow to appoint a new Town Clerk.

Background

As previously reported through the Personnel Panel, the Town Clerk left the Council at the end of March leaving the Council without its senior officer.

As set out in the Local Government act of 1972, the Council needs to appoint such officers as they think necessary for the proper discharge of any obligations incurred by them. That is to say the Council needs to appoint officers to manage services undertaken by the Council and to carry out the decisions of members of the Council.

The head of paid staffing is the Town Clerk, who has specific responsibilities not undertaken by any other employee.

That post has now become vacant and therefore should be filled as soon as practicable. A copy of the Job Description is attached to this agenda doc 7/1.

The Council's recruitment policy sets out that "all posts will normally be the subject of open external competition". In exceptional circumstances a post may be recruited to without subjecting it to open external competition. In such circumstances, permission must be sought from the Community and Civic Resources Committee.

Whilst it would be normal practice for the Community and Civic Resources Committee to make a decision on recruitment matters the panel decided that due to the seniority of the post that this matter is taken directly to Full Council.

In preparation for the decision to recruit by Full Council, and in the possibility that members of staff may wish to apply the Personnel Panel has appointed three of its members, Councillors Geddes, Stevens and Rose to a recruitment working party, to undertake preparation ahead of recruitment including reviewing the job description and contract, advertising the post both locally and nationally, developing the interviewing strategy and shortlisting applications in advance of interviews.

To progress the recruitment of a Town Clerk the Council needs to decide if it agrees the following recommendation from the Personnel Panel.

- That the vacant position of Town Clerk is recruited to through external competition.
- That in addition to the three members of the Personnel Panel identified within the report two other Councillors are selected to form an interview panel of five.
- That the Personnel Administrator, Mrs Elanor Oddy, acts as Clerk to the recruitment working party and interview panel, reporting directly to the recruitment working party to ensure that any decision is made impartially.
- That the vacant post of Town Clerk is advertised on the Town Council's website. Also, given the specialist nature of the post it is advertised through the Society of Local Council Clerks, as its membership will be ideally qualified to apply for the position.
- That any amendments to the contract and job description for the post of Town Clerk, as suggested by the recruitment working party, be agreed. (please note that these will be tabled at the meeting)

Options Considered

Set out within the report are a number of recommendations the Council need to consider.

Implications and Risks

Financial and Resource Implications

Financial provision is made within the Council's staffing budget. The Town Clerk is a significantly important resource for the Council.

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

The Council would open itself up to significant legal challenge if it did not appoint a Town Clerk.

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 – TEMPORARY MANAGEMENT ARRANGEMENTS

Recommendation

That the Council agrees the Personnel Panel's recommendation that the current "acting up" arrangements are continued until a new Town Clerk is appointed or until the current management structure is reviewed.

Purpose of the Report

To confirm management arrangements for the Council in the absence of a permanent Town Clerk.

Background

At its meeting on the 14 December, the Council agreed that.

- The Council appoint the Deputy Town Clerk to act as Town Clerk for the remainder of the current period of sickness by the Town Clerk.
- That the Council appoint the Deputy Town Clerk to act as Responsible Financial Officer for the remainder of the current period of sickness by the Town Clerk.

As the Town Clerk has now left the organisation, the arrangements as set out above have come to an end and therefore the Council needs to consider what management arrangements it wishes to put in place until a new Town Clerk is appointed.

The Panel also agreed acting up allowance for those staff who support the management of the organisation and as they are continuing to fill those roles, it is recommended that these allowances remain in place until a new Town Clerk is appointed or there is a restructuring of the management team.

Options Considered

To decide if the Council accepts the Personnel Panel's recommendation that the current temporary deputising and acting up arrangements are continued until a new Town Clerk is appointed or until such time that there is a review of the management structure; or, to decide on alternative interim management arrangements before the appointment of a new Town Clerk.

Implications and Risks

Financial and Resource Implications

The current arrangements fit within the staffing budget and provide sufficient resources to delivered services and Council objectives.

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 implications for the Council associated with this decision.

Risk Assessment

Officers are unaware of any risk implications 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.

9. REPORT FOR DECISION – VOTE OF THANKS FOR THE FORMER TOWN CLERK

Recommendation

That the Council agrees a vote of thanks for the former Town Clerk to be recorded in the Minutes.

Purpose of the Report

To provide an opportunity to record in the minutes, an acknowledgment for the good work the former Town Clerk undertook during her term of employment and the appreciation from the Council for her contribution towards the management of the authority.

Whilst as an officer, much of what is done is part of the paid employment contract, members may wish to recognise that Sarah has acted with the greatest of professionalism and integrity during her employment.

Background

Sarah Todhunter joined the Town Council as Town Clerk in June 1998, almost 20 years ago and she has supported the Council in its growth helping it to embrace the changing demands placed on our sector.

In her time with the Council, Sarah Todhunter streamlined the committee system providing a significantly more efficient decision making mechanism and with her thorough knowledge of local government issues, has reinforced the Council's position as a democratic voice to be taken seriously both locally and further afield.

Sarah has also led on a number of projects during her Town Council career, one of her notable successes being the refurbishment of Hillworth Park, through the successful gain of a lottery funding. The project has ensured that the facility will continue to provide a first class recreational space for our community.

Options Considered

The committee needs to decide if a vote of thanks be given to Sarah Todhunter, Town Clerk for Devizes Town Council between June 1998 and March 2018, for the all the work she undertook during her time in the post and for the professional manner in which she has carried out her duties

Implications and Risks

Financial and Resource Implications

Officers are unaware of any financial or resource implication for the Council associated with this decision.

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. 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.

11. 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

12. 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.

Town Mayor