



Devizes Town Council

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Community & Civic Resources Committee

You are summonsed to attend a meeting of the Community & Civic Resources Committee at the following, place and date.

Date: Tuesday, 8 May 2018

Time: Immediately after the Planning Committee Meeting

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

Enquiries: Town Hall - Tel: 01380 722160

The Town Mayor (Councillor Carter)

Chairman: Councillor Bridewell

Councillors: Burton
Geddes
Nash
Von Berg

Corbett
Godwin
Rose

Evans
Hopkins
Stevens

AGENDA

1. MINUTES

To approve as a correct record and authorise the Chairman to sign the minutes of the meeting held on 27 March 2018 and which have been circulated alongside the agenda.

2. APOLOGIES FOR ABSENCE

3. DISCLOSURE(S) OF INTEREST

To receive any disclosure(s) of interest by a Councillor or an officer in matters to be considered at this meeting, in accordance with provisions of Sections 94 or 117 of the Local Government Act 1972 or the National Code of Local Government Conduct.

4. PUBLIC PARTICIPATION

At the Chairman's discretion, members of the public attending the meeting will be allowed to ask questions, make a statement or address the Council upon a matter of concern to that person which is relevant 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

5. REPORT FOR INFORMATION – SCHEDULE OF ACCOUNTS PAID

A Schedule of Accounts Paid is attached for information (doc 5/1 – doc 5/2).

6. NARRATIVE INCOME & EXPENDITURE ACCOUNT & KEY PERFORMANCE INDICATORS 2017/2018

Refer to doc 6/1 issued alongside.

7. REPORT FOR INFORMATION – APPOINTMENT OF EXTERNAL AUDITORS

Members will note that during the past five years the Town Council's financial statements have been subject to a limited assurance review with the external auditors, Grant Thornton UK.

From 2017/18 this will be undertaken by a new external auditing company PKF Littlejohn LLP. The Smaller Authorities' Audit Appointments Ltd (SAAA) has appointed PKF Littlejohn LLP as the external auditor of Devizes Town Council for the next 5 years from 2017/18.

From this year onwards, access to the Annual Governance and Accountability Returns and instructions are being provided through email links.

8. REPORT FOR INFORMATION – END OF WW1 COMMEMORATIONS

Devizes Town Council has joined with Devizes Outdoor Celebratory Arts (DOCA) and the Royal British Legion to put an event together which will commemorate the 100th anniversary of WW1.

As Remembrance Sunday itself, is already a busy day, with church services, and a concert in the Corn Exchange, therefore the working group has decided that many events should start on the Monday which this year is the 5 November and has historically been the formal start of Remembrance week.

- **Opening of the Garden of Remembrance. (05-11-2018)**

It was agreed that opening the Garden of Remembrance on the Monday, instead of the Wednesday, would bring greater publicity to the week of remembrance.

Legion to be asked if they will agree to the plan.

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As part of the opening of the Garden, the names of those who died and are listed on the War Memorial for WW1 could have their names read out again.

It may be possible to have muffled church bells ringing at this event.

- **Exhibition in the Corn Exchange Foyer (05/11/18)**

Grenville Jones has set up a project, which is backed by the Royal British Legion nationally, to encourage and support young people to explore different aspects of the war.

Much of what they do is to document aspects of soldiers' lives and the impact war has on a community. It is hoped that some of the work the young people create could be shown in the Foyer of the Corn Exchange, which could commence on the 5 November and remain for the week.

- **Choirs and Poetry**

A further aspect of the Grenville Jones project, is to bring younger and older members of the community together, to sing some of the popular war time songs. With other events going on the Monday, it could be an opportunity to bring the community together in songs lead by the Good Afternoon choir.

It was agreed that given the links with John McCrae, it would be fitting to read out some of his poems between choir songs.

- **Canadian Link**

The town had a strong link with the Canadian Army during WW1, as it was a staging location before being sent overseas. It was agreed it would be appropriated if that link could be remembered and to support this, contact should be made with the Canadian High Commission.

- **War Memorial Names**

In addition to the names on the War Memorial being read out, during the week running up to Remembrance Sunday, it was suggested that a group of names be published on local Social Media sites, to raise awareness of those from the Town who gave their lives.

At this stage many of the proposals are funding dependent and an Arts Council application has been made for that purpose.

9. REPORT FOR DECISION – APPOINTMENT TO COMMITTEES

Recommendation

1. To make the appointment of members to the Recreation & Properties Committee.
2. To make the appointment of members to the Community & Civic Resources Committee.

Purpose of the Report

To make appointments to the Council's committees.

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Background

Standing Orders provide that, as far as practicable, appointments to committees will be made proportionate to the make-up of the Council and every member must have a seat on either Recreation & Properties or Community & Civic Resources Committee.

Committee A	Committee B
8 Guardian	8 Guardian
3 Conservative	3 Conservative
1 Independent or 1 Labour	1 Independent or 1 Labour

All members have been given the opportunity to express a preference for the committees on which they wish to sit which are indicated, but this committee makes the final decision.

At the time of despatching this agenda, Councillors P Evans and S Evans preferences had not been received, due to holiday commitments.

Recreation & Properties	Community & Civic Resources
Councillor Parsons	Councillor Carter
Councillor Geddes	Councillor Burton
Councillor Carter	Councillor Rose
Councillor Wooldridge	Councillor Geddes
Councillor Greenwood	Councillor Nash
Councillor Giraud-Saunders	Councillor Bridewell
Councillor Gay	Councillor Von Berg
Councillor Johnson	Councillor Evans
Councillor Evans	Councillor Stevens
Councillor Rose	Councillor Hopkins
Councillor Corbett	Councillor Godwin
Councillor Rowland	Councillor Shaw

Options Considered

On this basis, given members' preference, an incorrect political balance has been reached. One member of the Guardians is required to move to Community & Civic Resources and either Councillor Hopkins or Councillor Shaw also need to move across to Recreation & Properties.

Implications & Risks

Financial and Resource Implications

Officers are not aware of any financial or resource implications.

Legal Implications and Legislative Powers

The Council is required to make the appointment to committees in accordance with Standing Orders.

Environmental Implications

Officers are not aware of any environmental implications

Risk Assessment

If the council did not make the appropriate appointments in accordance with its Standing Orders it could be open to 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.

10. REPORT FOR DECISION – REVIEW OF WORKING PARTIES, AREAS OF SPECIAL RESPONSIBILITY AND OUTSIDE BODIES

Recommendation

1. To review to working parties
2. To review areas of special responsibility
3. To review outside bodies

Purpose of the Report

To review the working parties, areas of special responsibility and outside bodies.

Background

All members are given an opportunity to express preferences in respect of which working parties; outside bodies and special areas of interest they would like to be allocated. However, officers feel that it the right time to review all areas, as indicated below.

Outside Bodies
Wiltshire Association of Local Councils (Exec Com) 1 Representative plus deputy
Devizes Development Partnership 1 Representative
Devizes Community Area Partnership – main committee ----- Housing, Environment, Countryside, Transport, Community Safety, Health & Wellbeing, Economy, Culture & Leisure (1 Representative per area)
Devizes Leisure Centre Advisory Committee (2 Representatives plus 1 Deputy) Daytime meetings
Devizes & District Twinning Association 1 Representative (plus Mayor ex officio)

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Outside Bodies
Twining Joint Management Committee (3 representatives)
Devizes & Tormio Twining Association 1 Representative (plus Mayor ex officio)
Devizes Festival Committee 1 Representative
DOCA Christmas Festival Committee 1 Representative
DOCA Devizes Carnival Committee 3 Representatives (plus Mayor ex officio)
Wiltshire Archaeological and Natural History Society 1 Representative
Devizes & District Hospital League of Friends 1 Representative
Devizes Town Trusts Management Committee 2 Representatives (plus Mayor ex-officio)
Fair Trade Committee 1 Representative
Devizes Youth Advisory Group 1 Representative
Area Board Community Transport Group
Area Board Air Quality Steering Group 1 Representative per group
Tourism Group 1 Representative
Flood Wardens Currently are; North Ward East Ward South Ward

Working Party
Neighbourhood Area Planning 4 Members Early evening meetings
Communications Working Party 4 Members Late afternoon meetings
Devizes in Bloom 4 Members Sometimes daytime or evening meetings
Christmas Lights 5 Members Time of meetings flexible
Hillworth Park Steering Group Day time meetings

<u>Working Party</u>
Community Grants Working Party 4 Members
Chequers Working Party 4 Members Daytime meetings
Strategic Plan Working Party 4 Members Daytime meetings

Areas of special responsibility – in the event that an item of information is received or a meeting needs to be attended on a certain area at short notice, members are allocated areas of special responsibility. Each member is allocated an area except the Mayor.

<u>Areas of special responsibility</u>
Arts & Tourism
Community Safety
Environment
Health
Urban Regeneration
Disabled Issues
Transport
Youth Issues

Options Considered

To review, add to and amend the listed Working Parties, Outside Bodies and Areas of Special Responsibility to bring them up to date.

Implications & Risks

Financial and Resource Implications

Officers are not aware of any financial or resource implications.

Legal Implications and Legislative Powers

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

Environmental Implications

Officers are not aware of any environmental implications

Risk Assessment

Failure to appoint representatives to the relevant bodies may result in the council being unrepresented.

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 – RECRUITMENT TO POST OF VENUES ASSISTANT

Recommendation

Following the resignation of Michael Lugg, it is recommended that the Committee agrees to recruit to the vacant post of Venues Assistant.

Purpose of the Report

To ask the Committee to agree to recruit to the post of Venues Assistant.

Background

The Council's Recruitment Policy provides that when a post becomes vacant, permission to appoint must be sought from the Community and Civic Resources Committee. Permission will not normally be withheld unless a review of the necessity of the post is required and no review is required.

Officers are of the view that there is no requirement for a review of the necessity of the post as the role of Venues Assistant is an essential operational post within the venues service and it would not be feasible to deliver the service without this post being filled

The post is recommended to be recruited to on the existing job description and grade – doc 11/1 – 11/2 refers.

Options Considered

To agree recruitment to this vacant post.

Implications and Risks

Financial and Resource Implications

The salary will be in line with the current post holder and the 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

Should the council not recruit to this post there is the risk that standards and operational efficiency may be compromised.

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 – APPOINTMENT OF DATA PROTECTION OFFICER

Recommendation

That the committee appoints a data protection officer in preparation for new data protection regulation which come into effect on the 25 May 2018

Purpose of the Report

To ensure that the Council complies with its legal obligation prior to the commencement of the General Data Protection Regulations.

Background

The General Data Protection Regulation (GDPR) which become law on 25 May 2018 and will like the Data Protection Act 1998 before them, seek to strike a balance between the rights of individuals and the sometimes, competing interests of those such as the Town Council with legitimate reasons for using personal information.

The regulations places a duty on the council to appoint a Data Protection Officers if you are a public authority. The role of the DPO is to monitor internal compliance with the retaliations, provide advice an act as a contact point for data subjects.

Whilst the guidance states that DPOs can be either employees or external appointment, they must be independent. The Information Commissioner's Office has been asked given the size of many town and parish council, is it practical for Clerks be DPOs. As yet no clarification has been received; however, Devizes Town Council believe as the Town Clerk has little to do with the day to day management and use of data and therefore is sufficiently independent for operational use. DPOs must also report to the highest level of management, which of course the Town Clerk does.

To help with the separation of duties, the Admin and Finance Manager will have responsibility for ensuring on a day to day basis that agreed procedures are followed.

Options Considered

The Committee need to decide if the wish to appoint the Town Clerk as Data Protection officers as required by the General Data Protection Regulations which become law on the 25 May 2018

Implications and Risks

Financial and Resource Implications

Any financial or resource implication for the Council associated with this decision should be relatively low for adopting and complying with the new General Data Protection Regulations, failure to do so could have significant financial and resource cost.

Legal Implications and Legislative Powers

The Council will be considering this matter under its General Power of Competence and the General Data Protection Regulations.

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.

13. REPORT FOR DECISION – DATA PROTECTION POLICIES AND GENERAL DATA PROTECTION COMPLIANCE

Recommendation

That the Committee note the preparations undertaken by officers for the introduction of the General Data Protection Regulations and agree the polices contained within the report.

Purpose of the Report

To prepare the Council to meet the legislative commitment as set out in the General Data Protection Regulations which come into force on 25 May 2018.

Background

Officers have compiled and reviewed policies and procedures in readiness for the commencement of the General Data Protection Regulations, which come into effect on 25 May 2018.

There are a number of actions and polices that needed to be adopted to ensure, where possible, the Council complies with the regulations.

Attached to this report is information prepared by the Information Commissioner's Office (ISO), which sets out steps to help organisation get ready for the new regulations. Doc 13/1/1 - 13/1/6

- Awareness. Officers have met with relevant staff to ensure they are aware of their obligations under the regulations. We will continue to develop polices which will ensure the Council continues to be compliant.
- Information We Hold. We have undertaken an audit of data categories we hold, which is attached to this report at Doc 13/2/1.

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- Communication Privacy Information. Privacy notices for the website have been updated and notices about our usage of CCTV have been placed in the Town Hall and Corn Exchange. There will also be a version of the privacy notice on display in the Town Hall. A copy of the web privacy notice is attached Doc 13/3/1 to 13/3/7
- Individual Rights. A new Information & Data Protection Policy set this out and needs to be agreed at this meeting Doc 13/4/1 to 13/4/8.
- Subjects access requests. The Council has previously agreed how it will manage requests of this nature within its publication scheme and transparency policies.
- Lawful Basis for Processing Personal Data. This information is contained within the Information & Data Protection Policy. We have also developed a Data Retention Policy which sets out how long data will be kept. Doc 13/5//1 to 13/5/7
- Consent. The Council collects very little data in a speculative manner and therefore such data forms part of the Council's service agreement with a user. Where it uses mechanism such as survey monkey and mailchimp, the protocols within the web service providers are compliant.
- Data Breaches. Within 24 hours of a data breach being brought to our attention, the Admin and Finance Manager will report it to the ICO.
- Data Protection Officer. In the previous report it is recommended that the Town Clerk is appointed to this role.
- International. Whilst this is technically outside the area of the Council's data management a "data sharing agreement" has been put in place between the Twin Towns for this year's twinning weekend.

The Council itself is a Data Controller, which means a person who (either alone or jointly or in common with other persons) (e.g. Town Council employees) determines the purposes for which and the manner in which any personal data is to be processed.

Whilst the Council is not a Data Processor, that is to say we do not process the data on behalf of other Data Controllers, we do use Data Processor for tasks such as our payroll and IT support. We have in place agreements about the responsibility for managing our data.

The policies set out in these documents are based on model policies drawn up by the legal team at the Society of Local Council Clerk and have then been amended by officers to match the Town Council's circumstances.

Options Considered

- The committee needs to decide if officers have made reasonable attempts to follow good practise to enable the Council to comply with the General Data Protection Regulations which come into effect on the 25 May 2018.
- That the Committee agree the Information & Data Protection Policy attached to this agenda
- That the Committee agree the Data Retention Policy attached to this agenda.
- That the Committee agree the Privacy Notice attached to this agenda.

Implications and Risks

Financial and Resource Implications

Any financial or resource implication for the Council associated with this decision should be relatively low for adopting and complying with the new General Data Protection Regulations, failure to do so could have significant financial and resource cost.

Legal Implications and Legislative Powers

The Council will be considering this matter under its General Power of Competence and the General Data Protection Regulations.

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.

14. REPORT FOR DECISION – DEVIZES TOWN COUNCIL STRATEGIC PLAN

Recommendation

The committee notes the suggestion made by the working group and provides comment before the working party continues to develop the plan.

Purpose of the Report

Review the work of the Strategic Plan Working Party and provide comment for before further work is undertaken.

Background

At its meeting of this committee on the 27 March a Working Party was formed to commence work on a new Strategic Plan for the Council. That working party has now met and sets out in this report is their recommendations for Vision for the town which is;

That Council Develops strategies that improve the town as a place to work, live and visit.

To help the Council achieve its Vision, it will need to adopt a number of broad objectives. These objectives will then help to inform and shape specific policies and strategies.

- *Promotion of the cultural identity of the town, both in terms of its physical heritage as well as its community diversification. This will help shape policies around changes to the town appearance and community activities.*
- *Delivery of services for community benefit. This will help shape decisions around current and future services.*
- *Promotion of tourism. This will help shape policies around supporting the town as a tourism destination.*
- *Inclusiveness. In setting this as an objective, it will commit the Council to ensure that wherever possible it is working for the whole community. There was a discussion around a commitment to consultation, which on some occasions may be a little prescriptive. This provides the Council with the ability to self assess and where it cannot be sure if one group within the community is unfairly disadvantaged by a policy, then it can seek wider input from all stakeholders.*
- *Support a resilient community. It has been recognised that one of the town's strengths is its wide variety of clubs, societies and activities. This objective will help the Council to develop strategies to help the community to grow and support residents to take more interest in the life of the town.*

The working party also agreed that whilst the Neighbourhood Plan and the Council's Strategic Plan needs to have complimentary aspirations, neither one should be subservient to the other.

These documents deal with different aspects of the Town's development, therefore the individual objectives within both the Neighbourhood Plan and Strategic Plan should serve to promote their purpose.

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Before the working party undertakes further work it is important that the committee considers the recommendations and provides some comments.

Options Considered

The Committee needs to decide if it agrees with the working parties suggestion for the direction of a new Strategic Plan for the Council and if it wishes to offers some comments before the work continues

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.

15. REPORT FOR DECISION – RECRUITMENT TO POST OF PARK WARDEN

Recommendation

It is recommended that the Committee agrees to recruit to the vacant post of Park Warden using two apprentices.

Purpose of the Report

To explore and agree the principle of taking on apprentices within the park and opens spaces team with the ambition of recruiting two later in the summer.

Background

The Council's Recruitment Policy provides that when a post becomes vacant, permission to appoint must be sought from the Community and Civic Resources Committee. Permission will not normally be withheld unless a review of the necessity of the post is required and no review is required.

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Officers are of the view that the post in some form of Park Warden is essential to maintain park services, however how this role is fulfilled could be altered.

Officers believe the Council is ideally placed to provide some employment based training, which will be provided through ongoing work based skill for a few members of our community, as well as ensuring the Council's workforce has the necessary ability to deliver excellent and effective service in future years.

Following the resignation of Linnie Donkin, It is officer's recommendation that the committee seeks to recruit two apprentices, which will provide the Council with the necessary resources for the Parks and Open Spaces team, which is currently fulfilled by this post. Planning ahead, taking on apprentices will help to cover additional duties as and when necessary with the likelihood that additional areas of work will be transferred from Wiltshire Council.

Apprentices are aged 16 or over and combine working with studying to gain skills and knowledge in a specific job. Weekly college training is required and will be funded through the training budget.

The apprentice must:

- work with experienced staff
- learn job-specific skills
- study during their working week (for example, at a college or training organisation)

Current rates:

These rates are for the National Living Wage and the National Minimum Wage.

Year	25 and over	21 to 24	18 to 20	Under 18	Apprentice
April 2018	£7.83	£7.38	£5.90	£4.20	£3.70

Options Considered

To agree recruitment to this vacant post, using two apprentices or keep the status quo.

Implications and Risks

Financial and Resource Implications

The salary of the two apprentices will be in line with the current post holder and the budget. The current post holder's hourly rate is £9.70.

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

Should the Committee not recruit to this post there is the risk that standards and operational efficiency may be compromised.

Crime and Disorder

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

16. QUESTION TIME

A short time is allowed at the discretion of the Chairman 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

DEPUTY TOWN CLERK