

Devizes Town Council

www.devizes-tc.gov.uk

DEVIZES TOWN COUNCIL

AGENDA

You are summonsed to attend the Statutory Annual Meeting of the Devizes Town Council Committee at the following, place and date.

Date: **17 MAY 2017**

Time: **6.45pm**

Venue: **Assembly Room, Town Hall, St John's Street, Devizes**

Enquiries: Town Hall - Tel: 01380 722160

Chairman: The Town Mayor (Councillor Carter)

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

1. TO ELECT A TOWN MAYOR FOR THE YEAR 2018/2019

(After formal election the newly elected Town Mayor will retire to the Grand Jury Room with the outgoing Town Mayor, in order to enable the newly elected Town Mayor to robe).

2. DECLARATION OF ACCEPTANCE OF OFFICE

On his return to the Assembly Room the newly elected Town Mayor to make the Statutory Declaration of Acceptance of Office.

3. MAYORAL THANKS

The Town Mayor to return thanks for his election.

4. MAYORESS'S BADGE OF OFFICE

Mrs Gisela Coker will pass the badge of office to the new Mayoress.

5. MINUTES

To confirm and sign the minutes of the Meetings of the Full Council on 8 March and 24 April 2018.

6. APOLOGIES FOR ABSENCE

7. IMMEDIATE PAST TOWN MAYOR: VOTE OF THANKS

8. THE IMMEDIATE PAST TOWN MAYOR TO RESPOND

9. TO ELECT A DEPUTY TOWN MAYOR FOR THE YEAR 2018/2019

10. THE TOWN MAYOR WILL REPORT ON THE FOLLOWING PREROGATIVE APPOINTMENTS MADE NAMELY:

- (a) The Town Mayor's two Chamberlains
- (b) The Town Mayor's High Constable
- (c) The Mayor's Chaplain
- (d) The Macebearers
- (e) The Mayor's Officer

11. COMMITTEE MINUTES

To note the minutes of Committees as follows:

COMMITTEE NAME	COMMITTEE DATE
Planning Committee	27 February 2018
Planning Committee	13 March 2018
Planning Committee	27 March 2018
Planning Committee	10 April 2018
Planning Committee	24 April 2018
Recreation & Properties Committee	27 February 2018
Recreation & Properties Committee	10 April 2018
Community & Civic Resources Committee	13 February 2018
Community & Civic Resources Committee	10 April 2018

12. REPORT FOR DECISION – GENERAL POWER OF COMPETENCE

Recommendation

That Devizes Town Council passes a resolution to continue its eligibility to exercise the General Power of Competence.

Purpose of the Report

To comply with the legislative requirements for Devizes Town Council to remain eligible to exercise the General Power of Competence.

Background

Town and Parish (Local) Councils are created by statute and, therefore, are only able to exercise those duties and powers conferred on them by statute or necessarily implied or consequential to the exercise of a power.

There is a very wide range of powers that are contained within many different pieces of legislation stretching back to the 1800s.

The Localism Act 2011 provides for the General Power of Competence (GPC), giving eligible local councils the broad power to do anything that individual generally may do. This removes the need to refer to individual pieces of statute to determine whether the Council can undertake an activity or not and gives much greater freedom to act.

In order to exercise the General Power of Competence, The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 requires eligible councils to pass a resolution confirming it has a:

- Minimum $\frac{2}{3}$ of the members holding office as a result of being declared elected
- “Qualified Clerk”

These two conditions have been achieved.

There are certain restrictions give limitation in exercising the act:

- Statutory duties must be considered such as the impact on crime and disorder and biodiversity.
- Procedural and financial duties e.g. delegation to individual councillors remains unlawful
- Other legislation must be complied with such as employment, equality, health & Safety legislation

Options Considered

The Council is asked to decide if it wishes to exercise the General Power of Competence and, if so, to pass the following resolution

THAT the Council confirms that it has achieved a minimum of two thirds of its membership holding office as a result of being declared elected and the Deputy Town Clerk (acting Town Clerk) holds the 2015 Cilca qualification.

Implications & Risks

Financial and Resource Implications

There are no financial or resource implications associated with this decision.

Legal Implications and Legislative Powers

The Localism Act 2011, Chapter 1, Part 1, sections 1-8 provides for the General Power of Competence (GPC).

Environmental Implications

There are no environmental implications associated with this decision.

Risk Assessment

There are no risks inherent with the decision to exercise the General Power Of Competence – any risks are associated with the decisions that might be taken under these powers would need to be considered within the context of those decisions.

Crime and Disorder

There are no crime and disorder implications associated with this decision.

13. TO RECEIVE AND DEAL WITH ANNOUNCEMENTS AND COMMUNICATIONS

14. TO ANSWER QUESTIONS (IF ANY) UNDER STANDING ORDER NO. 12(d)

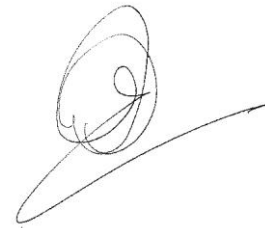
15. DATES AND TIMES OF MEETINGS 2018/2019

A schedule has been circulated previously.

16. COMMON SEAL

To pass the following 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 taken thereat.



Deputy Town Clerk