



**Devizes**  
**Town Council**

[www.devizes-tc.gov.uk](http://www.devizes-tc.gov.uk)

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

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

Date: 11 July 2017

Time: 7.00 pm

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

Enquiries: Town Hall - Tel: 01380 722160

Councillors:	Mrs Bridewell	Mrs Burton	Carter
	Corbett	Evans	Mrs Evans
	Geddes	Giraud-Saunders	Godwin
	Greenwood	Hopkins	Johnson
	Nash	Parsons	Mrs Rose
	Rowland	Mrs Shaw	Stevens
	Ms 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.

4. To receive announcements and communications.
5. 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.

**6. REPORT FOR DECISION – TRANSFER OF ASSETS AND DEVOLUTION OF SERVICES**

**Recommendation**

To formally confirm the agreed list of assets and services that the Town Council wishes to be transferred or devolved from Wiltshire Council.

**Purpose of the Report**

To review and confirm the list previously agreed through the Joint Governance arrangements between Roundway Parish Council and Devizes Town Council over the last 18 months.

**Background**

Over the last few years, Wiltshire Council have been transparent in that it can no longer continue to provide services at the current level. This, in particular, has an impact on the quality of maintenance in the public realm with reductions in grass cutting and street cleaning.

In response to these reductions, Devizes Town Council has already agreed to provide top up grass cutting services to those provided by Wiltshire Council.

However, in addition to these services, there are others and certain assets over which the Town Council has expressed a desire to control. This package of assets and services has been submitted to Wiltshire Council for consideration and will be the basis of a negotiation. Please refer to the document marked doc 6 circulated alongside the agenda.

The outcome of the negotiation should be “broadly cost neutral” to both authorities and, as such, officers have been keen to promote the inclusion of revenue generating services. It is recognised that these will be more contentious and to indicate that likelihood of transfer being agreed the list has been “RAG” (Red, Amber, and Green) rated.

It is anticipated that Wiltshire Council Director, Carlton Brand, will take a report to cabinet in September in order to confirm Wiltshire Council's agreement at progressing the transfer and devolution programme, and to establish the parameters of the scheme.

It is important that the officers and nominated Councillors (Cllr Peter Corbett and Cllr Kelvin Nash) are mandated by the Council to negotiate on the basis of the previously agreed list.

### **Options Considered**

To confirm the list as the agreed package for officers and nominated Councillors to negotiate upon.

### **Implications & Risks**

#### **Financial and Resource Implications**

There will be resource implications of officers and members time, but the outcomes of the negotiation should be broadly cost neutral. In the event that negotiations break down, then matters will need to revert to the Council for direction.

#### **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 associated with this decision.

#### **Risk Assessment**

Failing to negotiate an agreement with serves both parties could result in service delivery further reducing or the Town Council saddled with disproportionate ongoing financial costs.

These risks will be mitigated by regular report to Council for direction.

#### **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 – ADOPTION OF PUBLIC OPEN SPACE AT ELM TREE CLOSE**

### **Recommendation**

That the Council decides whether it will take over the ownership and maintenance of a public open space provided as part of the new development at Elm Tree Close – Doc 7 refers

### **Purpose of the Report**

A condition of planning consent for the small development at Elm Tree Close, is the provision of a public open space. As is common practice, the developer now wishes to pass the land to either Wiltshire Council or Devizes Town Council for future maintenance

### **Background**

The provision of the public open space is part of a 106 (planning gain) agreement that provides for a commuted maintenance sum of some £37,000 being passed on with the land.

If the land is adopted by Devizes Town Council, this money can be passed directly to the Town Council

### **Options Considered**

Given that the Town Council has expressed an interest in taking on the responsibility of grounds maintenance from Wiltshire Council, it would see prudent to take this piece of land directly to simplify the process.

The estimated cost of grass cutting, which is the most significant revenue cost would be in the region of £150 per annum. In addition general maintenance and litter collection will have resource implications.

### **Implications & Risks**

#### **Financial and Resource Implications**

There are financial and resource implications to adopting the piece of land, however, the commuted maintenance sum should offset the cost of keeping the public open space in good order

#### **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 associated with this decision. The public open space has been provided to give local residents an outdoor space.

#### **Risk Assessment**

Should the public open space not be adopted there is a risk that the facility will not be properly maintained and fall into disrepair.

#### **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 – ADOPTION OF ANNUAL GOVERNANCE STATEMENT 2016/17 – ROUNDWAY PARISH COUNCIL**

**Recommendation**

To adopt the Annual Governance Statement for the year ending 31 March 2017 (documents will be circulated prior to the meeting).

**Purpose of the Report**

To consider and adopt the Annual Governance Statement for the year ending 31 March 2017.

**Background**

The Accounts & Audit Regulations 2015 and the Local Audit and Accountability Act 2014 govern the production of the Council's accounts. These new regulations allow the Council to adopt the Limited Assurance Audit Regime, the principal advantage being a considerable saving in audit fees and a less arduous audit regime.

The "Annual Governance Statement" is set out in Section 1 of the Annual return form. This document requires approval by the Roundway Parish Council's internal auditor and the members of the successor authority Devizes Town Council prior to submission to the external auditors, Grant Thornton UK LLP.

This document is required to be submitted to the external auditors as soon as possible.

**Options Considered**

The Council are recommended to adopt the Annual governance statement for the year ending 31 March 2017.

**Implications & Risks**

**Financial and Resource Implications**

Officers are not aware of any financial or resource implications.

**Legal Implications and Legislative Powers**

The Council are bound by legislation to adopt the Annual governance statement.

**Environmental Implications**

Officers are not aware of any environmental implications.

**Risk Assessment**

Failure to adopt the Annual Governance statement could result in the auditor giving a qualified report.

**Crime and Disorder**

Officers are not aware of any implications with regard to crime and disorder.

9. **REPORT FOR DECISION – ADOPTION OF THE STATEMENT OF ACCOUNTS AND ANNUAL RETURN FOR YEAR ENDING 31 MARCH 2017 – ROUNDWAY PARISH COUNCIL**

**Recommendation**

To adopt the statement of accounts and Annual Return for the year ending 31 March 2017 (documents circulated prior to the meeting).

**Purpose of the Report**

To consider and adopt the statement of accounts and Annual return for The year ending 31 March 2017.

**Background**

The Accounts & Audit Regulations 2015 and the Local Audit Accountability Act 2014 govern the production of the Council's accounts. The new regulations allow the Council to adopt the Limited Assurance Audit Regime, the principal advantage being a considerable saving in audit fees and a less arduous audit regime.

Statutory accounts are now produced in the form of the Annual return form. This document requires approval by Roundway parish Councils internal auditor and the members of the successor authority to Roundway Parish Council, Devizes Town Council prior to submission to the external auditors, Grant Thornton UK LLP.

This document is required to be submitted to the external auditors as soon as possible.

**Options Considered**

The Council are recommended to adopt the Statement of Accounts and Annual report for the year ending 31 March 2017.

**Implications & Risks**

**Financial and Resource Implications**

Officers are not aware of any financial or resource implications.

**Legal Implications and Legislative Powers**

The Council are bound by legislation to adopt the statement of accounts and Annual report by the required date.

**Environmental Implications**

Officers are not aware of any environmental implications.

**Risk Assessment**

Failure to adopt the statement of accounts and Annual return could result in the auditor giving a qualified report.

**Crime and Disorder**

Officers are not aware of any implications with regard to crime and disorder.

**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. 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 Clerk