

Joint Governance Committee

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

Date: 16 June 2016

Time: 7.00 pm

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

Enquiries: Town Hall - Tel: 01380 722160

MEMBERS

Devizes Town Council:

Roundway Parish Council:

Councillors: Hopkins
Nash
Parker
Smith
Wooldridge

Councillors: Callow
Geddes
Parsons
Rowland
Stevens

1. ELECTION OF CHAIRMAN

At its meeting on the 12 November 2015 the committee resolved that the Chairmanship should alternate each civic year between Devizes and Roundway for the remainder of the life of the committee. The Committee are recommended to agree a member of Roundway Parish Council as Chairman for the year 2016/17.

2. ELECTION OF VICE CHAIRMAN

It meeting on the 12 November 2015 it was resolved that the Vice Chairmanship should alternate each civic year between Devizes and Roundway for the remainder of the life of the committee. The Committee are recommended to agree a member of Devizes Town Council as Chairman for the year 2016/17.

3. MINUTES

To approve as a correct record and authorise the Chairman to sign the minutes of the Meeting of the Council held on the 17 March 2016

4. APOLOGIES FOR ABSENCE

5. 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.

6. REPORT FOR INFORMATION – COMMUNITY GOVERNANCE REVIEW UPDATE

The Town Clerk and Deputy Town Clerk met with Wiltshire Council officers with regard to the process of the Community Governance Review on 20 May 2016.

It was intended that the Clerk to Roundway Parish Council would be in attendance, however, he unfortunately needed to attend a funeral and was unable to be present.

The process

Technically, the process will be that Roundway Parish Council ceases to exist as a local authority and the area that falls into the Roundway Parish will transfer to Devizes along with the assets and liabilities of the Parish Council.

The reason for this, rather than merging the two councils to form a new council, is that it would be very costly in financial and resource terms to have to legally transfer the assets and staff of Devizes Town Council. However, this is a technical matter and does not impact on the two Councils commitment to work together in partnership.

The Order

The changes are effected by way of a legal Order that Wiltshire Council has the authority to make. This will come into effect on 1 April 2017.

It is anticipated that these will be taken before Wiltshire Council over the summer and autumn

Transitional Arrangements

The Order will bring the changes into effect from the 1 April 2017, however, the elections will not take place until Thursday 4 May 2017 – with the new administration taking office from the following Monday.

In these circumstances, Wiltshire Council will put in place transitional arrangements for the Council to continue to conduct its business until the new administration is in place. Wiltshire Council can consider the views of the Devizes Town and Roundway Parish Councils as to how this might be arranged and this will be a matter for the Joint Governance Committee later in this agenda.

Financial Arrangements

Since the Order will bring the changes into effect from the 1 April 2017, a budget reflecting the situation at that time will need to be put in place. Therefore a precept will be required to be raised reflecting the two councils coming together as a single authority.

Officers have already drafted a joint budget which will be considered later in this agenda

Warding Arrangements

Wiltshire Council will give consideration to Devizes Town and Roundway parish Councils views on warding arrangements. However, there may be some interim arrangements put in place due to a parliamentary and electoral review due in the next two years. At such a point, any anomalies in the boundaries can be managed to reflect a coherent representation at parish/town, unitary and parliamentary levels.

This matter will be considered in a later report set out in this agenda.

7. REPORT FOR DECISION – TRANSITIONAL ARRANGEMENTS, SIZE OF COUNCIL FROM 2017 ELECTIONS AND WARDING

Recommendation

That the Committee recommends to Devizes Town and Roundway Parish Councils what transitional governance arrangements might be most appropriate, what the future size of the Council might be and consideration of warding arrangements, in order to make representation to Wiltshire Council.

Purpose of the Report

To allow the two parent councils to give consideration to the recommendations of this Joint Committee with regard to what representations might be appropriate with regard to these two matters.

Background

Transitional Arrangements

The Order that creates the new arrangements comes into force on the 1 April 2017, however the elections will not take place until Thursday 4 May 2017 which the new administration taking office from the Monday following.

In order that the authority can function in this transitional period between the 1 April 2017 and Monday 8 May 2017, transitional arrangements need to be made to allow operational business to continue.

Wiltshire Council will make the decision as to what the transitional arrangements are, but has indicated that it would be helpful to have the views of the existing Councils.

For example, it might be that the whole membership of each of the two existing councils deliver the transitional arrangement, or alternatively a smaller body similar to the Joint Governance Committee.

Size of Council

This matter leads to the second issue of what an appropriate size for the Council would be.

The current membership of the two councils is 30 members which, arguably is too large. However, it is for this Committee to make some recommendations to Devizes Town and Roundway Parish Councils on what sort of overall size, membership of the Council should be.

Warding Arrangements

Wiltshire Council will give consideration to Devizes Town and Roundway Parish Councils views on warding arrangements. However, there may be some interim arrangements put in place due to a parliamentary and electoral review due in the next two years. At such a point, any anomalies in the boundaries can be managed to reflect a coherent representation at parish/town, unitary and parliamentary levels.

The Committee needs to consider its position on warding arrangements and make these recommendations to Devizes Town and Roundway Parish Councils.

It might be that interim arrangements are acceptable in order to prevent additional work to be undertaken in advance of a programmed parliamentary and electoral review. Alternatively, the Committee may feel that the new warding arrangements should be established through the Order.

Options Considered

The Committee is asked to make representations to Devizes Town and Roundway Parish Councils on the following matters

1. What transitional arrangements would be most appropriate
2. How many members should comprise the new Council
3. What warding arrangements should be put in place and when should these be effected.

Implications & Risks

Financial and Resource Implications

The work to create the new arrangements sits with Wiltshire Council, however, it will expedite the process if Devizes Town and Roundway Parish are able to articulate joint representations.

Legal Implications and Legislative Powers

Wiltshire Council has the legislative power to effect these decisions, the Joint Governance Committee and Devizes Town and Roundway Parish Councils are acting as consultees.

Environmental Implications

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

Risk Assessment

Failure to express a view on these matters could result in decisions being imposed that Devizes Town and Roundway Parish Councils do not consider to be the most appropriate solutions.

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 – JOINT BUDGET PROVISION FOR 2017

Recommendation

That the Committee notes the draft joint budget and considers what amendments may be necessary in order to ensure that the Joint Authority is properly funded.

Purpose of the Report

The Order that creates the new arrangements for the two parishes comes into force on the 1 April 2017.

This means that the two councils need to agree a joint budget and precept to levy from that date.

The Committee is being asked to note the work that has been undertaken thus far and give direction to officers as to other matters that should be included.

Background

Following the decision of Wiltshire Council to form one Council of the parishes of Devizes Town and Roundway Parish, it is necessary to make joint financial arrangements.

The order that creates the new arrangements comes into force on 1 April 2017 and, therefore, the precept to be notified to Wiltshire Council has to be in respect of the new council arrangements.

The joint budget that has been prepared currently focusses on revenue costs and contains no capital finance.

The budget is based on a previous decision of this Committee that initially the merged Council will deliver all of those services currently delivered by both Devizes Town and Roundway Parish Councils

Also the individual cost centres at the moment do not include salaries – these are included as a single line at line 491.

It should be noted that this is a first draft and already some matters need to be updated.

Additionally, a capital programme needs to be agreed.

The draft budget is circulated alongside the agenda.

Options Considered

At this stage the Committee are asked to note the work that has been done and to give direction as to what other matters should be included, especially in respect of a capital programme.

Some guidance on what the Committee want to achieve through the precept in the next financial year in terms of what increases or reductions should be sought. Officers would recommend that the budget should remain at the level of the 2016/17 combined figures.

Officers will then continue to work on the budget to update it in the light of any direction given at the meeting.

A final budget position would need to be agreed by each of the two parent councils in the same way that the Joint Burial Committee has operated until this year.

Implications & Risks

Financial and Resource Implications

The financial and resource implications in this decision are associated with the operational deliver of the budgets working towards a more refined budget that can be considered early in the autumn.

Legal Implications and Legislative Powers

The Councils are required to set a budget for the Council to be able to levy a precept on the 1 April 2017.

Environmental Implications

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

Risk Assessment

Failure to agree a budget would result in potentially not being able to deliver the services as previously agreed by this Committee.

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. 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.

10. 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

Town Clerk