



**Devizes**  
**Town Council**

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

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

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

Date: 14 March 2019

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
	Pennington	Rose	Rowland
	Shaw	Stevens	Von Berg

## **AGENDA**

### **1. MINUTES**

To approve as a correct record and authorise the Chairman to sign the minutes of the Meeting of the Council held on the 20 December 2018.

### **2. APOLOGIES FOR ABSENCE**

**3. 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.

**6. MINUTES OF MEETINGS FOR INFORMATION**

Since the last meeting of the Council on 20 December 2018 the following Committees have taken place whose minutes have been approved as a correct record and signed by the appropriate committee chairman.

The minutes of these meetings have been previously circulated to all members.

<b>COMMITTEE NAME</b>	<b>COMMITTEE DATE</b>
Planning	8 January 2019
C&CR	8 January 2019
Planning	22 January 2019
C&CR Special	22 January 2019
Rec & Prop	22 January 2019
Personnel Panel	29 January 2019
Personnel Special	5 February 2019
Planning	5 February 2019
C&CR Special	5 February 2019
Personnel Panel	19 February 2019
Planning	19 February 2019
C&CR	19 February 2019
Planning	5 March 2019
Rec & Prop	5 March 2019

**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.

**7. REPORT FOR INFORMATION – PROJECT LIST**

Circulated alongside this agenda ([doc 7/1](#)) is a list detailing the current position with regard to ongoing and proposed projects.

**8. REPORT FOR DECISION – SELECTION OF DEPUTY MAYOR FOR THE CIVIC YEAR 2019/2020**

Council is asked to agree the Council's nomination for the Deputy Mayor for the coming Civic Year 2019/2020.

**9. REPORT FOR DECISION – APPOINTMENT OF INTERNAL AUDITOR – MR MORRISON**

**Recommendation**

The committee are requested to agree officer's recommendation in retaining Mr Morrison's services as internal auditor for the 2019/20 financial year.

**Purpose of the Report**

To appoint Mr Morrison as internal auditor for the 2019/20 financial year.

**Background**

The internal auditor needs to confirm the internal control objectives:

- Appropriate accounting records have been properly kept throughout the year.
- The body's financial regulations have been met, invoices supported payments and expenditure were approved and VAT was appropriately accounted for.
- The body has assessed the significant risks in achieving its objectives and reviewed the adequacy of arrangements to manage these.
- The annual taxation or levy or funding requirement resulting from an adequate budgetary process: progress against the budget was regularly monitored: and reserves were appropriate.
- Expected income was fully received, based on current prices, properly recorded and promptly banked; and VAT was appropriately accounted for.
- Receipts properly supported petty cash payments, expenditure was approved and VAT appropriately accounted for.

- Salaries to employees and allowances to members were paid in accordance with body approvals, and PAYE and NI requirements were properly applied.
- Asset and investment registers were complete and accurate and properly maintained.
- Periodic and year-end bank account reconciliations were properly carried out.
- Accounting statements prepared during the year were prepared on the correct basis (receipts and payments/income and expenditure), agree with the cash book, were supported by an adequate audit trail from underlying records, and, where appropriate, debtors and creditors were properly recorded.

Regulation 6 of the Accounts and Audit Regulations 2003 as amended imposes a duty on local councils to 'maintain an adequate and effective system of internal control of its accounting records and of its system of internal control in accordance with the proper practices in relation to internal control.

#### **Options Considered**

The committee needs to decide if it wishes to agree to this request.

#### **Implications & Risks**

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

Budget provision has been made to meet the cost of internal auditing.

##### **Legal Implications and Legislative Powers**

The Accounts and Audit Regulations 2003 impose a duty of internal control.

##### **Environmental Implications**

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

##### **Risk Assessment**

Officers are not aware of any risk 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. REPORT FOR DECISION – CONSTITUTION, STANDING ORDERS & FINANCIAL REGULATIONS**

**Recommendation**

To review amendments to Standing Orders that reflect the necessary changes to the committee structure that was agreed by the Council on the 16 October 2018, minute number 290.

**Purpose of the Report**

To agree amendments to Standing Orders to reflect changes in committee structure.

**Background**

During the recruitment and appointment process of the Town Clerk in the summer of 2018, it was felt by members of the Personnel Panel that Standing Orders under which the Personnel Panel function are not clearly defined, and do not set out any perimeters which it should follow in order that it can support the senior management team with staffing related issues.

Following a review, Full Council agreed that the Personnel Panel would be abolished and replaced with a Personnel Committee which has required a change in standing orders.

The significant changes are;

- SO 17 which sets out the number of Councillors to sit on the personnel committee
- SO 22 which sets out the length of time members sit on the committee
- SO 38 (2018 reference) which removes the role of the Personnel Panel
- SO 88 reflects changes in the remit for the Community and Civic Resources Committee
- SO 89 set out the remit of the Personnel Committee
- SO 90 reflects changes in the remit for the Recreation and Properties Committee
- SO 92 reflects changes in the remit for the Proper Officer (Town Clerk)

In addition to the recommended changes to support changes to the committee structure, it is good practice that the Council reviews and re-adopts Standing Orders and Financial Regulations on an annual basis. The Standing Orders and Financial Regulations last reviewed June 2018 are circulated alongside the agenda with the above changes shown in red.

The Council are asked to formally review the documents then decide if they wish to agree the proposed changes and make any further changes before they are re-adopted.

### **Options Considered**

The Council needs to decide if they wish to re-adopt Standing Orders and Financial Regulation with the proposed amendments as set out in the report.

### **Implications and Risks**

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

There are no financial or resource implications in respect of this decision, being essentially an administrative matter.

#### **Environmental Implications**

Officers are unaware of any environmental implication for the Council associated with this decision.

#### **Risk Assessment**

Failure to review and readopt Standing Orders and Financial Regulations as recommended by the auditor would not follow good practice and may result in criticism of the Council.

#### **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 – ELECTORAL REVIEW OF WILTSHIRE COUNCIL & PARISH WARDING ARRANGEMENTS**

### **Recommendation**

That the committee notes the electoral review for Wiltshire Council and decide if it wishes to make any comments about the proposed changes.

### **Purpose of the Report**

To provide the Town Council with an opportunity to comment on future divisional boundaries for Wiltshire Council through the current electoral review.

### **Background**

At a meeting of the Full Council on the 16 October the matter of electoral review of Wiltshire Council warding arrangements was considered. At that time the Town Council decided to make no comment on proposals put forward by Wiltshire Council, deciding to wait until the Boundary Commission has made its preliminary report.

That preliminary report has not been received and there are some suggested changes to the Devizes warding arrangements for both Unitary and Parish Boundaries the Committee may now wish to comment on.

Set out below is a map showing the changes and the Town Council is invited to comment on the following;

- Do the proposed divisions reflect local communities?
- How do you think the proposal could be improved?
- Are the names of the proposed divisions right?

The new divisional electorate ward sizes are as follows;

• Devizes East	Current 4256	Forecast 4471
• Devizes South	Current 3888	Forecast 4138
• Devizes North	Current 3304	Forecast 3823
• Devizes Roundway	Current 3921	Forecast 4214

In considering its response the Council may wish to consider the following.

- A new predominately rural Divisional Ward of Bromham, Rowde and Roundway has been created which includes a significant area of Urban Devizes, including Quakers Road & London Road in addition to Hopton Industrial Estate. The committee needs to decide if including some of Devizes' urban developments and industrial estates in a divisional ward of Bromham, Rowde and Roundway is reflective of what is effectively a rural community.
- In naming the wards, particularly in relation to the town, three of the wards are named after points of the compass with the fourth being after a small settlement name. Furthermore, the Devizes North Ward is not in the north but in the west of the town, with Devizes Roundway being in the north. Given that much of the new development for the town falls within the Devizes Roundway ward, historical ward knowledge is less well understood, therefore the names could be seen as confusing.
- The Council needs to decide if they would like to put forward any amendments to the proposals laid out by the Local Government Boundary Commission.

### **Options Considered**

The options are set out above in the report



## **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.

## **12. 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.

## **13. 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

#### **14. 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.

#### **15. REPORT FOR DECISION – TRANSFER OF THE MARKET PLACE**

##### **Recommendation**

That the Council considers amended proposals for the transfer of the Market Place from Wiltshire Council to the Town Council and decides what option, if any it wishes to take forward to public consultation.

##### **Purpose of the Report**

Following negotiations with Wiltshire Council, they have outlined a basic premise that they could accept and that would provide greater flexibility for the use of the Market Place, however there is a cost implication that has to be offset against this.

##### **Background**

At the Planning Committee meeting on the 6 March, the following resolution was agreed to set out the Council's negotiating position.

THAT

- The Market Place freehold is transferred to DTC;
- The area is divided between community space and public parking space;
- The detailed design is subject to stakeholder consultation;
- The existing provision of short term 30 minute and one hour free town centre parking is preserved by adjustment to on-street parking.

Following that meeting, officers supported by Cllr Geddes and Cllr Nash met with officers of Wiltshire Council to explore options that would provide the necessary additional revenue that Wiltshire expect

form parking in Devizes in addition to providing more flexibility around the use of the area.

The delegation put forward the proposition that the Town Council take full ownership of the Market Place, however under licence Wiltshire Council would be able to collect revenue from an agreed parking area. Whilst the principle of the proposition was acknowledged as a workable solution, their position was that it was contrary to the objective of assets and services devolution and therefore was unlikely to be agreed by cabinet.

Wiltshire Council put forward the proposition that the Town Council take full ownership of the Market Place and are able to use the space as it wishes; however, to have the option to have parking, a flat fee would be payable to Wiltshire Council for any spaces it allocated.

In agreeing to this, Wiltshire Council has altered its position regarding providing the ability for Devizes Town Council to install its own parking meters in order that it could collect a fee from those who use the area for parking, provided that the charges were in line with the town's charges.

This option, whilst providing a potential cost burden on the town, does maximise the options for the use of the Market Place.

Set out below are some options based on a flat fee of £95,000 being paid to Wiltshire Council for parking in the whole Market Place and proportioned if less parking space is allocated.

Option	Amount of Parking	Community Space	Estimated Flat fee payable to Wiltshire Council	Additional cost for each band "D" (equivalent) Council tax payer
1	100% Free Parking	0%	£95,000	£16.42
2	100% Pay & Display	0%	£95,000	£0 Unless there is any short fall in parking revenue
3	75% Free Parking	25%	£71,250	£12.31
4	75%	25%	£71,250	£7.39

	Pay and Display 1st 30minutes free			Based on 60% of cars parking for 30 mins
5	50% Free Parking	50%	£47,500	£8.21

With options 3 and 5, should full “pay and display” charging be implemented, the effect on the precept would be the same as option 2.

As identified at the public event, there is support for an activity space in the Market Place that can be used for regular events. Such a space would need to be sympathetically laid out to ensure it did not look like part of the car park, although this should initially be done with the use of planters and benches rather than significant expenditure on a remodelling of the hard landscaping.

The loss of this space will restrict the Council’s ability to promote events and activities that will support greater visitor numbers to the town.

In terms of managing the parking, the Town Council could either enter into a service level agreement with Wiltshire Council for them to patrol the car park and the issuing of tickets as necessary or seek an alternative option.

If the Council decides that paying Wiltshire Council a flat fee to enable parking in the Market Place is unacceptable, unaffordable or none of the options are supported through the public consultation, officers will advise Wiltshire Council of this and request that the Town Council’s principle be accepted, as set out in this report. However, it should be noted that as previously stated this proposal is not in line with Wiltshire Council’s intent for the asset transfer programme, therefore it is unlikely to be accepted by Cabinet. Should this be the case, the Town Council would need to accept that it would have to abandon its wish to take control of the Market Place.

### **Options Considered**

- That the Council accepts the principle of paying a flat fee to Wiltshire Council to allow the Town Council to control parking in the Market Place.
- That the options as set out in this report are used as the basis of public consultation

- Any other option the Council may wish to put forward.

## **Implications and Risks**

### **Financial and Resource Implications**

The cost of paying an unresolved flat fee is not included within the 2019/20 budget and would therefore require a cut in services in other Council activities.

### **Legal Implications and Legislative Powers**

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

### **Environmental Implications**

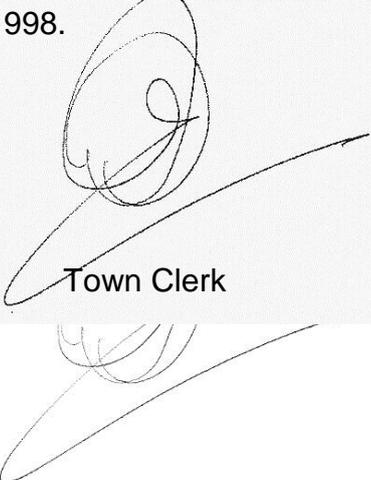
Officers are unaware of any environmental implication for the Council associated with this decision.

### **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.



Town Clerk

DEVIZES TOWN COUNCIL  
14 March 2019

**Service Delivery – Position Statement on Key Issues**

TC – Town Clerk, AFM – Admin & Finance Manager, DSM – Direct Services Manager, OM Office Manager

**Doc7/1**

FC – Full Council, R&P – Recreation & Properties Committee, C&CR – Community and Civic Resources Committee, PC – Planning Committee

<b>Project</b>	<b>Status</b>	<b>Targets</b>	<b>Lead Officer</b>
Financial Administration & Governance	<p><u>Accounts &amp; Audit</u></p> <p>The end of the current financial year is at the end of March. Officers will then submit our annual financial return to the External Auditors by mid-June 2019. Before that date the Council will have reviewed the information and agreed it.</p> <p>The Council's External Auditors Littlejohn LLP were late completing the 2017/18 audit but that was down to their capacity issues and not any issues with our accounts, which were signed off as unqualified.</p>	To submit the annual financial return on time.	AFM
	<p><u>Budget process</u></p> <p>2019/20 budget was agreed at a meeting of the Council in December. Officers will start work on the 2020/21 budget in late spring, with members having the first opportunity to discuss it in August.</p>	To review budgeting needs in August 2019 and agree at Council on the 19 December 2018.	Senior Management Team
	<p><u>Standing Orders &amp; Financial Regulations</u></p> <p>Standing Orders &amp; Financial Regulations will be reviewed at this meeting to agree changes to the remit of the Personnel Panel which come into effect in May 2019</p>	To review at this meeting March 2019	TC
	<p><u>Local Council Award Scheme</u></p> <p>The Council holds the Local Council Gold Award for good practice. The criteria, which mostly involves the updating of the website, needs to be maintained until re-evaluation in autumn 2019.</p>	Complete until autumn 2019	TC

Project	Status	Targets	Lead Officer
	<p><u>Strategic Planning</u> This was adopted at the meeting of the Town Council in October. Officers will continually monitor the Council's performance against this document.</p>	Ongoing	TC
Commercial Properties	<p><u>Administration</u> Currently all properties are let.</p> <p>Whilst currently there are no plans to make changes to the management of the property portfolio in the short term, this position should be reviewed within the next few years to ensure they continue to allow the Council to meet its objectives set out in the Strategic Plan.</p>	Ongoing	AFM  AFM / TC
Devolution of services & Transfer of Assets	<p>Following a special meeting of the Town Council on the 27 November and Wiltshire Council's Cabinet meeting in January, there is an agreement for the transfer of various services and assets. As yet no transfer documents have been signed therefore the project is subject to contract.</p> <p>Officers and Councillors have met with various stakeholders and there is still a debate about the final layout of the Market Place. Whilst the due date for transfers is the 1<sup>st</sup> April full implementation will not be until later in the year.</p> <p>An assessment of what new facilities need to be rebranded has been undertaken and this will commence in late March/ early May.</p> <p>Officers have met with market traders and Wiltshire Council's market team to better understand the running of the Markets and the issues currently of concern. The Town Council is currently seeking to recruit a Town Centre manager who will have responsibility for the day to day management and promotion of the markets. It is likely there will be a handover period that will go past the 1<sup>st</sup> April 2019.</p>	<p>Ongoing</p> <p>No deadline set</p> <p>Spring 2019</p> <p>Member of staff in place by early April.</p>	TC

Project	Status	Targets	Lead Officer
Personnel	<p><u>Annual Staff Appraisals</u> The scheme of appraisal has been completed for the current year and the final notes are being typed for senior officers, who will review training needs and personal objectives by the end of March</p>	A review of training will be completed by the end of March with a programme being rolled out over the next year or so.	OM
	<p><u>Staff training</u> Training is monitored and reported through the Personnel Panel Once again the training programme will reflect analysis of appraisal outcomes and assessment of priorities</p> <p>The Apprentices scheme in the Parks department is currently working well with both apprentices regularly attending college..</p>	Ongoing	Service Heads
	<p><u>Recruitment</u> There is currently one vacancy within the organisation for Town Centre Manager.</p>	On Going	PCO
Economy & Tourism	<p><u>Tourism</u> With the agreement that Devizes would become a partner town in the Great West Way Project, staffing resources allowing, the Town Council needs to support local members of the tourism industry to capitalise on the benefits the project will bring. .</p>	Meeting with Visit Wiltshire and the local tourism partnership	TC
Neighbourhood Planning	The Neighbourhood Plan steering Group have not met for some time but the groups have developed draft policies for employment and open spaces. Wiltshire Council are currently reviewing the Core Strategy and as the Neighbourhood Plan has to be in accordance with that plan, there is little benefit in taking the Neighbourhood Plan too far forward.	Ongoing	TC

<b>Project</b>	<b>Status</b>	<b>Targets</b>	<b>Lead Officer</b>
Corn Exchange	<u>Floor Repairs</u> This work is now complete	Completed	DSM
Performance & Administration of Venues	The Direct Services Manager is continuing to support the Venues Sales & Marketing Co-ordinator to introduce new customers to the venues and promote alternative hirings.	On going	DSM
Hillworth Park	<u>Café Services</u> After a quiet winter business has picked up with a good half term.  <u>Events Programme</u> Planning for the 2019 programme has been agreed and published.	On Going  Maintain high visitor numbers to the park	DTC & DSM  DSM
Green Lane Sports facilities	<u>Provision of Sports Pitches and Changing Facilities</u> Planning permission for the project was issued in late November, Tenders have been received and now there is an exercise of value engineering to bring the project within budget.	The Football Foundation funding decision will be made in May.	DTC
Christmas Lighting & festival	<u>Christmas Festival</u> Last year's event was very successful, and the project team is concentrating on other work before project planning commences in spring 2019	Continued joint collaboration between DOCA, DTC and Fantasy Radio.	TC/ DSM
	<u>Christmas Lighting</u> The Christmas Lights working party will start to look at the requirements for 2019 shortly especially as the main Christmas Tree was vandalised.  In the spring, officers will commence a retendering of a three year contract to annually assemble and remove the Town Council's Christmas lights.	This is the last year of the contract. Work to be retendered in 2019	DSM

Project	Status	Targets	Lead Officer
Open Space	<p><u>Penny Bank Refurbishment</u> The re-laid paving in Penny Bank was undertaken in January and February and is complete. The project was delivered under budget .</p> <p>Following the complaints about the WW1 soldier outlines in the Brittox, the Council contracted the Grist Group to give the area a clean. Despite many hours of cleaning the project was not initially as successful as would have been hoped. However since the work has been undertaken the majority of figures have started to fade much quicker. It has recently been agreed with the Grist Group that some spot cleaning may be helpful.</p>	<p>Complete</p> <p>To be reviewed after secondary spot cleaning.</p>	<p>AFM</p> <p>TC</p>
Monuments	<p><u>Fountain</u> Nothing to Report</p> <p><u>Market Cross</u> The monument is checked every 5 years to ensure that the structure is sound.</p>	<p>Nothing outstanding</p> <p>New review due 2019</p>	<p>AFM</p> <p>AFM</p>
Public Toilets	<p><u>Superloo</u> Other than routine maintenance, we are having very few problems with the day use facility.</p> <p><u>Night Toilet</u> There is still an issue with the toilet being used by rough sleepers and by drug addicts therefore they are regularly locked during the night</p> <p><u>Toilets in the Green</u> One cubicle is permanently out of use. A review of this facility is needed in 2019</p>	<p>On going</p> <p>On going</p> <p>On going</p>	<p>DSM</p> <p>DSM</p> <p>TC</p>
Avon Road	No issues to report		DSM

Project	Status	Targets	Lead Officer
The Greens & Crammer	No current issues		DSM
Play Area	A survey of play areas due to be transferred from Wiltshire Council has been undertaken. Some of the repairs will be undertaken in-house and others will need to be contracted out. The programme of signing and remedial repairs has been started.	Early April	
Allotments	Currently there are no issues. Officers have agreed to provide some grant funding to the Devizes and District Allotment Association which brings it in line with the Green Lane Allotment Association. The money will be used fund their insurance and maintain equipment, and in return the Association do much of the day to day site maintenance.	On going	AFM
Devizes In Bloom	For the second year the Town will not enter the regional competition. Currently it is felt that the level of resources needed to demonstrate that the town has met all the requirements of the competition outweighs the benefits of the competition, and those resources are better used promoting local initiatives.	Ongoing.	DSM
War Memorial	This structure is monitored against a recent condition survey and will need some work in the future.	Watching brief	DTC & AFM
Cemetery Chapel	Cracking in the stone by the upper bell has been examined by a structural engineer. A schedule of works is being undertaken.	Prices will be sought for any necessary work once schedule complete.	AFM
Woodland	<u>Belvedere &amp; Newlands</u> There are currently no issues. A volunteer group who work with Braeside are planning to do some remedial maintenance work in May  <u>Leipzig Plantation</u> No major issues to report.	Ongoing maintenance  Ongoing maintenance	DTC  DSM
Cemetery Lodge	No Current issues		AFM

<b>Project</b>	<b>Status</b>	<b>Targets</b>	<b>Lead Officer</b>
Roundway White Horse	No Current issues		DSM