

# Devizes Town Council

[www.devizes-tc.gov.uk](http://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: **14 May 2020**

Time: **6.00pm**

Join Zoom Meeting:

<https://us02web.zoom.us/j/89325601348?pwd=dkNtQkF0T2JSbVVZLzRhT05sQ1Njdz09>

Meeting ID: 893 2560 1348

Password: 020535

Enquiries:

Town Hall - Tel: 01380 722160

Chairman: The Town Mayor (Councillor Rose)

Councillors:	Bridewell	Burton	Carter
	Corbett	P Evans	S Evans
	Gay	Geddes	Giraud-Saunders
	Godwin	Greenwood	Hopkins
	Johnson	Nash	Parsons

DEVIZES TOWN COUNCIL  
14 May 2020

Pennington  
Stevens

Rowland  
Von Berg

Shaw

**1. TO ELECT A TOWN MAYOR FOR THE YEAR 2020/21**

To Council to elect the Mayor for municipal year 2020/21.

**2. DECLARATION OF ACCEPTANCE OF OFFICE**

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**

The Mayor to announce his Mayoress for Civic Year 2020/21

**5. MINUTES**

The Council to confirm the minutes of the Meetings of the Full Council on 12 March 2020.

**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 2020/2021**

To Council to elect the Deputy Mayor for municipal year 2020/21.

**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 Constables
- (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	17 March 2020
Cabinet Committee	21 April 2020

## 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 an 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 that 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 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)**

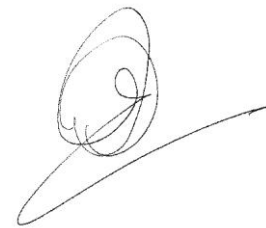
**15. DATES AND TIMES OF MEETINGS 2020/21**

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.

A handwritten signature in black ink, consisting of a large, stylized initial 'S' followed by a long horizontal stroke extending to the right.

Town Clerk