

# Devizes Town Council

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

## **Meeting of the Cabinet**

You are invited to join a meeting of the Council's Cabinet, which is to be held remotely on the following date and time:

Councillors: Carter            Corbett            Giraud-Saunders    Godwin  
                  Hopkins            Nash               Pennington

Date: Tuesday 9 June 2020

Time: 6pm

Join Zoom Meeting:

<https://us02web.zoom.us/j/88965886650?pwd=NWNGZ2pueW1NZWNpcjRU T21RaG5Ndz09>

**Please note, this meeting is recorded therefore if you do not want to appear on the recording, do not enable your camera**

Meeting ID: 889 6588 6650

Password: 388102

Enquiries: Town Hall - Tel: 01380 722160

## **AGENDA**

### **1 ELECTION OF CHAIRMAN**

To elect a Chairman of the Committee for municipal year 2020/21

### **2. ELECTION OF VICE CHAIRMAN**

To elect a Vice Chairman of the Committee for municipal year 2020/21.

### **3. MINUTES**

To approve as a correct record and authorise the Chairman to sign the minutes of the meeting held on 12 May 2020 and which have been circulated alongside the agenda.

**4. APOLOGIES FOR ABSENCE**

**5. DISCLOSURE(S) OF INTEREST**

To receive any disclosure(s) of interest by a Councillor or an officer in matters to be considered at this meeting, in accordance with provisions of Sections 94 or 117 of the Local Government Act 1972 or the National Code of Local Government Conduct.

**6. PUBLIC PARTICIPATION**

**7. REPORT FOR INFORMATION - MARKETS**

On Monday 1 June the Government lifted the restrictions on outdoor market trading ahead of the wider easing of restrictions for general retailing.

Since the start of the lock down the Shambles has been closed, but we have managed to maintain a weekly outdoor market on a Thursday. Initially the market offer was food based but as the Government has opened up other key services, we have been able to expand the services such as repairs and household items.

When we decided to keep the market open during the hight of the lockdown, there were some concern that we would not be able to find market traders to stand, as many had to travel some distance, however the Town Centre Manager has maintained a core of 11 essential food traders, providing opportunities for new local businesses to sell their goods and therefore Devizes market trading has been relatively buoyant throughout the lock down period.

With the lifting of the restrictions, the Town Centre Manager is confident that we will see a good number of stalls at the Thursday Markets, with interest coming through from regular traders who have not been able to stand, his will enable him to return the market to its original format and layout, supported by some of the new stalls who have indicated they will stay with us.

With the opening up of the market to all types of stalls and potentially an increase in shoppers, managing social distancing will be key to its operation and steps have been taken to allow for safe queuing, reminding people not to pick things up and by encouraging contactless payment.

It is intended to reopen the Shambles from the 15 June when non-essential retail businesses can reopen.

The Town Centre Manager has been in contact with the private hires of the building and as many of these traders fall into the more vulnerable category, they have indicated that initially they will not be trading. Thursdays and Saturdays are looking a little bit more positive with some new interest coming in, but at this time it is important that we manage expectations about rebuilding the business for what has been a significant disruption in its operation.

As we head back to what will be more like trading time, or what might be the new normal, the Town Centre Manager has already talked to specialist market operators to increase the interest in the market as well as working with the Health and Wellbeing Group, to help promote Devizes as a place to visit, but initiatives like this need to take good social distancing in place and anything at the moment that might bring a surge of shoppers in at any one time has to be carefully thought through.

There has been a rise in interest in people branching out into their own businesses since the slight lifting of the more stringent measures and the “Opportunity Knock” campaign being run by the Town Centre Manager will give people an opportunity to consider how affordable the Shambles is for start-ups.

The Town Centre Manager will be attending the meeting.

## **8. REPORT FOR INFORMATION – GULL DETERRENCE**

Members agreed to the provision of £6,500 in respect of the gull deterrence scheme as part of the Town Council 2020/21 budget process.

The Admin & Finance Manager raised a purchase order on Davies Pest Control Services in February 2020 requesting that they undertake six visits to remove gull nests and eggs, flying the hawk on each occasion.

The Pest Control company are required to make an application to Natural England which is a site-specific licence request. This was submitted in good time but was rejected by Natural England on 11 May 2020 stating the following reasons.

*“There is insufficient supporting evidence to accompany the application, with no information on the population trends to show how numbers of gulls on site have changed.*

*The evidence suggests the non-lethal measures implemented are working and reducing the numbers of gulls on site.*

*The concern relating to Herring Gull attacking staff and public is one of nuisance. The Wildlife and Countryside Act 191 (as amended) states that gull ‘dive bombing’ and intimidation is normally considered to be nuisance, which is not a licensable purpose.*

*Dive-bombing could only be considered as a n impact to public health and safety in extreme circumstances, such as significant impacts on particularly vulnerable adults, however no evidence has been provided to state this is the case.*

*Evidence should be provided showing the measures to reduce nesting material that leads to impacts to the damage to the buildings. This could include filters or grills preventing materials entering drains and gutters, or proofing sensitive areas to prevent gulls from nesting there. Note that damage to buildings is not a licensable activity and that non-lethal measures would be required to resolve this issue.*

*The provision of further detail (including photographic evidence showing nest location and aspect of roof) would be advised in order to formulate appropriate alternative non-lethal measures which could be trailed at the site. These could be localised deterrents where the birds are known to nest or measures to stop chicks falling off the roof.”*

The Council response to Natural England was as follows:-

*‘I enclose a copy of your letter dated 11 May 2020, addressed to our agent acting on the behalf of Devizes Town Council and Wiltshire Council relating to an ongoing gull deterrence scheme on the north side of Devizes. This scheme represents a significant cost to the public purse and that of officer time and a scheme that the Town Council would not wish to abandon before this considerable investment begins to show a decrease in gull numbers. The scheme commenced some five years ago as a joint initiative between Wiltshire Council and Devizes Town Council in response to numerous complaints from Devizes residents (Please see enclosed reports from Wiltshire Council, BBC News and the Telegraph regarding the gull problem in Devizes).*

*The late issue of a licence by Natural England at the end of the breeding season in 2019 meant that any nests visited were either empty or contained chicks about to fledge thus significantly increasing*

*numbers going forward. I have checked the two visits that it was possible for our contractor to undertake in 2019. The first visit on 8 July 2019 identified 120 Nests with 63 live gulls. The second visit on 1 August 2019 detailed no eggs or chicks on site and that the breeding season was over. There is no evidence suggesting that non-lethal measures are reducing the number of gulls on site.*

*The number of gulls, their ingress into new areas of the town and number of complaints from members of the public continue to increase in 2020.*

*Your reference to public safety seems at odds with what is actually happening in the Town. The gulls congregate at local rubbish sites and scavenge food waste. Whilst laboratory testing of gull faeces has not been undertaken, the public have real concerns that the gull faeces contains salmonella. As a consequence, members of the public must clearly be vigilant to immediately wash the gull faeces away when it come into contact with themselves, their children, infants or their pets.*

*The constant calling from the gulls from approximately 4am during the breeding season means that the sleep of the residents of the White Horse Way estate and houses in the vicinity of the main rooves are impacted severely. A number of complaints have been received stating the impact on the mental health of residents due to the impact on their sleep patterns and the inability to enjoy safe access to their open spaces throughout the day.*

*Regrettably non-lethal methods such as the placing of spikes on the large expanse of rooves surrounding the residential area is impractical and potentially dangerous. The main expansive roof structures are constructed of asbestos which has become old and brittle and unsafe. Any attempt to place spikes on this roof would create a risk to the safety of any contractors appointed to undertake the task.*

*The Town Council would request that the application for a licence in this area be reconsidered in the light of the above comments.*

*Your early response would be appreciated in view of the advanced stage of the gull breeding Season.”*

The Town Council is at this time awaiting a response to it's appeal to Natural England

9. **REPORT FOR DECISION – STAFF WELFARE, INTERNAL MEETING ROOM AND CIVIC ENTERTAINING SPACE.**

**Recommendation**

That the committee accepted the recommendation that the Mayor's Parlour become part of the office environment with improved layout for staff and the Mayor to share.

**Purpose of the Report**

To help the Council to manage its responsibility to provide staff welfare facilities, internal meeting space and civic entertaining area, by making better use of the Mayor's Parlour.

**Background**

Officers have been looking at the work environment for office staff for some time as for many years we have struggled to provide an adequate "break-out" area for staff to have time away from their desk and with the current Covid19 situation, this has created a huge change to the working patterns of the Town Hall staff. Prior to the lockdown measures, the Town Clerk had been considering how best to provide staff with somewhere to eat their lunch away from their desk or where staff members could be taken for a less formal private discussion.

This shortcoming in basic staff welfare facilities has come into focus with the Covid19 call centre being run from the main office and telephone lines open and very busy from 8am to 5.30pm. It is therefore now more important than ever that, for staff wellbeing, as an employer the Council provides an opportunity for office staff to be away from the phones as well as providing additional working space.

To help us achieve this, the Mayor's Parlour has already been used as an informal staff room and meeting space, to provide staff with a well-deserved break in addition to help manage social distancing requirements.

There is a view, that on the whole, successive Mayors have underutilised the Parlour in its current form and therefore officers believe it could be easily adapted to incorporate a better layout of furniture to enable it to be used for various purposes;

- a meeting room from 7.30am to 12.00pm
- a staff room from 12pm to 2pm
- a meeting room from 2.00pm to 5.30pm
- when needed by the Mayor a space for meeting residents or greeting civic guests.

To achieve this improved use of the space, much of the current furniture would need to be replaced with something more appropriate. The furniture which is in the room at the moment, has little or no value

and in many cases has been placed in there as there had been nowhere else for it to go and for this reason it offers little or no benefit to users of the room.

Such changes in the rooms layout and use would provide an opportunity to display items such as twinning gifts on new shelves with any items that need to be kept, but not displayed, being kept in the strong room.

The room would remain an area that will be suitable to be used by the Mayor, but its improved layout will make it more conducive for civic entertaining as and when it is needed.

### **Options Considered**

The committee needs to decide if it accepts the recommendation in the report and bring the mayors parlour space within the office environment.

### **Implications and Risks**

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

Within the 2020/21 budget a small allowance has been made for general office improvements and the sale of any furniture will be reinvested into the space.

#### **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.

## **10. REPORT FOR DECISION - COMMUNITY GRANT AWARDS MAY 2020**

### **Recommendation**

That the Cabinet supports the recommendations of officers as outlined below.

### **Purpose of the Report**

To consider giving financial support through grant funding to benefit local people through local, district or national organisations.

### **Background**

The normal practice of members convening a cross party representational working party to consider all of the applications for grant funding in two rounds has been very much hijacked by the ongoing disruption caused by the Covid-19 outbreak.

This has meant that some organisations have found themselves in immediate need of funds to continue with the provision of their services and it is felt by officers that to expediate grant applications that these be decided by members of the cabinet as and when they are received by the Town Council.

Applications have been made in the past by both of the groups detailed below. MS Therapy Centre (Wessex) Ltd have applied in the past but have not previously received a grant whilst the Wharf Theatre have also applied but were previously successful.

| <b>Applicant</b>                                      | <b>Brief Description of application</b>  | <b>Amount of grant recommended</b> |
|---|--|------------------------------------|
| <b>MULTIPLE SCLEROSIS THERAPY CENTRE (WESSEX) LTD</b> | To maintain the provision of physiotherapy services to the 13 members who live in the Devizes Area | <b>£100</b>                        |
| <b>WHARF THEATRE</b>                                  | Assistance with operating costs whilst closed during the Covid-19 outbreak.                        | <b>£300</b>                        |

### **Implications & Risks**

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

A budget is set aside each financial year for the purposes of allocating general/community grants. For 2020/2021 this was set at £5,000. Any remaining amount after any initial applications have been awarded will remain to be potentially allocated against future applications.

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

The statutory provision (section 137) enables a local council each year to spend up to an amount of £5.40 per local government elected listed in the Register of Electors on anything, which in the Council's opinion is in the interest of all or some of the inhabitants.

### **Environmental Implications**

Officers are not aware of any environmental issues arising from this report.

### **Risk Assessment**

Officers are not aware of any risks arising from this report other than the organisations listed above rely on volunteers, grants and contributions to remain solvent and therefore are actively involved within the Devizes community.

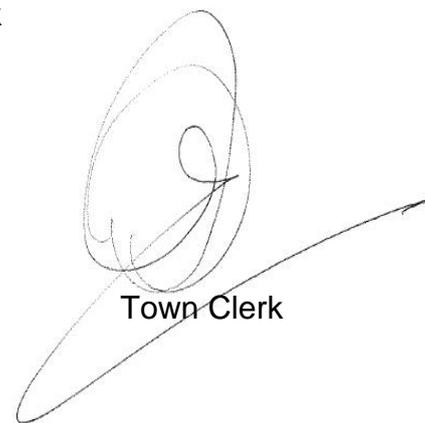
### **Crime and Disorder**

Officers are not aware of any issues the council should consider under Section 17 of the Crime and Disorder act 1998.

## **11. QUESTION TIME**

A short time is allowed at the discretion of the Chairman 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