

Devizes Town Council

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 30 June 2020

Time: 6pm

Join Zoom Meeting:

<https://us02web.zoom.us/j/86385666858?pwd=RWplRk8xeGNCcnUwckRyOEhiN1Q0QT09>

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

Meeting ID: 863 8566 6858

Password: 863306

Enquiries: Town Hall - Tel: 01380 722160

AGENDA

1. MINUTES

To approve as a correct record and authorise the Chairman to sign the minutes of the meeting held on 9 June 2020 and which have been circulated alongside the agenda.

2. APOLOGIES FOR ABSENCE

3. 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.

4. PUBLIC PARTICIPATION

5. REPORT FOR DECISION – FUTURE NEED FOR THE CABINET COMMITTEE.

Recommendation

That the committee decides if it wishes to suspend the role of the Cabinet Committee and reinstate the normal committee functions.

Purpose of the Report

That the committee decides what the future role of the Cabinet is.

Background

As the Government starts to lift some of the earlier lock down restriction and with the introduction of legislation which allows Council meetings to be held remotely, the original need to establish a Cabinet Committee has become less critical and it is possible that normal committee functions can now be accommodated.

The Cabinet was established at a special meeting of the Council on the 24 March to when restrictions were being imposed to slow the spread of the Coronavirus.

At that meeting it was agreed that standing orders would be changed to enable decision making to be transferred to a Cabinet Committee.

Standing orders state the following;

Remit of Cabinet Committee (7 Full Members 14 Deputies)

During times of national, regional or local emergency, the Council may suspend the normal committee structure and appoint a Cabinet Committee for a term of not more than six months, which is empowered to exercise and perform all powers and duties of the Council, with the exception of those matters listed below:

- (a) *Precepting a rate*
- (b) *Borrowing money*
- (c) *Making, amending or revoking bye laws*
- (d) *Making of Orders under any statutory powers*

(e) *Prosecution or defence in a court of law.*

The Full Members of the Cabinet can appoint Deputies in the event that they are unable to attend through illness or self-confinement. The Cabinet Committee can delegate any of its powers to a sub-committee. The Cabinet Committee is empowered to incur expenditure where there is an allocated budget or make extraordinary payment if in the interests of the Council and community of Devizes. The committee will meet every three weeks.

At any time after the Committee has been appointed, it can determine that its emergency function is no longer necessary and request that Full Council reinstates the normal committee structure.

The final clause is relevant for this agenda item.

In making a recommendation to the Full Council about the future need of this committee, the Cabinet may also wish to make a recommendation about physical meetings and if it is time for the Council to meet again physically, but to follow the new social distancing guidance of 1 meter.

Meetings could be held in the Assembly Room to accommodate this.

Options Considered

The Committee need to decide if it wishes to make recommendations to Full Council on the following topics.

- Dissolving the Cabinet Committee
- Future responsibility for decision making
- The ability for the Council and its committees to meet physically with social distancing.

Implications and Risks

Financial and Resource Implications

The resource financial implication will be that the Committee Clerk will need to be brought off furlough and return to work.

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.

6. REPORT FOR DECISION – HIGHWAY IMPROVEMENT REQUESTS

Recommendation

That the committee decides if it wishes to support two highway improvement requests which are within the Devizes area.

Purpose of the Report

To decide if either of the two requests received for highway improvements should be supported by the Town Council.

Background

Officers have received two highway improvement requests for Devizes, which the committee need to decide if they wish to pursue with the Community Area Traffic Group.

Pavement between Devizes and Potterne.

A resident of the Fairway is concerned that users of the pavement are required to cross the A360 several times due to the pavement ending on one side and restarting on the other. The cars and lorries travel extremely quickly along that road and crossing it proves very dangerous.

The resident is aware that work to keep the pavement on one side of the road would be expensive but feels it should be considered due to the danger currently present.

CATG have looked at this issue in the past, but have but not found a workable solution, therefore the committee needs to decide if it wishes to support the request.

Double Yellow Lines at Hopton Industrial Estate

A request has been received from a business on Hopton industrial estate concerned about cars parking for the burger van which is located close to their entrance on Hopton court, making it very hard or impossible for deliveries.

The owners of the business have spoken to the burger van and asked him to move and even the police have had a word, but rarely does he take any notice. The business owner has put cones out but these simply get driven over and any signage is ignored.

The request is for yellow lines that are policed

There is currently a request of double yellow lines a little further along at Bakkavor Foods.

Options Considered

The committee needs to decide if it wishes to support these requests for highway improvements

Implications and Risks

Financial and Resource Implications

Any support for highway improvements within the parish may need to be financially supported as well

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.

7. REPORT FOR DECISION - LICENSING APPLICATION 40 HARTMOOR ROAD, DEVIZES, SN10 5HJ

Officers have received notification from the Licensing Authority that a new premises licence application has been made for 40 Hartmoor Road, Devizes, SN10 5HU.

The application is for the following licence;

- Supply of alcohol OFF the premises: Mon to Fri 09:00 hrs – 17:00 hrs

Full details of the application can be found on the attached document.

The committee needs to decide if it support the application

8. 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

9. REPORT FOR DECISION – PERSONNEL COMMITTEE MEMBERS

Recommendation

That the committee appoints two members to the Personnel Committee.

Purpose of the Report

That the Committee makes two appointments to the Personnel Committee which currently only has five of the seven agreed members.

Background

Following the untimely death of Councillor Andy Johnson and the resignation of Mrs Shaw, the Personnel Committee only have 5 of its allotted 7 members. Whilst unlike other committees, the Mayor does not automatically sit as a member of the committee, therefore the committee may wish to consider making her a member.

Options Considered

The Committee need to decide which two members it wishes to appoint to the Personnel Committee.

Implications and Risks

Financial and Resource Implications

Officers are unaware of any financial or resource implications associated with this decision.

Legal Implications and Legislative Powers

The Council will be considering this matter under its General Power of Competence and the Council's standing orders.

Environmental Implications

Cabinet Committee
30 June 2020

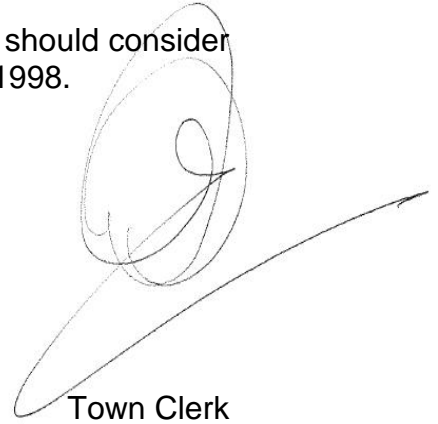
Officers are unaware of any environmental implication for the Council associated with this decision.

Risk Assessment

Officers are unaware of any financial or resource implications 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.

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Town Clerk