



Devizes
Town Council

www.devizes-tc.gov.uk

SPECIAL MEETING **DEVIZES TOWN COUNCIL**

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

Date: Tuesday 13th April 2021

Time: 6.00 pm - Before Planning Committee

Join Zoom Meeting

<https://us02web.zoom.us/j/85450651119?pwd=dGd0M05oeVYramFzNEIRaU1SUzF6UT09>

Meeting ID: 854 5065 1119

Passcode: 853489

Councillors:	Bridewell	Burton	Corbett
	Carter	P Evans	S Evans
	Gay	Geddes	Giraud-Saunders
	Godwin	Greenwood	Hopkins
	Nash	Parsons	Pennington
	Rose	Rowland	Stevens
	Von Berg		

AGENDA

Please note that Standing Order No 5 (members to stand when speaking) is suspended for digital meetings

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 30th March 2021.

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. REPORT FOR DECISION – MEETING ARRANGEMENTS FROM THE 7th MAY 2021

Recommendation

That the Council considers what legal meeting arrangements it wishes to put in place, prior to the end of current legislation on the 7th May that allows for virtual meetings of the Council.

Purpose of the Report

To agree meeting arrangements following the end of legislation that permits the Council to hold meetings virtually.

Background

The Government recently took the decision not to extend legislation that came into effect in April 2020, which permitted Councils to meet remotely during the Coronavirus pandemic, and therefore from the 7th May 2021 meetings will have to be in person.

Officers had already planned to hold a streamlined “Annual Meeting of the Council” (Mayor Making) in person on the 20th May, as this will be the first meeting of the new Council and for logistics reasons it was felt this would be appropriate. The event itself will be in the Corn Exchange, to allow for social distancing, with a very restricted formal guest list.

Going forward the Council will need to decide what arrangements it wishes to put in place to ensure that decisions of the Council continue to be legal and transparent.

Set out below are some options the committee may wish to make.

- That the normal work of each committee remains in place and the committees meet socially distanced face to face.
- That the Council brings back the Cabinet Committee arrangement as set out in Standing Order 92 which states *“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.”

- That the Council sets up a different scheme of delegation to limit the number of physical meetings that need to be held, but ensuring that decisions can be made legally.
- That the Council considers investing in technology that allows for members of the community to stream Council and committee meeting live.
- That the Council defers making any decision, leaving it to the new Council to make its own arrangements.

In addition to the end of legislation that allows Councils to meet virtually, the Government has also removed the exemption for Council to hold the “Annual Towns Meeting”, which is the annual meeting of electors and not the Council. *In accordance with section 14 of Schedule 12 of the Local Government Act 1972, “the parish (town) meeting of a parish must assemble annually on some day between 1st March and 1st June”.*

Officers are suggesting that as this meeting can be held remotely before the 7th May, it is held via Zoom on the 29th April. If the committee agrees this then officers will work with the Mayor and Committee Chairmen to agree the format. In a normal year the Annual Town Meeting would coincide the Annual Civic Awards, but this year that has been deferred until the autumn.

Due to the lack of clarity around elections when this year’s meeting list was drawn up, the last meeting of the civic year was agreed for the 11th May. This meeting is now after the scheduled election date and therefore will not go ahead. Officers are suggesting that for the final meeting of the Council, which is now the 27th April, all the Committees are convened to deal with any outstanding business.

It is also suggested that we invite Trevor Cherrett to a final forward planning session to consider if the Town Council would support a community let housing project for the town.

Options Considered

- The Committee needs to decide what arrangements it wishes to put in place for the Council to meet physically and to allow lawful decisions to be made;
- The Council needs to decide if it wishes to hold the Annual Town Meeting virtually on the 29th April;
- That the Council agrees that the on the 27th April 2021 the Planning Committee, Recreation and Properties Committee and the Community and Civic Committee are convened one last time to transact any outstanding business.

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 and as set out in the 1972 Local Government Act

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. 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.

8. 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

9. 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.


Town Mayor