

WESTBURY TOWN COUNCIL

AT THE MEETING OF THE TOWN COUNCIL HELD AT THE LAVERTON, BRATTON ROAD,
WESTBURY ON MONDAY, 6th MARCH 2017 AT 7.00 PM

PRESENT: Cllr S Andrews (Chairman)

Cllrs D Bradshaw, I Cunningham, Mrs S Ezra (left 22.02hrs), D Jenkins (left 22.03hrs), R Hawker, G King, Mrs C Mitchell (22.02hrs), F Morland, M Sutton, and W D Tout

Mrs Deborah Urch, Town Clerk and Mrs A McCann, Assistant Town Clerk

Also in attendance: Twelve members of the public
PC Amy Hardman, Community Coordinator Westbury
One member of the press

T.3672

PUBLIC FORM:

- Cllr Ian Cunningham: Auction taking place in Carmathen, 10.30am, 08.03.17, for a mid-Victorian silver cup, engraved with "Abraham Laverton Esq, presented for erecting the Laverton Institute January 26th 1874", estimated value £250 - £350, but that is scrap value.
 - Gareth Bennet: agenda item 11 – Little lunch music concerts. Support for Westbury Festival and worthy of support.
 - Jennifer Clinch, Bitham Brook School: agenda item 11- Westbury Festival, it provides a great opportunity to all children
 - Brenda Pyne, secretary of Westbury Festival, agenda item 11 – Read out support from Twisted Brewery, Westbury Infant School and Westbury Junior School.
 - Rev Rhona Floate : agenda item 11 – support for Westbury Festival. Helps local talent, the community and all ages across the social spectrum.
 - Peter Biggs:
 - Public forum should not allow councillors to speak
 - Agenda item 10, West Wilts Model Engineers Society – Are they applying to other town councils?
 - Item 12, Grant Funding for Westbury Schools – All £500 – do they tell you what it's for in application and amount needed?
 - Item 14 – Heritage Centre, vital for town, Westbury Town Council should give it as much support as it can
 - Item 15 – Car parking - £35,000 added to precept for 2hr free car parking
- Cllr Hawker left room 19.28hrs***
- Item 22 CCTV – never seen a report on how successful CCTV is in helping police in apprehending and prosecuting criminals.
 - Item 24 Post Office – Westbury Town Council needs to support this. I suggested the library, the other possibility is the Laverton.

- Item 25 – Defibrillator – I can only recall one incident; do we need to spend this amount on them? How many do we need?

Cllr Hawker returned 1930hrs

- Rev Ward Jones – agenda item 11: sponsor coordinator for Westbury Festival – this grant would not totally fund the festival and we would still need to find some sponsorship.
- Mrs Christine Jenkins – agenda item 11: support Westbury Festival
- Leander Morales – agenda item 11: Arts and culture is a must for the town. It takes a small committed group to start something and hard work and perseverance to turn it into something bigger for the town. In support of Westbury Festival.
- Mike Pearce – agenda item 11: Give the future talent of this town a chance and support the grant for the Westbury Festival
- Dan Gmaj, new Laverton Facilities Assistant – The Clerk introduced Dan to the councillors and he gave a short background speech on himself.

T.3673 ACCEPTANCE OF APOLOGIES AND REASONS FOR ABSENCE:

Cllr P Wakeman	-	Personal
Cllr D Windess	-	Business
Cllr I Taylor	-	No Apologies Given

T.3674 DISPENSATIONS:

None

T.3675 DECLARATIONS OF INTEREST:

Cllr I Cunningham	-	Chair of Westbury Festival and Town Council Representative of Westbury Heritage – Agenda item 11 Chair of Governors, Westbury Junior School – Agenda item 12
Cllr G King	-	Member of Heritage Society – Agenda item 14
Cllr F Morland	-	Agenda item 19, Member of Heywood Parish Council
Cllr D Jenkins	-	Member of Heritage Society – Agenda item 14

T.3676 MINUTES.

The Minutes of the Town Council Meeting held on the 9th January 2017 were confirmed and signed by the Chairman.

T.3677 MATTERS ARISING FROM THESE MINUTES (if any). Note: no new decisions can be taken.

None

Members' matters arising from these previous Minutes.

None

T.3678 POLICE REPORT

- Body worn cameras are being trialled, which will further improve openness and transparency.
- There has been a slight increase in non-dwelling burglaries in January, 8 have been reported.
- In February, there has been an increase across the board on all sexual offences. Four relate to one youth sending graphic pictures, so it is not as alarming as it sounds. Enquiries are still ongoing regarding the sexual offence in Westbury.
- Night time economy – Friday and Saturday nights will always be busier. There has been no increase in Westbury town centre area over weekend. If you are experiencing late night noise/antisocial behaviour you must call it in, otherwise we don't know it's going on.
- Door to door salesmen – Those carrying out landscape/building works, we recommend always checking vehicles are taxed/Insured. What will the standard of work be like if the vehicles are not looked after?
- Police can carry out Presentations on cybercrime etc. So please get in touch if you would like us to come along to do a presentation.
- There has been a spike in incidents where purses are taken whilst shopping. Four incidents have been reported in supermarkets and charity shops. Purse Chains are available if you need any – contact your local PCSO.
- Events – we will shortly be sending out information on what events need police in attendance, licenses etc to help you plan your events.
- There are currently two PCSO's working in Westbury

T.3679

WILTSHIRE COUNCILLORS' REPORTS.

Cllr G King

Wiltshire Council met on 21st February and to meet the statutory requirement to set the Council Tax 2017/18, a recommended draft proposal was presented for approval.

Cabinet approved the 2017/2018 Wiltshire Council tax base of £177,805.08 on 13 December 2016.

At the Cabinet meeting on 7 February 2017 it was recommended that Wiltshire Council increase its basic element of the band D Council Tax by 1.99% for 2017/2018, resulting in an average band D Council Tax of £1,296.49. It was also recommended at the same meeting that Wiltshire Council take up the additional 3.00% flexibility in respect of adult social care for 2017/2018. This results in an average band D Council Tax of **£1,334.63**.

Constabulary and the Town & Parish Councils are added to the Band 'D' Council Tax for 2017/18, making the total increase to **£1,670.84**.

For clarity, these increases are: Fire £70.59; Police £170.27 and an average Town & Parish increase of £95.58. The table below shows how the Band 'D' Council Tax is calculated and the increase from last year.

In addition, Wiltshire Council accepted a last-minute amendment to the budget to provide circa £165k to Area Boards for the repair/maintenance of Pavements. Divided equally (it is not yet decided how this money is to be allocated) each Area Board would receive £9,166 per annum. The town council might assist the Area Board in spending this money by asking its Highways, Planning & Development Committee to put together a priority list of pavements for repair and their proposal for financial contribution.

	2016/2017	2017/2018	Increase	Increase
	£	£	£	
Wiltshire Council	1,271.20	1,334.63	63.43	1.99% + 3.00%
Office of the Police & Crime Commissioner for Wiltshire & Swindon	167.10	170.27	3.17	1.90%
Dorset & Wiltshire Fire and Rescue Authority	69.21	70.59	1.38	1.99%
Sub – Total	1,507.51	1,575.49	67.98	4.51%
Town & Parish Council (average)	87.20	95.35	8.15	9.35%
Total	1,594.71	1,670.84	76.13	4.77%

T.3680 MINUTES of COMMITTEES. The following minutes were received and noted:

Highways, Planning & Development Committee	-	16.01.17
Highways, Planning & Development Committee	-	20.02.17
Policy & Resources Committee	-	06.02.17

Cllr Hawker left the room 20.06

T.3681 RECOMMENDATION received from POLICY and RESOURCES COMMITTEE dated 6th FEBRUARY 2017

Proposed changes to Working Groups

Proposal:

The working group discussed and scrutinised the structure and efficiency of Task and Finish and Working Groups and agreed the following recommendations, which were approved at P&R Committee on 6th February 2017:

- Parent Group of Grants Scrutiny should be Finance
- TIG and Tourism should combine
- Streetscene and CCTV should combine and report to P&R
- Rather than submit reports to Town Council or parent committees the relevant notes of those meetings should be circulated
- Where applicable staff need not be present at all working group meetings but could be called in to note decisions or give advice at the discretion of the chair.

Background:

Westbury Town Council instructed the P&R Committee to investigate whether the structure and organisation of the council was compatible with the increased duties and responsibilities of the council.

Westbury C of E Junior	£500 towards benches for new forest school and garden
Westbury Leigh C of E Primary	£500 towards new amp system and microphones
Westbury Infant School	£500 towards outdoor storage facilities for play equipment

RESOLVED: To APPROVE above recommendation

T.3685 RECOMMENDATION from POLICY and RESOURCES COMMITTEE dated 6th February 2017

Equalities and Inclusion Policy

Recommendation:

The Policy & Resources committee recommend Town Council adopt the draft Equalities and Inclusion Policy

RESOLVED: To APPROVE above recommendation

T.3686 Recommendation received from Town Clerk on 13th February 2017

Request from the Heritage Society for support

Proposal:

To consider the request from the Chair of the Heritage Society for support in renegotiating the lease on the building occupied by the Heritage Centre.

Background:

The Heritage Society is an Unincorporated Association Charity that receives a grant from Westbury Town Council towards the rental and running costs associated with the building. In 2016-17 the grant was £7000. The lease expired in July 2016 and has not been renegotiated. This is due to risks to individuals should the lease be signed. The lease is a fully repairing commercial lease, meaning the Heritage Society is responsible for the full costs should repair or rebuild be required. Following a meeting with the Chair Keith Miller, the following options for support from the Town Council have been discussed and requested:

1. Provide funding to the Heritage Society to employ a solicitor to act on behalf of the Heritage Society to review and amend the lease
2. Ask the Town Council to sign the lease taking responsibility for the building but not the activities that take place within
3. Provide funding to the Heritage Society to purchase insurance to mitigate the risks.

Recommendation:

The Town Council consider how it might support the Heritage Centre regarding the renegotiation of the lease.

RESOLVED: To APPROVE the above recommendation with the following amendment: To employ a solicitor to advise the Heritage Society on what to do with lease, up to a maximum of £500 and not original solicitors. Our WTC rep to attend all meetings, but a commercial property lawyer with appropriate expertise.

T.3687

**RECOMMENDATION from Highways, Planning and Development
Committee dated 20th February 2017**

Car parking – Recommendation that Town Council adopts 2-hour free car parking

Proposal:

HP&D recommends Town Council should accept Wiltshire Council's offer of two-hour free car parking either at a cost of £35,727 for all Westbury Car Parks or in selected car parks at the prices given. (Add or remove options as decided)

Background:

The Town Improvement Group made an enquiry to Wiltshire Council regarding free car parking in the High Street in direct response to the greengrocer closing in November 16 and comments received from other business.

A meeting with Wiltshire Council officers on 20th February 2017, confirmed the following:

- The current offer for 2-hour free car parking at £37,727 includes Warminster Rd, High Street and Westfield car parks
- It would be possible to implement the scheme in only some car parks
- The charge is calculated using the previous 2 years' income
- The cost would decrease if only one car park offered 2-hour free parking
- Clear signage is a key element of successful free parking schemes
- Regular parking enforcement would continue as is
- Parking enforcement has learned from similar schemes such as Calne; no return within 2 hours and note taken of vehicle position etc. and staff have been trained to deal with this
- The prices for extended times would not alter e.g.
 - Up to 1 hour: £0.30
 - Up to 2 hours: £0.80
 - Up to 3 hours: £1.40
 - Up to 4 hours: £2.00
 - Up to 5 hours: £3.00
 - All day: £5.00

This does create a discrepancy whereby for example, someone who purchases as 3-hour ticket effectively pays £1.40 for one hour but changing the charges would require a new traffic order (£3000+ cost)

However, policy is now that someone who wants to park for 3 hours can return after 2 hours and buy a 1 hour ticket

Following this meeting we have received the following breakdown of costs for 2-hour free parking in each car park:

Option 1 – High Street Car Park – short stay

Option 2 – Warminster Road Car Park

Option 3 – Westfield Car Park -

Option 4 – One or more of the above Car Parks in each case, there would be some additional charge for reprogramming of ticket machines.

Recommendation:

To ask the Town Council to decide on the preferred option and approve 2-hour free car parking

RESOLVED: To APPROVE the above recommendation

T.3688

RECOMMENDATION RECEIVED FROM TOWN CLERK ON 23rd February 2017

Salary Scale Points

To approve the following salary scale points for 2017-18

The NJC 1% increase will apply to all employees from 1st April 2017. Most the staff team have reached the top of their grade but the following employees are eligible for a salary scale incremental rise:

SB from SCP 16 to SCP 17

DU from SCP 45 to SCP 46

BD from £8.06 to £8.22 Do we reword this for public domain? Put it in percentage terms? Say BD received 1.98% increase?

Recommendation:

To approve the salary scale points for 2017-18

RESOLVED: To APPROVE the above recommendation

T.3689

RECOMMENDATION RECEIVED FROM TOWN CLERK ON 23rd February 2017

Facilities Assistant

Richard Traynor, our current Laverton Caretaker will be retiring at the end of March 2017.

The LIMTWG reviewed the job description of the existing Laverton Caretaker taking into consideration the current needs of The Laverton and Council. This was approved at Town Council in January. Following a successful advert for a replacement and a robust shortlisting process, the interviews were held on Thursday 16th February. We are pleased to have appointed Dan Gmaj in the position of Facilities Assistant. This job will be based on 25 hours each week. The grade of this position is Scale 4 and is subject to a six-month probation period.

Recommendation:

To note the appointment of the Facilities Assistant to The Laverton

NOTED

T.3690

RECOMMENDATION RECEIVED FROM TOWN CLERK ON 23rd February 2017

Staff Rest Area / Soft Seating

Proposal:

To consider creating a soft seating area in Meeting Room 1 to develop a versatile space for external groups and staff.

Background:

Currently the staff team does not have a rest area available to use during lunchbreaks. This results in staff working through their lunch breaks or eating at

their desks. In addition, the Council has received interest from a number of groups such as Youth Offending Teams and domestic violence support groups for a more relaxed setting for meetings.

To make available up to £1800 to provide soft seating and coffee table.

Recommendation:

To request Town Council authorise up to £1800 to purchase soft seating and a coffee table for Meeting Room 1

RESOLVED: To APPROVE the above recommendation

T.3691

NOTICE of MOTION from Cllr M SUTTON dated 24th February 2017

Hawke Ridge Business Park

Proposal:

To ask Westbury Town Council to add the Hawke Ridge Business Park to the governance document that is to be submitted to the primary authority.

Background:

Town Council asked the P & R committee some time ago to review the current Parish and Town boundaries with a view if necessary to submit a request for a review to Wiltshire Council.

P & R set up a Task and Finish Group to deal with the request and eventually the T & F group submitted its findings for a boundary review to its parent committee which then asked Town Council to approve the recommendations which it did at the January meeting. At that point the work of the T & F group was concluded.

Subsequent to that Town Council decision a letter was received from the Hawke Ridge Business Park stating that they wished to place on record their desire to be within Westbury rather than any other minor parish. This could not be dealt with by the T & F group for the reason stated above but is being proposed by myself as I consider that this very reasonable statement from the Business Park should be included in the submission for consideration by the primary authority.

Recommendation:

That Westbury Town Council include the Hawke Ridge Business Park in the suggested revision of the boundaries.

RESOLVED: To APPROVE the above recommendation

T.3692

NOTICE of MOTION from Cllr M SUTTON dated 24th February 2017

Public Loan Board Application for Building Work at The Laverton

Proposal:

To ask Westbury Town Council to consider authorising a loan from the Public Loan Board of £130, 000 for an extension to the side of the Laverton Institute

Background:

The Laverton committee wishes to upgrade the space to the side of the building and to improve the emergency exit from the Main Hall for Health and Safety reasons. This work would provide extra rooms for the use of Town Council, for community use or to generate income.

The works were detailed some time ago and a grant was applied for to the Heritage Lottery Fund (HLF) but it was declined as the HLF now require most recipients of grants to use that money for ethnic integration.

It is appreciated that there needs to be consideration of the costs in relation to the precept and whether this loan could be spread over a number of years so that there is a negligible effect on the precept. As an example:

£130,000 borrowed over	Annuity ½ yearly cost (24.02.17)	Total cost over life of loan	% rate	Fee applied	Total
10 years	£6728.21	£141,292.41	1.54%	£45.50	£141337.91
20 years	£3983.14	£163,307.74	2.27%	£45.50	£163,354.24
30 years	£3149.66	£192,129.26	2.72%	£45.50	£192,174.76

Recommendation:

That Westbury Town Council consider the request from the Laverton Committee to enable the work to be progressed.

RESOLVED: To APPROVE the above recommendation with borrowing over 10 years.

T.3693

NOTICE of MOTION received from CLLR I CUNNINGHAM dated 26.02.17

Accrual Methods

Proposal:

That with an increase in the number of services that Westbury Town Council is providing and the number of pieces of fixed life equipment that are not always leased.

Background:

In accounting terms, depreciation is used to represent the loss in value of many tangible assets.

Without allowing for depreciation running costs can be quite misleading.

For example, were you to a fully equipped coffee van for £36500 and then sell coffee every day.

If your expenditure on coffee, milk, staff, fuel, insurance, vehicle service etc. were £100 and sales were £105 a day you might assume that you were making a profit of £5 a day of £1825 a year.

In 10 years, you might therefore imagine that you have made £18250. But if after 10 years, your van has an effective value of zero you lost £18250 because you “consumed” a £36500 van.

Even worse each year you might have paid tax of your “profit” of £1850 (when in fact you were losing money) or you may have felt obliged to give profit shares to shareholders.

The “obvious” solution of simply recording the factual expenditure at the time when it happened (e.g. In the year of a large purchase) could as being

misleading looking as though there was a major “loss” or budget overspend in on year with unrealistic profits as a free resource that wasn’t really free is contributing to those profits.

Depreciation represents the reality that the gradual devaluation of an asset is really part of the running cost.

In taxation environments, it is common for the authorities to constrain depreciation, so in accounting terms there may be a rate of depreciation that is allowable for taxation on profit may be legal set whereas management accounts may take a different view. Typically, taxation law often sets longer depreciation times than business might for the same asset. That said the tax authorities sometimes allow faster depreciation (to reflect reality or to encourage business expenditure e.g. in IT equipment

In most environments, the taxation authorities (and indeed shareholders) will also take an interest in the salvage value of a depreciated– if you managed to sell an asset that has been depreciated to zero value in books term, the value raised is now “profit”. The sale of disposal of an asset always represents a “real” point in any depreciation/amortisation (pay back) method.

Sometimes organisation will add some component for replacement of assets that lose value (which is the same concept).

Sometimes the term amortization is used - in some system “amortisation” is particularly used with the loss of value of an intangible asset e.g. a license or warranty and again the costs of such an asset is considered over the term of its use.

(Not that amortisation and depreciation are sometime used interchangeably.)

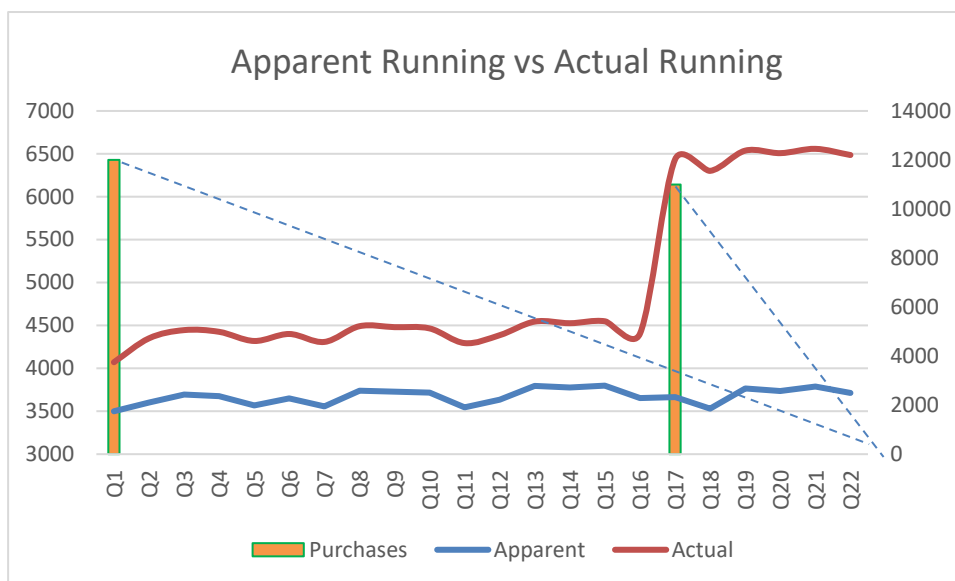
They are both examples of accrual accounting.

Note: the council does use a system of earmarked reserves but there is no requirement that the amounts allocated to this necessarily represent the actual amounts involved and this still tends to hide the “real” cost of certain activities which can lead to incorrect comparisons.

Some organisations find it simpler to acquire assets by lease arrangements as although these are usual more expensive the accounting is simpler with the lease amount being a regular outgoing against “running costs”.

In a town council, profit and taxation are not usually meaningful concept but realistic understanding of running costs can be difficult, for instance were we to inherit an asset which has a fixed life and then provide a service based on that asset we may budget based on the running costs alone not “realising” that as some stage the “free” asset will need to be replaced.

This is particularly “dangerous” with items that have a fixed life which is longer than the life of a council. Councillors who are considering a service in the middle of an asset life may be misled by running costs into if the service is cheaper that it really is, in effect leaving a possible future shock for the council.



Some organisations don't depreciate existing (paid for from reserves) assets but insist on formal accrual (sinking fund) capital reserves for replacement. An easy way to do this is amortize the cost of the assets regardless of whether you paid for it and assign budget to the service accordingly this will build a reserve against eventual replacement.

All these methods rely on an element of forecasting/future guessing

Recommendation:

That Westbury Town Council instructs the clerk (who has worked in authorities that do use depreciation) and finance committee to examine, in conjunction with our financial advisors, whether it is sensible to adjust our accrual methods – specifically in light of producing meaningful “running costs” for services such as play areas, CCTV etc.

22.02hrs Cllr Mrs S Ezra and Mrs C Mitchel left the meeting

22.03hrs Cllr Jenkins left the meeting

RESOLVED: To APPROVE the above recommendation

T.3694 NOTICE of MOTION received from CLLR I CUNNINGHAM dated 26.02.17

Set up new working group

Proposal:

Westbury Town Council should, following the agreed review of CCTV costs and results, set up a working group to look in more detail at the possibility of alternatives or supplements such as sponsoring a PCSO. This group should establish, if such an option if possible, would be preferred by the townsfolk as a way of improving safety and reducing the fear of crime in our centre.

Background:

Westbury does not have a high incident of crime

Nonetheless, people are concerned particularly about anti-social behaviour and there seems to be a regular problem in the marketplace related to pubs and late drinking. As these problems are sporadic and short-lived it would seem that the current reactive policing mode; would not be ideal; it seems unlikely that officers

will be deployed for perhaps an hour or two in Westbury to intervene in a short-lived incident – particularly when bigger towns with more problems might need the same resource at the same time.

Recent research suggests that CCTV is particularly ineffective when dealing with alcohol fuelled problems, people under the influence of alcohol do not make good decisions which means the deterrent effect is limited and if the police do arrive in time to do anything there and then only people who are “recognised” are likely to be followed up for minor disorder and would mostly result in something akin to a fixed penalty notice.

After speaking to residents and business owners it is clear that the CCTV in place is apparently not doing much to solve the problem and dissuade perpetrators.

In most surveys, the public report that they would like to see more Bobbies on the beat; CCTV is often seen as a second-best alternative.

So, I (Cllr Cunningham) started to wonder about alternative solutions such as security staff.

A little research discovered, that the police are in fact allowed to raise a certain amount of their income through sponsorship (1%).

So I made an enquiry to the police and crime commissioner’s office about the possibility of a town council sponsoring a “tethered” PCSO, perhaps as an alternative to CCTV which is recognised not least by the police and as not being particularly effective against the kind of trouble associated with drinking. Or if that was not possible whether there was an accredited scheme for 3r party security which might be same as an aid to the police rather than a source of concern.

As I listed all the reasons that I had thought might prevent such a scheme, I was surprised when they said they didn’t know but would ask the Chief Constable. I was even more surprised to receive this reply shortly after that:

Dear Mr Cunningham,

Thank you for your request for information on the possibility to purchase additional policing resource for Westbury.

The Police and Crime Commissioner holds the Chief Constable to account for delivering an efficient and effective police service. The Chief Constable must ensure that policing meets the threat, harm and risk to Wiltshire from the wide variety of threats, as such he is continually assessing the policing model to ensure that it is meeting these threats.

If Westbury wishes to fund additional local policing resources this Chief Constable would be able to provide additional PCSOs but not police officers. This is due to the need for the Chief Constable to have maximum operational flexibility in deployment and the different arrangements in place for police officers. The cost of funding additional PSCO resources through a special policing arrangement would be in the region of £30,000 for 1 full-time equivalent PCSO (37hrs / week).

Due to the complexities of managing police resources the Chief Constable will need to include specific conditions to ensure any additional

arrangements do not impact the overall policing service in Wiltshire. These include:

1. Local communities will be resourcing the additional PCSO roles. Whilst the Chief Constable recognises the importance of building networks in local communities specific individuals are not guaranteed.
2. The PCSO will be employed by Wiltshire Police working as part of the Wiltshire policing model. They will operate with this service, on the same terms and conditions and to the same policies and procedures; including pay levels and shift patterns.
3. The Chief Constable will maintain the command and control of all PSCOs, the Chief Constable will endeavour to deliver this additional service however the Chief Constable will not be able to provide the service:
 - if a PCSO is unavailable due to annual leave, sickness, or attendance at training courses (training courses to be agreed in advance, not to be unreasonably withheld or delayed);
 - On public and bank holidays during which there is no liability to provide the Service;
4. The Chief Constable has sole discretion to deploy a PCSO in other areas to meet an emergency need or other urgent operational requirement in another part of Wiltshire or Swindon.
5. If the PCSO is unavailable for deployment in the agreed role for more than 10 days the purchaser will not be liable to pay for any additional days where the PCSO is not deployed.
6. For example if a PCSO cannot be deployed to provide the services for 15 days the purchaser will not be liable to pay for 5 days' provision of the Service. If difficulty to fulfil the arrangement beyond the 10 days continues the Chief Constable will endeavour to remedy this with the funders however this will be dependent on operational demands across the county.

There are also a range of other ways local communities can become engaged in making their communities safer including engaging with neighbourhood watch schemes, signing up to community messaging, volunteering or joining the special constabulary.

I would recommend that you discuss these issues with your local policing team and other public agencies to check the range of options you have to meet your town council priorities.

I am of course happy to discuss these with you further.

Naji

Kind Regards,
Naji Darwish

Office of Police and Crime Commissioner
London Road
Devizes
Wiltshire SN10 2RD"

<https://www.compoundsecurity.co.uk/security-news/cctv-do-not-deter-crime-or-lead-to-convictions>

Anyway, it's an interesting response and the figures are not prohibitive. I have not yet enquired if "some money" might be used to guarantee some hours

Recommendation

Westbury Town Council should, following the agreed review of CCTV costs and results, set up a working group to look in more detail at the possibility of alternatives or supplements such as sponsoring a PCSO.

RESOLVED: To APPROVE to the above recommendation with the following amendment: to recommend the CCTV working group take this on and look at in more detail.

T.3695 NOTICE of MOTION received from CLLR I CUNNINGHAM dated 26.02.17

Secret Ballot

Background:

Westbury has a special place in electoral history being one of the rotten boroughs whose issues led to the in the Ballot Act 1872. By this time, previous arguments around the transparency and honour of a man (as it was then) standing in front of his peers and declaring his allegiance when voting for a significant office holder had largely lost out to the problems caused by loyalties, friendships, working relationships and, frankly even revenge as well as many corrupt practices.

Secret ballots are not new – the ancient Greeks used them for contentious issues such as ostracism where they felt that honesty may be overcome by a desire to fit in. The USA built this principle into its founding documents and to quote from Wikipedia "*Today the practice of casting secret ballots is so commonplace that most voters would not consider that any other method might be used.*"

One argument that is often used by those in favour of public election to office is that it impugns the honour of those voting and that none of the possible abuses has ever happened or ever would happen, in which case there are two immediate observations which would seem to negate this objection:

- 1) The result would presumably be unchanged by becoming secret
- 2) Any voter may still declare their vote to their colleagues and those they represent if they feel this is important to them

It would therefore seem to follow that to object to a secret ballot is in fact to object to the loss of opportunity to apply such pressures to voters.

Notes

Motion A only exists to highlight the obvious problem with not adopting Motion B. I would not have bothered with this until a recent meeting where I was frankly surprised to hear colleagues suggest that there was any merit in the current system and some were actively hostile to suggestion that perhaps we should reform our processes in line with what most organisations consider to be best practice when voting for significant roles.

I suggest two motions which can be taken in any order. If Motion B is adopted, then Motion A would surely fail or could be withdrawn. [If Motion A succeeded then Motion B would appear to be superfluous]

Motion A

“Westbury Town Council does not support the use of secret ballots to elect councillors. We feel that concerns that electors may feel compromised by friendships, lobbying, future working relationships with colleagues & candidates are all secondary to the important principle of public scrutiny of electors’ choices. We ask the clerk to contact the appropriate government minister to request that elections for Westbury Town Council revert to public declaration to align with arguments that support the current method by which we elect chairs of council committees.

Further Background to Motion B

The difficulties caused to personal relationships, future working and influence of others may make it difficult for electors (councillors) to vote fairly for the best candidate for important elected roles e.g. chairing committees. It is clearly disingenuous to apply secrecy to councillors’ own elections to office without applying the same principles to the council’s important roles.

In this way, we would come into line with many forward-thinking councils and organisation such as the Parliament of the United Kingdom which whilst making debates and votes public uses secret ballots to appoint chairs of its standing committees or the Welsh assembly which recently changed its processes to use secret ballots for committee chairs in 2016.

The independent organisation Communities Parish and Local Council specifically recommend secret ballots for the chair as it encourages councillors to stand in councils where there is habit of returning the same faces as chair - either consecutively (which we don’t allow) or in rotation. [Obviously in some cases, this is simply because they are the best choice but in many organisations voting for a new chair can be taken as an attack on previous ones who are standing for re-election which is unhelpful towards happy co-working]

Motion B

Westbury Town Council wishes to adopt the use of a secret ballot to elect the chair of our council and committees. The same principle should be used for contested co-options of councillors.

In this way, we will apply the same principles that apply to the election of councillors to their office.

If Motion B were to be adopted, we would need to consider the method. For example:

[We would suggest that the vote is by elimination. i.e. if there is more than one candidate for election, a secret ballot is taken and the candidate receiving the lowest number vote is removed from the list and the vote re-taken. This is repeated until such time that either one candidate receives more than half the votes cast (including abstentions) and is elected or only two candidates remain in which case the candidate with the higher number of votes is elected. In the event of a tie, between two candidates, the chair may use a casting vote as before.]
{Tie break for multiple equal votes? What do we do now? I’d suggest the chair can use a casting vote to remove one candidate and then we proceed? A single transferrable vote would be an obvious alternative}

Recommendation:

The Town Council agrees to Motion A or B when electing a Chair of the Council or committees.

Cllr Cunningham asked for a recorded vote:

Name	For	Against	Abstained
Cllr S Andrews		X	
Cllr D Bradshaw		X	
Cllr I Cunningham	X		
Cllr R Hawker		X	
Cllr G King		X	
Cllr F Morland		X	
Cllr M Sutton	X		
Cllr WD Tout		X	
TOTALS	2	6	

RESOLVED: THE MOTION FAILED

T.3696

NOTICE of MOTION received from Motion received from Cllrs R Hawker & Mrs S Ezra dated 27th February 2017

Set up a task and finish group, called The Post Office Task and Finish Group.

Proposal:

This Council understands that Co-op has served notice to Post Office Ltd to terminate, in October this year, its contract to run the main Post Office counter in Westbury. This Council recognises the great importance to the town of the main post office being found a new location in the town centre, preferably the High Street or nearby, once it vacates its current premises. This council is prepared to consider taking on the responsibility of running a main post office and providing premises, subject to a full analysis of the likely revenue, costs and risks involved, but only on a last resort basis; if any other organisation that is acceptable to Post Office Ltd is in a position to run a main Post Office in the town, the council would withdraw its interest on the basis that there is no need to step in. At present, neither Post Office Ltd nor any other organisation or person is indicating that anyone is actually proceeding to provide the new Post Office. This Council recognises the need to start the process of researching the issues without further delay. This is to avoid a potential situation where we might find out later this year that no-one has obtained full approval from Post Office Ltd to provide the new Westbury Post Office when it is by then too late to organise everything necessary to provide a new Post Office in time for when the current Post Office closes. Westbury Town Council therefore asks the Clerk to proceed to enquire with Post Office Ltd and obtain all relevant terms, including revenue and cost figures, on the basis that the council might employ the necessary staff and provide the appropriate premises, probably in High Street. The Clerk is also asked to obtain the relevant terms upon which a lease can be secured upon any currently empty premises in High Street.

To set up a task and finish group, called The Post Office Task and Finish Group, reporting to full Council to work with the Clerk to help provide the full details Council needs to progress this matter and help make a decision on how to proceed, if the need arises.

Background:

This is explained within the proposal

Recommendation:

Town Council to approve the proposed motion.

RESOLVED: To APPROVE the above recommendation

T.3697

RECOMMENDATION RECEIVED from LAVERTON INSTITUTE TRUST MANAGEMENT WORKING GROUP dated 27th February 2017

Defibrillator

Purpose:

To ask Westbury Town Council to consider authorise the purchase of a defibrillator for the Laverton Institute.

Background:

At a recent community event held at The Laverton a member of the public was taken ill, the paramedic dealing with the incident recommended that The Laverton should consider purchasing a defibrillator and wheelchair. The recent Area Board / Town Council partnership to purchase defibrillators (£10,000) can only provide 3 defibrillators in the most densely populated areas of Westbury. If a defibrillator was purchased for The Laverton it could be sited on a external wall and add to the partnership offer. In addition, if purchased alongside the partnership any discounts available would be applied.

The maximum cost of the defibrillator over its ten-year life would be:

1 x defibrillator	£2094	
1 x accessory pack	£295	
Installation	£250	Estimated
9 years' guardian reporting	£440	
Total cost	£3079	Paid from EMR Laverton Improvement

Recommendation:

That Westbury Town Council consider the request from the Laverton Committee to install a defibrillator for the use of The Laverton and local community.

RESOLVED: To APPROVE the above recommendation

Cllr Hawker left the room 23.04hrs

T.3698

RECOMMENDATION RECEIVED from THE MANAGEMENT TEAM dated 27th February 2017

Office Staffing

Proposal:

To increase staff hours and improve staff cover within team for increased workload and new project work.

Background:

There has been a rise in activities being undertaken by the staff team, for example:

- An increase in contact and visitors to the office. In house newsletter
- New processes such as CATG, team & one to one meetings, on-line H&S training
- Improved building maintenance for the Laverton and public toilets; H&S weekly checks
- Projects underway; Neighbourhood Plan, Business Plan & defibrillators
- Delegated services such as play areas and allotments.

From the 01st April 2017 increase the hours for the Admin Officer from 20 to 24 to cover HP&D freeing time for the Assistant Town Clerk to concentrate on the play area project, newsletter and other strategic tasks.

To improve cover in the office and for the preparation of agendas and meetings, the Admin Assistant changes existing working pattern from Mon to Fri 10am to 3.00pm to Mon, Tues, Wed and Fri 9am to 3pm.

The net cost of this change is £32.63 per week (1697pa), plus on costs.

Employ an office assistant to deal with first point of customer contact, preparation of agendas and supporting documents. Working 30 hours each week over four days based on Scale 3 14 to 17. Starting salary would be £12,877 plus on costs.

Recommendation:

Town council to consider the staff changes to increase hours and resources in support of the planned changes to services.

RESOLVED: To APPROVE the above recommendation

Cllr Hawker returned 23.08hrs

T.3699

Wiltshire Hill-figure Meeting Evaluation – Update by Cllr WD Tout:

The purpose was to form a discussion group to provide money for the up keep of the white horses. Part of the project is to resurrect two derelict horses. They want to get money from a HLF grant. Wiltshire Council supports it in principal and will match fund the HLF grant. They are only asking WTC to register an interest.

Westbury Town Council AGREED they are happy for the Clerk to register their interest at this stage

T.3700

REPRESENTATIVES OF THE COUNCIL ON OTHER BODIES – Feedback to council by each representative:

**Army Liaison Committee:
Cllr David Tout**

**BA13 Community Partnership:
Cllrs Ian Cunningham and Stephen Andrews**

**Community Area Transport Group (CATG):
Cllr Francis Morland**

Elblag Twinning Association:

Cllr Mike Sutton

**Warminster & Westbury CCTV Committee:
Cllrs R Hawker and David Tout**

**Westbury Amateur Swimming Association:
Cllr David Bradshaw**

**Westbury Area Board:
Cllrs Stephen Andrews and Mrs Sue Ezra**

**Westbury Chamber of Commerce, Trade & Industry:
Cllr David Jenkins**

**Westbury District Twinning Association:
Cllr Mike Sutton**

**Westbury Heritage Society:
Cllr Ian Cunningham**

**Westbury (Wilts) Welfare of the Elderly Association:
Cllrs David Jenkins and Gordon King**

**Wiltshire Association of Local Councils:
Cllr Stephen Andrews**

**Wiltshire Council Rights-of-Way Contact:
Deborah Urch, Town Clerk (Reserve - Cllr David Tout)**

**BA13+:
Cllr Stephen Andrews**

**Northacre – Hills Liaison Group:
Cllr D Tout**

**It was AGREED that all representatives could support a written report to
the Clerk by the end of the week**

**T.3701 THE LAVERTON INSTITUTE TRUST MANAGEMENT WORKING GROUP.
Report by Cllr M Sutton:**

Bookings per month

January 2017 notional usage: 22 bookings and £660.00
Paid bookings 29 bookings and £809.40
Total: £1,469.40

January 2016 notional usage: 14 bookings and £474.00
Paid bookings 14 bookings and £864.80
Total: £1,338.8

February 2017 notional usage: 30 bookings and £860
Paid bookings 28 bookings and £892.60
Total: £1,752

February 2016 notional usage: 8 bookings and £252.00
Paid bookings 32 bookings and £974.80
Total: £1,226.80

Victorian Westbury Exhibition: we are currently working on updating the Website content and the new WordPress website is under construction.
On the day of the opening we had 60 members of the public attend.

Since we have opened we have interest from different groups from schools, students with after school projects, a local heritage group, tourists among other visitors.

In 24 days since the exhibition opened we have had approximately 45 people

Equipment: We are applying for a grant to help us with half the costs of a new projector.

T.3702 INTERNAL AUDIT REPORT 2016-2017 (Interim Update)

- a. To receive and consider the Internal Audit Report 2016-2017 (Interim Update)
- b. To note Action Plan points R1 to R6.

Received and Noted

T.3703 CiLCA QUALIFICATION and GENERAL POWER OF COMPETENCE

Proposal:

The Clerk has received confirmation that her CiLCA qualification has been successfully completed and she will be awarded 1 additional SCP as per the contract of employment. This means that this Council can resolve to have the General Power of Competence.

Background:

THE GENERAL POWER OF COMPETENCE

1. BACKGROUND:

- a) Parish and Town councils are corporate bodies that have accumulated powers through legislation since 1894. Their powers were constrained to specific and appropriate legislation. This means that before undertaking anything, members must be satisfied that a town council has the power (under a specified statute) to undertake that activity.
- b) Town councils have many specific powers (e.g. the provision of open spaces and recreational facilities) in addition to section 137 of the Local Government Act 1972, permitting the expenditure up to certain limits for "purposes not otherwise authorised". Typically, the expenditure on grants and sponsorship is covered by section 137 of the Local Government Act, 1972.
- c) Despite the range of powers available, town councils are at risk of being challenged, especially if they undertake an unusual activity.
- d) In consequence, the Government included a "general power of competence" in the Localism Act 2011 (Part 1, Chapter 1, ss 1-8). It was

brought into force by SI 965 The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 in April 2012.

2. LEGISLATIVE BACKGROUND:

- a) The intention of the legislation is that eligible local authorities will no longer have to identify specific powers to undertake an activity. Thus, the risk of legal challenge will be reduced. It is stated in the above Statutory Instrument that

“The Government’s intention in providing eligible parish councils with the general power of competency is to better enable them to take on their enhanced role and allow them to do things they have previously been unable to do under existing powers”.

- b) Under new legislation, eligible town councils have “the power to do anything that individuals generally may do” as long as they do not break other laws. It is intended to be the power of first, not last, resort. An eligible council may ask, if an individual is allowed to do it and the answer is “yes”, then a town council is normally permitted to act in the same way.

3. TYPES OF ACTIVITIES:

- a) The government has provided guidance on operation of the new power, see attached “The General Power of Competence - Empowering councils to make a difference”. Activities covered by the legislation include:
- Running a community shop or post office
 - Lending or investing money
 - Establishing a company or co-operative society to trade and engage in commercial activity
 - Establishing a company to provide services such as local transport
 - Providing grants to individuals

The power is not restricted to use within the township, an eligible town council can use it anywhere.

4. RESTRICTIONS AND RISKS:

- a) The general power of competence cannot be used to circumvent an existing restriction in an existing specific power. The general power of competence is a power; it cannot be used to raise the precept.
- Existing duties remain in place, such as having regard to the likely effect on crime/disorder and biodiversity. There are also many existing procedural and financial duties that remain in place for the regulation of governance (e.g. no delegation to a single councillor). Furthermore, councils must comply with relevant existing legislation (e.g. employment law, health and safety, equality legislation and duties relating to data protection and freedom of information). If another council has a statutory duty to provide a service (e.g. education, social service, highways, footpaths, rights of way), it remains their duty to provide it. Nonetheless, eligible town councils may assist. The eligible town council would need to ask itself whether an

individual, private company or community trust could help. If the answer is “yes”, the town council can assist

Whilst councils are encouraged to be innovative, they should be aware of the risks of:

- Being challenged
- Their trading activities damaging other local enterprises
- Damage to the council’s reputation and public money if a project or investment goes wrong.

5. LOCAL GOVERNMENT ACT 1972 (s137):

- a) Expenditure under the Local Government Act (s137) is limited and has to be budgeted for separately. Expenditure is restricted in that it cannot be used to give money to individuals and the amounts must be commensurate with the benefit. Section 137 is a power of last resort.
- b) A council that is eligible to use the general power of competence can no longer use Section 137 as a power for taking action for the benefit of the area. However, Section 137 (3) which permits the council to contribute to UK charities, public sector funds and public appeals remains in place.

6. ELIGIBILITY:

- a) The three conditions for eligibility are set out in the Statutory Instrument (paragraph 1.4 above) as follows:
- b) Resolution: the council must resolve at a meeting that it meets the criteria for eligibility relating to the electoral mandate and relevant training of the clerk.
- c) Electoral mandate: at the time the resolution is passed, at least two thirds of the council must hold office as a result of being declared elected (i.e. not co-opted).
- d) Qualified clerk: At the time that the resolution is passed, the clerk must hold a recognised professional qualification (e.g. Certificate in Local Council Administration, Certificate of Higher Education in Local Policy).
- e) Having decided at a full meeting of the council that it meets the criteria for eligibility at that time, a resolution must be clearly written in the minutes. The council is then required to revisit that decision and make a new resolution at every ‘relevant’ annual meeting of the council to confirm that it still meets the criteria (if it does). A ‘relevant’ annual meeting is the annual meeting that takes place in a year of ordinary elections, once every four years.
- f) In consequence, eligibility remains in place until the ‘relevant’ annual meeting even if the conditions of the eligibility criteria have changed. If the council loses its qualified clerk or has insufficient elected councillors it must also record its ineligibility at the next ‘relevant’ meeting.
- g) There is no requirement for members to be trained in the general power of competence.
- h) Westbury Town Council satisfies all the conditions as:
 - All 14 of the 15 councillors were elected
 - The Clerk of the Council holds the Certificate in Local Council Administration (CiLCA)
 - The Clerk of the Council has passed the CiLCA module on the general power of competence Learning Outcome 7.

Recommendation:

To approve the attached recommendation by the Clerk

RESOLVED: To formally resolve that Westbury Town Council, having satisfied the prescribed statutory criteria to qualify as an eligible council, now adopt the General Power of Competence

RESOLVED TO ADOPT THE GENERAL POWER OF COMPETENCE

T.3704

CLERK'S CORRESPONDENCE/MATTERS:

- a) Thank you letters received, in respect of grant aid, from the following:
 - I. Warminster Riding for the Disabled
 - II. Relate Mid Wiltshire
 - III. West Wiltshire Elblag
 - IV. Westbury & District Twinning Association
 - V. Carer Support Wiltshire
 - VI. Westbury United Football Club
 - VII. The Wiltshire Bobby Van Trust
- b) Freedom of Information Request received

The above was NOTED

T.3705

COMMUNICATIONS BY THE TOWN MAYOR. To receive such communications as the Town Mayor may wish to lay before the Council:

- Westbury Litter Pick went ahead and we collected 13 bags on Saturday.
- NALC legal briefing notifying of Section 137 Expenditure Limit for 2017/2018 is £7.57 – a 2% increase.

T.3706

EAR MARKED RESERVE REPORT

Report below noted. To be forwarded to Finance Committee.

Schedule of Earmarked Reserves

	<u>Balance at</u> <u>01/04/2016</u> £	<u>Contribution</u> <u>to reserve</u> £	<u>Contribution</u> <u>from reserve</u> £	<u>Balance at</u> <u>31/03/2017</u> £
<u>Capital Projects Reserves</u>				
315 Rolling Capital Fund	73,485.04	40,340.00	45,281.36	68,543.68
	<u>73,485.04</u>	<u>40,340.00</u>	<u>45,281.36</u>	<u>68,543.68</u>
<u>Other Earmarked Reserves</u>				
321 Flood Relief	11,662.00			11,662.00
322 Christmas Lights	1,500.00	4,195.00		5,695.00
327 Visitors Centre	500.00			500.00
329 Bus Shelters	3,440.69			3,440.69
331 CCTV	6,972.00		4,840.33	2,131.67
333 Community / Highway Safety	1,450.00			1,450.00
334 Beacon Maintenance	600.00		345.00	255.00
335 Civic Regalia	600.00			600.00
336 Laverton Hall Improvements	11,828.00			11,828.00
339 Floral Displays	7,103.00			7,103.00
340 Parish Poll	5,000.00			5,000.00
341 Twinning	68.00			68.00
344 Traffic Orders	5,000.00			5,000.00
345 Drop Kerbs	3,000.00			3,000.00
350 Laverton Staff Training	423.00			423.00
351 Laverton Promotion	428.00			428.00
353 Westbury Tourism	2,122.00		766.00	1,356.00
356 Office & Computer Equipment	1,275.00			1,275.00
357 Council Office	1,500.00			1,500.00
358 Media	750.00			750.00
359 Play Equipment	2,108.00			2,108.00
360 Summer Celebrations	996.00			996.00
362 Contribution to Whitehorse	1,000.00		1,000.00	-
364 Street Furniture	196.46		175.00	21.46
365 TCVG	2,969.00		2,579.72	389.28
367 Vision for Westbury	39.00			39.00
368 Legal Fees	20,000.00			20,000.00
369 Grants	3,950.00			3,950.00
371 Roundabout Maintenance	2,000.00			2,000.00
372 Devolved Services	75,353.22	4,204.00	2,717.66	76,839.56
373 Music & Arts	1,000.00			1,000.00
374 Great War	2,653.64		2,161.27	492.37
375 Staff Training	500.00			500.00
376 Christmas Event	5,400.00		2,027.19	3,372.81
377 Town Improvement Group	22,000.00		84.74	21,915.26
378 Street Fair	8,380.00		8,380.00	-
379 HLF Westbury Timeline	-	9,500.00	9,500.00	-
	<u>213,767.01</u>	<u>17,899.00</u>	<u>34,576.91</u>	<u>197,089.10</u>
TOTAL EARMARKED RESERVES	<u>287,252.05</u>	<u>58,239.00</u>	<u>79,858.27</u>	<u>265,632.78</u>
As per Omega	287,252.05	58,239.00	79,858.27	265,632.78
	-	-	-	-

T.3707

ACCOUNTS:

Payment of Accounts. On report by the Clerk and Responsible Financial Officer, it was **RESOLVED** to approve the List of Payments made since the last meeting, or to be made, and to confirm the action of the Clerk, the Mayor and one other member in signing the necessary orders for payment and Bank Transfers as follows:

JANUARY - £45,390.98 - schedule 508

23.25hrs

**Signed on behalf of the Meeting
this day of 2017**

.....
Chairman