

22<sup>nd</sup> August 2014

**YOU ARE HEREBY SUMMONED to attend a MEETING of WESTBURY TOWN COUNCIL to be held at THE LAVERTON, BRATTON ROAD, WESTBURY on MONDAY, 1<sup>st</sup> SEPTEMBER 2014 at 7.00 pm.**

**Yours faithfully**

**Town Clerk**

**Public Forum**

Register between 6.50 pm – 7.00 pm  
Maximum input per person – Strictly 5 minutes  
Forum not to exceed 30 minutes

**Petitions/Depositions to be lodged with the Town Clerk  
at least five working days prior to the Meeting.**

**A G E N D A**

- 1. TO RECEIVE APOLOGIES (if any) AND REASONS FOR ABSENCE.**
- 2. DISPENSATIONS (if any).**
- 3. DECLARATIONS OF INTEREST (if any) AND REASONS.** (Members must be diligent regarding their interests.)
- 4. MINUTES.** To approve as a correct record the Minutes of the Town Council Meeting held on the 7<sup>th</sup> July 2014, copies of these Minutes have been circulated to each Member and in accordance with Standing Order No. 13(a) may be taken as read.
- 5. MATTERS ARISING FROM THESE MINUTES (if any). Note: no new decisions can be taken.**  
  
**X-ray services – Westbury (T.3142).** Reply from the NHS Wiltshire Clinical Commissioning Group. (See attached.)  
  
**Members' matters arising from these previous Minutes.**
- 6. POLICE REPORT.**
- 7. WILTSHIRE COUNCILLORS' REPORTS.** Members wishing to ask questions of Wiltshire Councillors are requested to give prior notice to Wiltshire Cllrs R Hawker, D Jenkins and G King, or to the Clerk for onward transmission.

8. **MINUTES of COMMITTEES.** To receive and consider Minutes and recommendations of the following Committees:-

Interim Highways, Planning & Development Committee	-	7 <sup>th</sup> July 2014
Highways, Planning & Development Committee	-	28 <sup>th</sup> July 2014
Highways, Planning & Development Committee	-	18 <sup>th</sup> August 2014
Policy & Resources Committee	-	11 <sup>th</sup> August 2014

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

10. **NOTICE of MOTION received from Policy & Resources Committee on 11<sup>th</sup> August 2014.**

**Outsourcing Human Resources(HR) and Health & Safety(H&S) functions.**

**Purpose**

To reduce the workload for the future Town Clerk whilst ensuring that Westbury Town Council's Policies & Procedures are continually updated following changes in legislation.

**Background**

At a recent Management Meeting the Town Clerk suggested that members should be looking ahead to the recruitment of a new Town Clerk. Whilst currently HR and H & S are dealt with by the current Town Clerk, any new appointment may prefer these activities to be outsourced. The Clerk met with Peninsula and Ellis Whittam, two companies, which he knew worked with other councils.

**Financial**

To enter a three year contract with the above companies, the cost for the core services in HR and H & S would be:

Peninsula	Total cost £2856 per annum
Ellis Whittam	£2500 per annum (indemnity cover also known as legal expenses would be £7.50 per employee for HR and £3.00 per employee for H & S. 7 employees would be £52.50 and £21.00 respectively. Total cost £2573.50

It is recommended that as from 1<sup>st</sup> October 2014, the function of Human Resources and Health & Safety be outsourced and that the Town Council enters into a three year contract with Ellis Whittam at an annual cost of £2,573.50. Due to the surplus in General Reserves, it is further recommended that the cost of £1,287, covering 1<sup>st</sup> October 2014 to 31<sup>st</sup> March 2015, be met from General Reserves, and that £2,573.50 is approved for inclusion in the budgets for 2015-16 and 2016-17.

11. **NOTICE of MOTION received from the Policy & Resources Committee on 11<sup>th</sup> August 2014.**

**To adopt the following policies (see attached):**

- a. Freedom of Information Policy
- b. Staff Recruitment and Retention Policy
- c. Equalities and Inclusion Policy

This is part of an ongoing process to update the Town Council's policies and procedures. The Freedom of Information Policy is particularly important to show the commitment to transparency from Westbury Town Council.

**12. NOTICE of MOTION received from the Policies & Resources Committee on the 11<sup>th</sup> August 2014.**

**Written Reports from Working and Task & Finish Groups.** It is recommended that Working Groups and Task & Finish Groups will submit written reports to be circulated with agenda for consideration. Nil returns will not be accepted and chairs of groups, which have not met, should respond by stating "Group not met".

**13. NOTICE of MOTION received from Cllr W D Tout on 15<sup>th</sup> August 2014.**

**Withdrawal of Wiltshire Councillor Reports.** There seems to be at times a reluctance of certain of Westbury Town's Wiltshire Council Unitary Councillors to give a report or receive questions on Wiltshire Council matters. In the light of this I propose that this item is removed from Westbury Town Council and Highways, Planning & Development matters.

If this motion fails I further propose that this subject item matter is reinstated on the Policy & Resources Committee agendas.

**14. NOTICES of MOTION received from the Party in Penleigh Park Working Group on 22<sup>nd</sup> August 2014.**

**Party in Penleigh Park.**

**Motion 1.**

To reconfigure the Party in Penleigh Park Working Group on the following basis:

- a. The Party in Penleigh Park Working Group is no longer working with a national charity or working towards becoming independent of the council, and instead will be a normal working group (ie. permanent until any future decision) of the town council so that the council retains full control over the operation of the intended biennial one day event starting 1st August 2015 including choice of charities that the event is intended to support via any surplus made at the event.
- b. As before, the working group will comprise no more than 7 councillors plus co-opted members. Current co-opted members of PPPWG are David Anderson (local resident), who first suggested the event in Penleigh Park Recreation Ground as a way of making use of this park and bringing together local people and raising money for charity focussed on autism, and Kevin Oliver, Wiltshire Council's Environment Authorising Officer.

- c. The beneficiary charities for 2015 will be Stepping Stones (West Wiltshire) and Fairfield Farm College, both being local, registered charities focussed on autism or similar.
- d. Each event must be managed to maximise the likely surplus made for distribution to charity. This means, as a priority, that income from the event is intended to cover all expenses put up by the council. It follows that a budget for the event will be necessary and that full council will need to approve this budget.

### **Motion 2**

To support a ball-park budget for PPPWG in the 2015/16 financial year of approx. £20,000 on the basis that further details will be provided prior to the main budget-setting process in late 2014 and that the event will be managed to recover these costs, meaning that in all likelihood most if not all the money budgeted will be recovered via income from the event.

### **15. NOTICE of MOTION received from Cllr R Hawker on 22<sup>nd</sup> August 2014.**

#### **Standing Orders - Addition to item 33.(f) (T.3143 - 07.07.14)**

- a. To rescind the resolution made at the full council meeting on 7th July 2014 to change the way members are appointed on to new working groups or task and finish groups because it causes unnecessary and long delays when the work of new groups needs to commence quickly.
- b. To alter Standing Orders so that effect is given to the following mechanism for appointing members:
  - i. When Council or any committee decides to set up a new working group or T+F group, they can proceed immediately to appoint the members or can decide to defer this if the work of the new group is not required to commence with any urgency.
  - ii. When the Agenda is issued for any Council or committee meeting where it is intended or possible that a new working group or T+F group will be set up, the clerk will email all members by the next day pointing out the likelihood or possibility that a new group will be set up and asking for any member of the council who will not be able to attend the meeting to confirm by email to the clerk that if the group is set up they wish to be put forward by the clerk and considered at the meeting (or any relevant subsequent meeting, if appointments are deferred) for appointment to the new group.
  - iii. If a vacancy becomes available or more members are required anyway on any working group at any time, the same procedure outlined above involving the clerk asking for names will apply in terms of appointing new members either immediately if needed to allow work to commence quickly or later if appropriate.

16. **NOTICES of MOTION received from Cllr W D Tout on 22<sup>nd</sup> August 2014.**

**Motion 1**

**Proposed amendment to Standing Order 43.** (Amendments are underlined)

A member who has proposed a motion, which has been referred to any committee of which they are not a member can explain their motion to the committee, but shall not vote on the motion.

**Motion 2**

**Merging/Name Change of Two Working Groups.** It is proposed to merge the Street Furniture & Delegation of Services Working Groups and call the new combined working group the Assets & Resources Working Group. This combined working group to report to the Policy & Resources Committee.

**Motion 3**

**Name Change Task & Finish Group.** To change the name of the Future Policy & Resources Task & Finish Group to be only the Future Policy Task & Finish Group.

17. **NOTICE of MOTION received from the Play Areas Working Group on 27<sup>th</sup> August 2014.**

**Failed/Damaged Leg Press, Adult Fitness Equipment, Grassacres Park.** The Play Areas Working Group recommends the replacement of this leg press with the latest design for health and safety reasons, rather than replacing it with the old design, which either failed or was vandalised (not proven). The manufacturer, Caloo, have agreed to do this with a 50% discount, making the cost £750.00 + VAT.

Therefore, the Play Areas Working Group request that the Town Council approves the replacement of this piece of fitness equipment with the latest design at a cost of £750 plus VAT, and for this expenditure to be met from the Rolling Capital Fund.

18. **EXTERNAL AUDIT FOR THE YEAR ENDED 31<sup>ST</sup> MARCH 2014 FOR WESTBURY TOWN COUNCIL.**

**Report by Grant Thornton UK LLP (External Auditor as appointed by the Audit Commission).** On the basis of our review, in our opinion the information in the annual return is in accordance with proper practices and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met.

The Auditor wished to draw the following to the Town Council:

Risk Assessment. The Council updated and approved the risk assessment in the 2014/15 year as suggested in the 2012/13 Audit Report.

The Council did not however approve an updated risk assessment in the 2013/14 year as updates were in progress throughout the year, which led to the 2014/15 updating and approval by the Council.

The Council should ensure that the risk assessment is discussed and reviewed annually.

**19. RECOMMENDATION BY THE TOWN CLERK - STANDING ORDER 38.**

The Policy & Resources Committee, at its meeting on the 11<sup>th</sup> August, approved the setting up of a task and finish group to discuss forward planning for Westbury Town Council and produce recommendations.

An e-mail had been sent to all Members asking for responses if they are interested in joining the group. A positive response has resulted in four applicants from Policy & Resources and four from Highways, Planning & Development, and this together with the Mayor and Deputy Mayor gives a total of ten.

It is recommended that as this is such an important topic, the group remains at ten, and on this occasion Standing Order 38. is waived.

(Standing Order 38. "The minimum membership of each working group shall be four with a maximum of seven members, which includes two ex-officio members.")

**20. WILTSHIRE COUNCIL/WESTBURY TOWN COUNCIL JOINT WORKING GROUP (T.3108c./12.05.14).**

As previously resolved, to appoint three Westbury Town Councillors to this joint working group to explore alternative routes for a Westbury By-Pass in order to prove the case for a By-Pass and establish a clear way forward.

**21. PROPOSAL FOR TOWN COUNCIL DOG WARDEN (T.3144/07.07.14)** As previously resolved, to appoint three Westbury Town Councillors to a joint working group with Warminster Town Council to investigate a shared dog warden service for the two towns. The following councillors have indicated in writing their wish to be considered for appointment to this group:

Cllr R Hawker; Cllr G King and Cllr W D Tout.

**22. TO ADOPT WESTBURY TOWN COUNCIL'S STANDING ORDERS.** (See attached.)

**23. RESIGNATION OF MR SEAN PRICE AS WESTBURY'S TOWN CRIER.** To consider the way forward. (See attached.)

**24. TO APPROVE WESTBURY TOWN COUNCIL'S MEMBERSHIP OF THE ASSOCIATION OF PRESERVATION TRUSTS.** It has been recommended by Mr John Parker, who is currently working on grant applications, that the Town Council becomes a member of this organisation, as this will be of benefit when applying to the Heritage Lottery Fund for the refurbishment of the outside of The Laverton. Annual membership is £75.00.

**25. FINANCE COMMITTEE – CHANGE OF MEETING DATE.** To approve the change of date from Monday, 8<sup>th</sup> December 2014 to Tuesday, 9<sup>th</sup> December 2014 to allow Mr Derek Kemp, DCK Beavers Accounting Solutions, to present the Town Council's draft budget for 2015-2016.

**26. CLERK'S CORRESPONDENCE/MATTERS:**

- a. **Selwood Housing.** Further information received regarding the redevelopment of Bell Orchard. (See attached.)
- b. **Road closure A350 Westbury.** (See attached details.)
- c. **Great Western Hospitals.** Invitations to attend the Annual Members' Meeting on 17<sup>th</sup> September 2014. (See attached.)

**27. THE LAVERTON INSTITUTE TRUST MANAGEMENT WORKING GROUP.**  
Report by Cllr D Bradshaw.

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

**29. ACCOUNTS:**

**Payment of Accounts.** To approve the list of payments made since the last Meeting or to be made and to confirm the action of the Chairman and one other Member in signing the necessary orders for payment, Business Pass Cash/Visa Cards (if any) transactions, and staff remunerations:-

11 <sup>th</sup> August 2014	-	£31,292.49
1 <sup>st</sup> September 2014	-	As presented