

24<sup>th</sup> February 2015

**YOU ARE HEREBY SUMMONED to attend a MEETING of WESTBURY TOWN COUNCIL to be held at THE LAVERTON, BRATTON ROAD, WESTBURY, on MONDAY, 2<sup>nd</sup> MARCH 2015 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 5<sup>th</sup> January 2015, 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.**

**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:-

Highways, Planning & Development Committee	-	05.01.2015
Highways, Planning & Development Committee	-	19.01.2015
Highways, Planning & Development Committee	-	16.02.2015
Policy & Resources Committee	-	02.02.2015
Finance Committee	-	09.02.2015

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

10. **TO RECEIVE NOMINATIONS FOR MAYOR FOR THE ENSUING YEAR.**

11. **TO RECEIVE NOMINATIONS FOR DEPUTY MAYOR FOR THE ENSUING YEAR.**

12. **ELECTION OF MR DAVID ANDERSON TO THE WESTBURY NORTH WARD. (Vacancy arising from the resignation of Cllr Stephen Miles.)** To welcome Cllr David Anderson to Westbury Town Council, and to approve his appointment to the Policy & Resources Committee or Highways, Planning & Development Committee, and any Working Groups that may be proposed.

13. **RED BT TELEPHONE BOX, MARKET PLACE.** To consider adopting the Market Place red telephone box at a cost of £1.00 for an alternative community use. Cllr Jenkins to report.

14. **DOG WARDEN – Recommendation received from the Joint Dog Warden Working Group (Warminster and Westbury Town Councils): Recommendation dated 2<sup>nd</sup> February 2015.** Cllr R Hawker to report.

It is recommended, on the basis of value for money that should either Council wish to pursue any activity in respect of dog fouling campaigns this is carried out by trained sub contractors on an ad hoc basis.

#### **Purpose of the Report**

To provide information gathered by the working group and officers.

#### **Background**

Full Council agreed to set up a joint working group with Westbury Town Council by resolution at its meeting held on 24<sup>th</sup> June 2014. Membership of the group from Warminster were Councillors Davis, Batchelor, Macdonald and Dombkowski and from Westbury Councillors Tout, King and Hawker.

Local Warminster expert Nigel Linge was also invited to join the working group.

Wiltshire Council officers Paul Harris, Principal Highways Enforcement and Sebastian Williams, Dog Warden, also attended two of the meetings and contact was made with the Senior Solicitor regarding legal matters.

Four meetings have been held, the planned fifth meeting was deemed unnecessary as the group felt that sufficient information had been gathered for the respective Council's to make decisions.

Initial discussions started to review what the process might be in employing a community dog warden across two towns and how this might work in reality. The working group wished to concentrate purely on issuing penalty notices and/or follow through with court prosecutions. This raised questions, some of the group felt that most dog owners are responsible, and both towns issued free dog bags, how many people would the dog warden find to prosecute. Would the post be full time, what need of equipment was required in addition to uniform and relevant training.

Wiltshire Council's enforcement officer shared with the group the current toolkit which would be used. There are three wardens in the County, two full time and one four days per week. The Principal Authority has a statutory duty to deal with stray dogs and for this reason they expressed a wish that any person employed by the Town Councils did not carry the same title. This could be confusing for members of the public. Education and anti fouling campaigns are difficult to fit in and fall down the list of priorities. The team are keen to promote the Green dog walker scheme, which has been developed by Falkirk Council. Volunteers are involved and they wear suitable branded arm bands, carry poop bags and approach those owners who have allowed their dogs to foul and suggest in the polite way that they bag and bin the offending mess.

The team outlined how difficult it is to catch offenders in the act. Should the Councils go ahead with employment of a person, they would wish to work closely with them to reduce duplication of effort.

Nigel Linge outlined his findings to the group and work carried out at Warminster Common and Salisbury Plain. He had been able to use small cameras in strategic points on the Plain and caught regular offenders. He felt that the situation worsened in winter and providing bins at regular pinch points for dog walkers was also a solution. For some reason many dog walkers hung their filled dog bags on trees or garden fences and gates.

### **Options Considered**

- Could additional service be purchased from Wiltshire Council – this was not possible.
- If a person is to be employed, a different title will need to be found as Dog Warden is used by Wiltshire Council and could cause confusion.
- Wiltshire Council solicitors will carry out legal work at a cost of £110 per hour.
- Opt to out-source the work to a suitably trained contractor.

### **Implications and Risks**

### Financial and Resource Implications

- Finance from the respective Area Boards would not be available.
- Training course £400.
- Full time person salary £20,000 plus pension costs at 20.1% and national insurance at 7%
- Uniform - £300
- Vehicle £3472 per annum x 3 years lease
- Fuel and insurance costs for running vehicle.
- Sign Writing approx £300
- Mobile Telephone approx £40 per month
- PACE notebook
- Penalty notice issue and collection of fine.
- Recruitment £1000
- Legal costs in pursuing offenders.
- £12-50 + VAT per hour cost of employing outside contractor (Prosec). The company would provide the cost of training and uniform.

### Legal Implications and Legislative Powers

- The primary legislation “the Clean Neighbourhood and Environment Act 2005” gives the parishes the powers to enforce the three county wide Dog Control Orders. The stipulation is that the officer carries a relevant authorisation letter and has undertaken the necessary training “Keep Britain Tidy FPN issuing” course.
- Warminster Town Council holds the General Power of Competence
- Principal Authority will agree to outside contractor being employed provided they undertake the necessary training and are considered suitable.
- The Principal Authority would require statistics to be provided on activity, penalty notices and prosecutions.

### Environmental Implications

Unknown impact of prosecutions and dog fouling in general.

### Risk Assessment

Lone working policies to be observed.

Which Council would employ the individual and who would cover holiday and sick payment requirements?

How would need be established for anti fouling campaigns?

### Crime and Disorder

Covert cameras would require special licences and this would not be advisable.

The working group have advised that it is their objective to prosecute dog fouling offenders.

## 15. **DOG FOUL PROPOSALS - Recommendation of the Delegation of Services Working Group dated 23<sup>rd</sup> February 2015 in relation to the Council’s agenda item concerned with Dog Foul proposals:**

### Introduction:

This Working Group [WG] notes with appreciation the hard work of the Joint Dog Foul Working Group with Warminster Town Council and agrees with its conclusion that there would be insufficient work to justify employing an appropriate person. However, the WG also notes the aspiration of this Town Council to appoint a Town Warden at a future date should this council agree to transfer of any services and assets from Wiltshire Council. The WG considers that these two things should not be seen as being either exclusive or incompatible.

**Recommendation:**

The WG therefore recommends that the Town Council should limit the recommendation of the dog foul working group to a series of 12 month rolling contracts until such time that this council might have accrued sufficient responsibilities through delegation to justify the appointment of a Town Warden who will then assume responsibility for dealing with dog foul amongst other duties.

16. **STREETSCENE & STREET FURNITURE WORKING GROUPS. Recommendation by the Policy & Resources Committee dated 2<sup>nd</sup> February 2015.** To merge the Streetscene & Street Furniture Working Groups. Cllr D Tout to report.
17. **PRESENTATIONS TO TOWN COUNCIL & COMMITTEES. Recommendation by the Policy & Resources Committee dated 2<sup>nd</sup> February 2015.** To place any presentations at the start of agendas, after the Public Forum and before Apologies.
18. **EMPLOYEE HANDBOOK AND NEW CONTRACT OF EMPLOYMENT. Recommendation by the Policy & Resources Committee dated 2<sup>nd</sup> February 2015 and Management Team dated 13<sup>th</sup> February 2015.** To approve the Employee Handbook and new Contract of Employment. The items highlighted in red are those suggested by P & R and MT. All other items were agreed. (Due to size, both documents will be e-mailed to Members.)
19. **TOWN COUNCIL POLICIES. Recommendation by the Policy & Resources Committee dated 2<sup>nd</sup> February 2015.** To re-adopt the following Town Council policies:
  - Car Usage Policy
  - Complaints Procedure
  - Disability Discrimination Policy
  - Equalities Inclusion Policy
  - Freedom of Information Policy
  - Member & Employee Protocol Policy
  - Staff Recruitment and Retention Policy(Note: these policies have not been changed since their initial adoption.)
20. **FINANCIAL REGULATIONS - BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS. Recommendation of the Finance Committee dated 9<sup>th</sup> February 2015.** Following the repeal of Section 150(5) of the Local Government Act 1972 – Implementation (England), the option was given to abandon the two signature rule. As a result the National Association of Local Councils (NALC) agreed that further consideration should be given to what effective

systems and arrangements need to be put in place for banking and authorisation of payments for recommendation to Town Councils for further consideration and adoption. Every council that wishes to take advantage of this option must formally put in place effective systems and arrangements compliant with the proper practices before it seeks to abandon the two signature rule. This effectively means adopting new Financial Regulations and internal procedures. To this end NALC has issued Draft Financial Regulations to assist councils that wish to make electronic payments. (Previously circulated with the Finance Committee Agenda for 09.02.2015. Copies are also available on application to the Town Council Office.)

The Clerk carried out a detailed review of the Council's current Financial Regulations and the Draft Financial Regulations issued by NALC, and his recommendations were then considered by this Committee on the 9<sup>th</sup> February 2015. Following amendment (in green), the attached Draft Financial Regulations are presented for adoption.

**21. WARMINSTER ROAD (ZONE B) CAR PARK – Recommendation of the Delegation of Services Working Group dated 23<sup>rd</sup> February 2015.**

**Introduction:**

This Working Group [WG] notes in Wiltshire Council's Report on the Consultation Outcomes on Car Parking that Warminster Road (Zone B) has been identified for 'Property Asset Review' as it is considered to be either of non-strategic importance and/or of low viability.

The WG is concerned about the potential impacts resulting from the loss of Warminster Road (Zone B) car park, particularly on local residents, and would like to investigate alternatives.

**Recommendation:**

That Council grants permission for the WG to register an expression of interest with Wiltshire Council, regarding a potential transfer of this asset at a future date, subject to a fully costed proposal and the formal resolution of the Town Council. This will enable the WG to begin talks with Wiltshire Council and investigate alternative ways in which the Town Council might/or might not own & manage the car park.

**22. MAYORAL ROBES (T.3224).** To approve the purchase of Mayoral Robes as per the following quote from Michaels Civic Robes: (The preferred fabric is either Wool Panama or Wool Mix as polyester requires constant attention.)

£

Trimmed Black with Fake Fur	
Options:	Wool Panama 820.00 or Wool Mix 787.00
Tricorn Hat with Gold Mayoral Loops	380.00
Bib Jabot	99.00
Rob Cover	18.00
All prices exclusive of VAT	

23. **APPOINTMENT OF A RECEPTIONIST/ADMIN ASSISTANT.** To approve the appointment of Mrs Sarah Barker to the position of Receptionist/Admin Assistant. It is anticipated that Mrs Barker will commence duties at the beginning of April.
24. **HEALTH & SAFETY POLICY STATEMENT.** To adopt the Health & Safety Policy as prepared by Elliswhittam. (See attached.)
25. **ENVIRONMENTAL POLICY STATEMENT.** To adopt the Environment Policy as prepared by Elliswhittam. (See attached.)
26. **SCHOOL GRANTS 2014-2015.** To consider the grant application from Westbury C of E Junior School for funding towards the cost of four video cameras and associated equipment. (See attached.)
27. **SMALL GRANTS 2014-2015.** To consider the grant application from Westbury Wheelers for funding towards the cost of a club gazebo and flags. (See attached.)

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

- a. **“Fly a Flag for the Commonwealth” – Monday, 9<sup>th</sup> March 2015.**  
The Clerk to report.
- b. **Small Grants 2014-2015.** Thank you letters have been received from the following organisations:

Westbury & District Link Scheme	Wiltshire Bobby Van Trust
Arts, Crafts and a Chat Group	1 <sup>st</sup> Westbury Scout Group
Victim Support	Imperial Charity
West Wilts Elblag Twinning Assoc	Wiltshire Portage
Wiltshire Music Centre	

- c. **The Post Office – The Ham Post Office Branch.** The Clerk to report.

29. **THE LAVERTON INSTITUTE TRUST MANAGEMENT WORKING GROUP.** Report by Cllr D Bradshaw. (See attached.)

30. **THE LAVERTON PROJECT PHASE 6 GRANT APPLICATION.** Following the approval of Planning and Listed Buildings applications for the proposed works on the Multi Purpose Room and Storage Facilities, Carter Jonas have now produced a feasibility report on expected costs.

Multi-Purpose/Emergency Planning Room	72,500
Enclosed Storage to side	5,000
Replace shed at rear	12,000
Contingency	10,500
Total	£100,000

## Consultancy Fees

Structural Engineering	
Technical Drawings & Specification	5,800
Contract Administration	7,000
Building Regs Requirements	5,750
Health & Safety CDM	1,600
	1,900
Total	£22,050

The Laverton Institute Trust Management Working Group (LITMWG) are recommending the Town Council gives permission for John Parker to pursue Grant opportunities in connection with these works. Following his investigations the LITMWG will come back to Town Council with further recommendations. (The full report to be e-mailed.)

31. **COMMUNICATIONS BY THE TOWN MAYOR.** To receive such communications as the Town Mayor may wish to lay before the Council.
32. **BUDGET 2015-2016 – PRESS RELEASE.** To approve the Town Clerk, together with the Chairmen of the Finance and Policy & Resources Committees, to draft an appropriate press release providing information on the Council’s Budget and increase in Precept for 2015-2016.
33. **TRANSFERS FROM EAR MARKED RESERVES.** To approve the transfer of £672 from the Street Furniture EMR to the Street Furniture budget 2014-2015 to cover additional costs incurred in replacing damaged “Welcome to Westbury” banners.
34. **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:-
- |                               |   |              |
|-------------------------------|---|--------------|
| 9 <sup>th</sup> February 2015 | - | £21,302.76   |
| 2 <sup>nd</sup> March 2015    | - | As submitted |
35. **To resolve that, in view of the confidential nature of the business about to be transacted, the public and press be temporarily excluded and instructed to withdraw.**
36. **THE LAVERTON PROJECT – PHASE 6.**
37. **STAFFING MATTERS:**
38. **To resolve to return to open Council.**

