

Marlborough Town Council



26th April 2023

Dear Councillor

Full Town Council

I hereby **summon** you to the **Annual Meeting** of Marlborough Town Council which will be held on **Tuesday 2nd May 2023** at **6.30pm** in the **Court Room, Marlborough Town Hall**.

Yours sincerely

Richard Spencer-Williams

Richard Spencer-Williams

Town Clerk

PRAYERS

AGENDA

1. **Election of Town Mayor for the Year 2023/2024**
To elect the Town Mayor for the Municipal Year 2023/2024
2. **Declaration of Acceptance of Office by the Town Mayor**
Declaration of Acceptance of Office to be signed by the Town Mayor
3. **Election of Deputy Town Mayor for the Year 2023/2024**
To elect the Deputy Town Mayor for the Municipal Year 2023/2024
4. **Declaration of Acceptance of Office by the Deputy Town Mayor**
Declaration of Acceptance of Office to be signed by the Deputy Town Mayor
5. **The Town Mayor will give thanks for their election**
6. **A vote of thanks will be proposed for the retiring Town Mayor**
7. **The retiring Town Mayor will give their reply**
8. **Apologies for Absence**
9. **Minutes**
To approve and sign as a correct record the Minutes of the meeting of the Full Town Council held on 27th March 2023
10. **To authorise the fixing of the Common Seal of the Marlborough Town Council to all documents necessary to give effect to the decisions of the meeting**

Marlborough Town Council



Full Town Council

Minutes of a meeting of Marlborough Town Council held Monday, 27 March 2023
in the Court Room, Marlborough Town Hall at 7pm

PRESENT Councillor Lisa Farrell Town Mayor
Councillor Nicholas Fogg
Councillor Andrew Ross
Councillor Mervyn Hall
Councillor Mark Cooper
Councillor Donald Heath
Councillor Kymee Cleasby
Councillor Jane Davies
Councillor Caroline Thomas
Councillor Mark Luson

ALSO

PRESENT Richard Spencer-Williams Town Clerk
Dawn Whitehall Corporate Services Officer
Neil Goodwin Marlborough.News
Jason Salter and Paul Sanders Wiltshire Council
PCs Rideout and Groome Wiltshire Police
Plus 2 members of the public

PRAYERS

Councillor Fogg opened the meeting with prayers.

PUBLIC QUESTION TIME

Val Compton, Resident – referred to a recent Wiltshire Council Area Board Local Highway and Footway Improvements Group (LHFIG) decision not to support a trial overnight residents parking scheme at Kennet Place, and asked whether the Town Council believes LHFIG meetings should be minuted, that the press should be allowed in and that when the Town Council submits a scheme with its full support, valid reasons for turning it down should at least be given in writing?

Councillor Thomas confirmed that decisions were noted at LHFIG meetings but not with details about why decisions were made. She would be happy to take up the

point about the minutes with the Chair (Councillor James Sheppard) and also enquire about attendance for members of the Press. She agreed with Mrs Compton that where the Town Council had submitted a case for LHFIG to consider, she would expect the Town Council representative present to actively support the request.

Councillor Davies confirmed that it was usual for attendees to support the people who had put applications forward. Each Parish stands on an equal footing at the LHFIG. It was her belief that an overnight residents parking scheme would not affect people visiting Marlborough from surrounding villages – she wondered whether it was local people parking vehicles in Kennet Place for long periods of time created more of an issue for residents being unable to park. She would be happy to support it being returned to LHFIG for further consideration.

Councillor Cleasby was concerned whether, with the lack of detailed Minutes, other applications supported by the Town Council for consideration at LHFIG might have similar outcomes and welcomed Councillor Thomas' offer to pursue the issue.

Councillor Fogg understood that the proposal was for a pilot scheme in Kennet Place, which would help the Town Council assess the effect of such a scheme for Marlborough as a whole, and would be happy for the Town Council to reconsider the application with a view to resubmitting to LHFIG.

Councillor Hall wondered whether, when Marlborough comprised roughly half the population for the area covered by LHFIG, having one representative at the meeting alongside representatives from all parishes resulted in a democratic deficit as a single vote would not proportionately represent the population.

ACTION: Add the Kennet Place Residents Parking LHFIG request to a Planning Committee agenda for reconsideration

CRIME AND DISORDER

PC Rideout gave an overview of activities the police would be focusing on over the next month or so:

- Working with hospitality outlets to provide training for staff in how to spot signs of domestic abuse and/or violence and how to respond, e.g. if someone 'asks for Angela'. Marlborough pubs had been very engaging; officers would also be contacting other hospitality outlets, e.g. takeaways, to ask them to sign up
- Increased patrols and operations to tackle issues with youth and gang-related antisocial behaviour
- A potential Facebook live Q&A for the public to engage with senior officers
- Continuing to crack down on drug gangs and drug-related issues
- Continuing operation of speed checks
- To liaise with Wiltshire Council's Environmental Enforcement team to remove the den near Priorsfield

While PC Rideout would remain the Community Officer for Marlborough in the long term, he would be going on a 12-week secondment with Jenny Groome providing cover until he returned.

Questions and comments from Councillors included:

- To make the police aware of increasing antisocial behaviour, and vandalism resulting in significant damage, at Stonebridge Meadow and ask for regular patrols in the area. PC Rideout agreed to review incident reports and reply through the Town Clerk
- Drug issues, particularly where vulnerable younger children were involved. PC Rideout explained a number of strategies, including the role of Early Intervention Officers, referrals to Motiv8 Wiltshire, and involving parents when young people were found in possession of small quantities of cannabis. He encouraged everyone to report all and any suspected drug-related activity.

The Police Officers and members of the public left the meeting

PRESENTATION ON NEW ON-DEMAND BUS SERVICES

Councillors welcomed guests from Wiltshire Council's Passenger Transport Unit, Jason Salter and Paul Sanders (DRT (Demand Responsive Transport) Manager), who gave a presentation explaining the Wiltshire Rural Mobility Project¹. It was hoped that this on-demand transport scheme, aimed to improve accessibility and rural mobility, improve journey times and improve connectivity with bus/rail, would be launched at the end of May and act as a trial to learn lessons and roll out across the county at a later date.

Councillors were impressed with the proposed scheme and thanked them for giving up their time to attend the meeting.

Mr Salter and Mr Sanders left the meeting

QUESTIONS TO AND FROM WILTSHIRE COUNCILLORS

The **Town Mayor** believed that the Homes4Wiltshire application process had recently changed – a resident had contacted her asking for help; there was some confusion about who to contact and whether the housing officers were Homes4Wiltshire personnel or from housing associations. **Councillor Davies** was happy to investigate and respond.

ACTION: Ask for clarification of new process at Homes4Wiltshire and ask a representative from Homes4Wiltshire to attend a future meeting to provide an update on the service.

The **Town Mayor** had been impressed by the ideas presented at the Area Board about Community Hubs, and asked whether there was merit in arranging a

¹ Slides appended to these minutes

presentation to the Town Council. **Councillor Davies** confirmed that all the information was available on Area Board pages of the Wiltshire Council website.

296/22 APOLOGIES

Apologies for absence were received from **Councillors Barrett-Morton, Sheppard and Shantry**

297/22 DECLARATIONS

There were no declarations.

298/22 MAYOR'S ANNOUNCEMENTS

The **Mayor** expressed her gratitude to **Councillor Hall** and the Marlborough Area Neighbourhood Plan Steering Group, including **Councillors Barrett-Morton and Thomas** and former Town Clerk Shelley Parker, and Members joined her in congratulating them on the outcome of the recent referendum for the Neighbourhood Plan. It was good news that the Marlborough area finally had a Neighbourhood Plan thanks to their dedication and hard work over many years.

Mayor Making - Councillors who had not already done so should reply to the Civic Secretary to accept or decline their invitation. If anyone would like their robe cleaned they should also let the Civic Secretary know.

Members were reminded of an Extraordinary Full Council meeting on Wednesday, 27 March to co-opt a Councillor for West Ward. There had been no nominations for election to the vacancy in East Ward, and so the nomination process would have to be repeated.

299/22 MINUTES

RESOLVED: that the minutes of the meeting held 6 February 2023 were confirmed as a true record and signed by the Town Mayor

300/22 ACTION LOG

Members noted the update action log. Verbal updates included:

- #93: Traffic enforcement at Port Hill – to urge **Councillor Sheppard** to follow up with his PCC contacts to find a way that speed enforcement can be conducted at Port Hill
- #125: Bradford on Avon Town Council had confirmed it would also fund a traffic survey from Atkins; **Councillor Thomas** anticipated that the work would soon get under way

301/22 CORONATION OF KING CHARLES III

Members noted the update report on the programme of events for the Coronation. **Councillor Fogg** asked that special mention of a former St Johns student, musician Ben Cipolla, be added to the agenda for the High Street entertainment. The **Town Clerk** informed Members that other Coronation items were being arranged but not included in the report as they were unconfirmed.

Councillor Cleasby noted that the Tourism Officer would be moving on from the Town Council soon, and asked whether the Town Council's plans for the events would be affected: the **Town Clerk** assured her that the team (and volunteers) was committed to delivering the programme, but the vacancy would have an impact on both his and the Assistant Town Clerk's time.

302/22 CODE OF CONDUCT

RESOLVED: that the updated Code of Conduct is adopted

303/22 RISK MANAGEMENT SCHEME

Members noted the updated Risk Management scheme, and all agreed to read and comment to the Town Clerk prior to formal adoption in May. **Councillor Thomas** congratulated the **Town Clerk** on the helpful format, recognising a lot of work had gone into improving the content.

304/22 NEW CEMETERY

Members noted the Town Clerk's report and considered a request from the Amenities & Open Spaces Committee that the Town Council give its support in principle to apply for a Public Works Loan (PWL) to fund the new cemetery. Discussion points included:

- Whether PWL could only be used for physical (capital) projects
- A dependency upon a land swap to allow part of The Common to be used for the cemetery, and the need for public consultation
- Whether expected costs should be understood before agreeing in principle to a PWL
- Whether there was a risk to the Town Council's reserves should they be required to cover PWL repayments in the event of being in precept deficit
- That there were several more stages that would be presented to the Town Council before committing to a PWL, but that a 'resolution to borrow' was required to begin the process of application. The six-step process was:
 - Resolution to borrow
 - Budget
 - Loan affordability
 - Business case
 - Precept increase (if applicable) and precept increase consultation (if applicable)
 - General project consultation

RESOLVED: that the Town Council resolves in principle to support borrowing from the Public Works Loan Board to fund the new cemetery, subject to the satisfactory completion of a six-step process

Although there had been no call for a named vote, **Councillor Thomas** asked the record to show that she voted against the proposal: she supports the proposed new cemetery but would like to understand more about the financial implications before supporting the resolution to borrow

305/22 CALENDAR OF MEETINGS

Members noted the calendar of meetings for the municipal year 2023-24.

306/22 CIVIC WORKING PARTY

The Coronation programme had been covered earlier in the agenda; there was little else to report. **Councillor Hall** urged the Mayor elect and Deputy Mayor elect to attend Civic Working Party meetings to further their understanding and involvement in forthcoming events.

ACTION: Town Clerk to forward CWP meeting dates to **Cllr Cleasby**

307/22 MARLBOROUGH COMMUNITY AND YOUTH CENTRE

Members considered an offer by Wiltshire Council (WC) to renew the lease of the Community and Youth Centre. WC had set out three alternatives to continue the discussions about transferring the building to the Town Council (MTC):

- Since the lease had been agreed, WC's Service Delegation & Asset Transfer Policy (D&ATP) had been reviewed. WC was prepared to consider the transfer of the building in its own right, not as part of a wider discussion about devolution of services, but that the 'existing use value' must be accounted for in any agreement placing it outside the current Service D&ATP. This meant any discussions regarding freehold transfer would need consideration to be paid on the existing use value which could be determined by a jointly appointed valuer
- An alternative would be to repeat the existing lease arrangement for a further 7 years
- A third alternative would be to put discussions on hold until nearer the lease expiry in June 2024

Discussion points included:

- Dismay and disappointment at the offer: there had been a long-term understanding that WC intended to transfer the building to MTC as a community asset transfer and this had been stated in a series of meetings over the years, although a letter dated May 2017 stated there was no guarantee of transfer
- That prior to MTC leasing the building it had been closed by WC as its condition meant it was not suitable for use by the public
- Whether WC could provide a valuation for the building (**Councillor Thomas** had asked for a valuation and agreed to reinforce the request)
- That MTC had invested £155,164 in the building; income to date was £38,417
- Whether MTC's investment would be offset against the valuation
- Whether, given that the building was outside the D&ATP, it would still be eligible for transfer as a community asset at a nominal charge
- Whether WC would apply some discretion to a transfer valuation
- Whether to assess the social value
- Whether MTC's significant investment together with the social value should be taken into account when deciding a transfer value

- A restrictive covenant limited the building to community amenity
- Whether a 7-year lease would inhibit MTC's ability to apply for grant funding as most lenders would not issue funds against such a short timescale
- Whether 7 years was the maximum period against which WC would offer leases at a peppercorn rent, and whether a longer period could be requested
- Whether MTC should give up the building at the end of the current lease (meaning it would close)
- Whether WC would continue to operate the building on behalf of the community should MTC decide not to renew the lease
- Whether there would be an increase in antisocial behaviour if there was no provision for youth in the town
- That without knowing the valuation Members would not be able to make any decisions
- Whether to write to WC to express the Town Council's concerns and ask for the current valuation

During a suspension of Standing Orders, **Neil Goodwin (Marlborough.News)** remembered that before the current lease, Wiltshire Council had let go of youth workers and the community centre had been closed. He believed WC viewed the building as a liability at that time, and it hadn't been prepared to invest in the building to make it fit for use by the public. It didn't seem right for the Town Council to do the work and then for WC to view it as something with value attached to the community and take benefit from that. He also believed a restrictive covenant meant the building couldn't be used for any other purpose.

Councillor Fogg made a proposal to enter into further discussions with Wiltshire Council: that in the light of discussions, impressions and hopes in the past, the Town Council resolves to enter into further discussions with Wiltshire Council on the safest availability of the youth centre with the hope of a satisfactory outcome for the benefit of Marlborough

Councillor Davies proposed an amendment. Both were accepted.

RESOLVED: to enter into further discussions with Wiltshire Council on the safest availability of the youth centre with the hope of a satisfactory outcome for the benefit of Marlborough, and to write to Wiltshire Council asking to continue negotiations and to provide the value of the property taking into account the social value, the covenant on the property and the significant financial investment made by Marlborough Town Council to date

ACTION: **Councillor Thomas** to follow up the request for a valuation

308/22

OUTSIDE BODY REPORTS

In the light of **Councillor Waltham's** resignation it was

RESOLVED: that **Councillor Davies** would be the Town Council's liaison to the Jubilee Centre for the remainder of the Council year

309/22 COMMITTEE MINUTES

RESOLVED: that in accordance with para 3.1 of the Scheme of Delegation, the approved minutes of the following committee meetings were noted: Planning – 5 December 2022; Property – 31 October 2022; Finance & Policy – 28 November 2022 and Amenities & Open Spaces – 10 October 2022.

310/22 MEMBERS' QUESTION TIME

No questions had been submitted.

311/22 COMMON SEAL

Proposed by **Councillor Fogg** and seconded by **Councillor Ross** and

RESOLVED: that the Common Seal of Marlborough Town Council be affixed to all documents necessary to give effect to the decisions of the meeting

The meeting closed at 9.07 pm

Signed:

Town Mayor

Date: