

Marlborough Town Council



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COUNCIL OFFICES
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MARLBOROUGH
WILTSHIRE
SN8 1AA

6th April 2021

Dear Councillor

I hereby summon you to a meeting of **Marlborough Town Council**, which will be held on **Monday 12th April 2021 at 7.00pm** via Zoom.

Yours faithfully

Richard Spencer-Williams

Mr Richard Spencer-Williams, PSLCC
Town Clerk

On 4 April 2020, the government introduced The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 which allows local councils to meet remotely. These regulations apply to meetings held before 7 May 2021.

This meeting will be held online using Zoom videoconferencing software. The press and members of the public are welcome to join the meeting by following this link:

<https://us02web.zoom.us/j/89818205285?pwd=RTErN1JPM0ZSREZtUXpJL2Q3V25Cdz09>

Meeting ID: 898 1820 5285

Passcode: 939611

Public Question Time – In accordance with Standing Order 3(f), members of the public may ask questions of Full Town Council. The time allocated for this should not exceed 10 minutes and be limited to 1 question per person unless directed otherwise by the Chair. A full response may not be possible without further research and the Chair may direct that a written or oral response be given.

- a) **Prayers**
- b) **Public Question Time** - not to exceed 10 minutes and limited to 1 question per person unless time permits otherwise.
- c) **Crime and Disorder** – a member of Wiltshire Police will be invited to give a report and answer questions from Councillors and members of the public (not to exceed 10 minutes)
- d) **To receive Questions to and from Wiltshire Councillors** (not to exceed 10 minutes)

AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest and Requests for Dispensations**
3. **Mayor's Announcements**

4. Minutes

To approve as a correct record the minutes of the meeting of the Full Town Council held on Monday, 1st March 2021.

5. Proposed Training Pitch on Marlborough Common

To note the outcome of the consultation feedback on the proposed training pitch on the Common and consider next steps.

6. Deputy Town Mayor 2021/22

To select the Deputy Mayor for the forthcoming municipal year 2021/22

7. Committee Minutes - In accordance with para 3.1 of the Scheme of Delegation, to note the approved minutes of the **Finance and Policy Committee** on the 11th of January 2021, and the **Planning Committee** on the 22nd February 2021. These minutes have been approved by the committee and circulated to Members and are available to download from www.marlborough-tc.gov.uk or from the Town Council offices. Other meetings have taken place but, minutes are not yet approved so remain in draft form.

8. Member's Question Time - Questions to be submitted to the Town Clerk by midday on the day of the meeting and not to exceed 10 minutes.

9. To authorise the fixing of the Common Seal of Marlborough Town Council to all documents necessary to give effect to the decisions of the meeting.

ITEM 4 To approve as a correct record the minutes of the meeting of the Full Town Council held on Monday, 1st March 2021.

**MARLBOROUGH TOWN COUNCIL
FULL TOWN COUNCIL**

Minutes of a meeting of **Marlborough Town Council** which was held on
Monday, 1 March 2021 at 7pm via Zoom videoconferencing.

PRESENT:	Councillor Mark Cooper	Town Mayor
	Councillor Bryan Castle	
	Councillor Mrs Peggy Dow	
	Councillor Nicholas Fogg	
	Councillor Andrew Ross	
	Councillor Alexander Kirk Wilson	
	Councillor Guy Loosmore	
	Councillor Noel Barrett-Morton	
	Councillor Lisa Farrell	
	Councillor Mervyn Hall	
	Councillor Peter Cairns	
	Councillor Susie Price	
	Councillor Andy Wilson	
	Councillor Donald Heath	
	Councillor Vanessa Hillier	
	Councillor Jo Waltham	
ALSO		
PRESENT:	Mrs Shelley Parker	Town Clerk
	Dawn Whitehall	Administrator
	Fr. John Blacker	Mayor's Chaplain
	Councillor Stewart Dobson	Wiltshire Councillor – Marlborough East
	Councillor Jane Davies	Wiltshire Councillor – West Selkley
	Sgt. Gareth Edwards	Wiltshire Police
	Neil Goodwin	Marlborough.News
	Plus 17 members of the public	

Fr. Blacker opened the meeting with prayers.

PUBLIC QUESTION TIME

Councillor Jane Davies congratulated the Marlborough Area Neighbourhood Plan (MANP) Steering Group on their hard work and **Councillor Hall** for chairing an excellent online event the previous week. She would be interested to hear the views of the Town Council and asked whether it would consider discussing the plan, in particular referring to possible development on greenfield sites, green infrastructure and biodiversity targets set out within the plan. The **Town Mayor** would be open to further discussion after the consultation had closed if Councillors so wished.

Kymee Cleasby asked whether an update was available about a proposed pedestrian crossing of the A346 between Marlborough Common and The Acres. The **Town Clerk** replied that this had been delayed due to the Coronavirus pandemic: Wiltshire Council had been very cautious about carrying out metro counts during lockdown as results were unlikely to give an accurate picture of normal traffic volumes.

Caroline Thomas referred to agenda item 7 (S106 funding) and asked how funds earmarked to go towards sports could be decided when there was no reference to possible projects within the Town Council's Action Plan? Would a separate group be convened to gather opinions before making a decision? The **Town Mayor** explained that the criteria set down in the associated S106 Agreement, a legal document, specified how the funds could be allocated. It was very specific and restricted allocation towards sports pitches and the tennis courts which had to be targeted towards certain projects. The **Town Clerk** confirmed these criteria and that the money could be used towards the tennis club site and upgrades to formal pitches within the town. Three suggestions had been included for possible consideration in the report as they were 'live' and ongoing projects meeting the criteria.

CRIME AND DISORDER

Sgt. Edwards gave an overview of statistics for February, in which there had been no reports of anti-social behaviour and four burglaries (two in Marlborough and one each in East Kennett and Ogbourne St George). Wiltshire Police had achieved some success in crimes over Christmas resulting in offenders being sentenced to prison. The team was working with Farm Watch to assist with patrols to prevent rural crime. Although there was drug use in Marlborough, there was no evidence that county lines gangs were operating in the town. For future meetings, he would happily receive questions a week in advance of the meeting so he could answer questions more fully.

Sgt. Edwards left the meeting

QUESTIONS TO AND FROM WILTSHIRE COUNCILLORS

Councillor Dobson:

- Referred to a question at an earlier meeting about the condition of public footpaths in rural areas. He had followed up with an officer at Wiltshire Council who had confirmed that they were aware that the use of countryside paths had increased and that they had become wider during lockdown as a result of increased use and people taking measures to remain socially distanced. However, the Officer was confident that most would repair themselves naturally as the season developed, with repairs also being carried out if this was possible. Recent work in Savernake Forest had provided materials that could help with this.
- Referred to agenda item 7 (S106 funding) and asked the Council to consider whether the requirement for increased sports pitch capacity, particularly for young people, could be met by adding a new pitch in Stonebridge Meadow adjacent to Marlborough Town Football Club. He recognised this would reduce the current scrub area by 1 or 2 acres of scrub land but he stated the land had been purchased jointly by the Town Council and Action for the River Kennet (ARK) as amenity land and felt the proximity to the football pavilion for training would be helpful.
- As this was the last Full Town Council before the Town Clerk, Shelley Parker, was to leave her post he wanted to say he was very sad to see her leave and had always had the greatest admiration for her work, her knowledge about local government, her fairness to all and the contribution she had made to Marlborough and its residents. She would be sorely missed.

Councillor Fogg:

- Hoped that, when conditions allowed, Councillors would have an opportunity to formally thank the Town Clerk

- Councillor Fogg echoed Councillor Davis' question, believing it would be an oversight if the Town Council did not discuss the Neighbourhood Plan and asked whether some time could be set aside for this once the consultation was complete.

Councillor Farrell asked Wiltshire Councillors for help to investigate why a written response to confirm that the floodlights at the skatepark could be installed under permitted development had not yet been received. **Cllr Dobson** offered to follow this up. The **Town Clerk** confirmed that verbal agreement had already been provided from the Planning Officer, but written confirmation was required before the project could proceed.

FAREWELL TO THE TOWN CLERK

Councillors took the opportunity to bid farewell to Shelley Parker, who was leaving her post at the end of March, and to welcome Richard Spencer-Williams to his new post. The **Town Mayor** knew he spoke for all Councillors, Committee Chairs and everyone in the town when saying that for the past eight years Mrs Parker had been the most outstanding public servant and had made phenomenal efforts for Marlborough. She would be very much missed and he would definitely wish to ensure that following the lifting of COVID restrictions, there would be an occasion for all to show their appreciation in full. On a personal note, he felt it would not have been possible to fulfil his role as Mayor without her support and asked Councillors to join him in a round of applause.

On 15 March, the Town Council would welcome Richard Spencer-Williams to the role as new Town Clerk. Richard had been appointed from an impressive field of candidates and the Mayor knew he would be an excellent Town Clerk and was confident he would enjoy his time in Marlborough. There would be a two week handover period.

The **Town Clerk** thanked the Mayor for his kind words. Mr Spencer-Williams was present at the meeting and would continue to join meetings as an observer prior to taking up his post.

463/20 APOLOGIES

There were no apologies.

464/20 DECLARATIONS

There were no declarations of interest.

465/20 MAYOR'S ANNOUNCEMENTS

With the new road map in place for the gradual lifting of restrictions, the Town Council was drawing together a plan for how this would work. Staff were already cautiously taking bookings for weddings and other events at the Town Hall and the Marlborough Community & Youth Centre.

It was worth taking the time to again thank local groups and volunteers for everything they had done and would continue to do during the pandemic. The Mayor wanted to thank everyone who had helped with the Manton COVID support efforts including those at Manton Grange. Thanks were also passed to Love Marlborough Kids Meals and all its volunteers and those who contributed and donated to it so that free hot meals could be delivered to those who needed them most. This really showed Marlborough with Manton at its best.

Major external works to the Town Hall had started on 1 March. Councillors would notice scaffolding being erected, but this shouldn't interfere with traffic until April when there would be a one-way system operating in Kingsbury Street for a short while to enable works to take place on the north side of the building. It was good to be able to get started during lockdown. Once restrictions were lifted, hirers would still be able to use the venue and had been forewarned about the works.

A reminder was given to all that the census would take place on Sunday, 21 March. There was information available on the Town Council website and social media channels.

With Wiltshire Council consultations on the agenda, Councillors were reminded of two other important consultations under way in Marlborough – Regulation 14 on the Marlborough Area Neighbourhood Plan, open until 8 March, and one on a proposed training area for junior football and rugby players on The Common running until 25 March.

Finally, with the May elections around the corner those considering standing for office were encouraged to do so. Details were set out in the agenda.

466/20 MINUTES

RESOLVED: that the minutes of the Extraordinary Full Town Council meeting held on Monday, 1 February 2021 were approved as a true record and signed by the Town Mayor

467/20 CONSULTATION - WILTSHIRE COUNCIL – LOCAL PLAN REVIEW

Members considered a response to the Local Plan Review, in particular the proposals for Marlborough, as well as feedback from the Climate Emergency Working Group on addressing climate change and biodiversity.

Local Plan – Planning for Marlborough

Following the Planning Committee meeting held 22 February, the Town Clerk had received comments from Councillors and amalgamated them into a working document which had been circulated prior to the meeting. A response from the Neighbourhood Plan Steering Group had also been circulated. Other points raised to be added to this were:

- To include requesting the freehold of the Marlborough Community & Youth Centre be transferred to Marlborough Town Council to secure future youth facilities for Marlborough
- To include the responses from the Neighbourhood Plan Steering Group
- Whether to strenuously oppose encroachment on the AONB within and outside the Parish boundary
- To include the need for mixed types of accommodation to meet the needs of the community, in particular affordable homes for young people and young families
- Whether the flood zone should be extended in the light of climate change and potentially bigger storms by 2036, including specifying a distance for flood zone 3 wherein development should not be considered

RESOLVED: (i) that Marlborough Town Council's response to the Local Plan Review will consist of comments already provided to the Town Clerk, the responses from the MANP Steering Group and points raised at this meeting about affordable housing, protecting the AONB and flood zones

Local Plan – Addressing climate change and biodiversity net gain through the Local Plan – raising the ambition

The Chair of the Climate Emergency Working Group had drafted a response, which had been circulated prior to the meeting. **Councillor Hall** suggested adding policies within the draft Neighbourhood Plan (MARL 20 & 21 covering new building standards and carbon sinking).

RESOLVED: (ii) that Marlborough Town Council will respond to the Local Plan Review – Addressing Climate Change with an amalgamation of comments from the Climate Emergency Working Group response and policies from the draft Neighbourhood Plan (MARL20 and MARL21)

CONSULTATION – PLANNING FOR WILTSHIRE’S GYPSY AND TRAVELLER COMMUNITIES

Members considered a response to a Wiltshire Council consultation about the proposed scope of the Gypsy and Travellers Development Plan Document (DPD) allocating land for travellers in sustainable locations meeting identified permanent and temporary accommodation needs to 2036.

Comments previously submitted, or arising from the Planning Committee meeting held 22 February, had been amalgamated and circulated prior to the meeting. It was proposed that this should be used as the basis for the Town Council’s response subject to any additions raised at the meeting. Comments included:

- A desire to see better awareness and education for traveller communities
- That the Town Council regularly provides temporary sites when Showmen’s Guild or circus events are held in the town and would always be happy to provide temporary sites to allow them to continue to hold events
- Whether rules and regulations are clear enough about the use of unauthorised sites

RESOLVED: that Marlborough Town Council would respond to the Gypsy and Traveller Development Plan consultation with comments previously drafted as well as points raised at the meeting

ALLOCATION OF S106 FUNDING

Members noted a report by the Town Clerk and considered the allocation of a developer’s contribution as set out under a legal Section 106 Agreement. Members noted:

- An allocation of £117,110.86 was available resulting from the developer’s S106 contribution associated with the Redrow Development at Salisbury Road. Notification of S106 contributions were sent out annually in April, but due to COVID this had been missed by Wiltshire Council in 2020. This contribution, which was received on 19 May 2019, was not notified to the Town Council until December 2020
- The Wiltshire Council Officer Decision Report specified that contributions be directed towards:
 - New Tennis Courts at The Common
 - The upgrading of formal sports pitches within the town of Marlborough

Three options were considered which met the criteria:

- (i) A future 3G pitch – discussions were already under way with Marlborough Youth Football Club and others for an 3G pitch. As well as increasing capacity to around 50 uses per week as opposed to 2-3 times per week for a grass pitch, it would also be multi-use, e.g. for touch rugby as well as football. Overall costs would be in excess of £700,000, with the possibility of a generous grant from the Football Foundation for this to be built if there was some match funding support. The pitch, built at a school site, would also be available to community groups and clubs.
- (ii) The completion of Marlborough Tennis Courts project – whilst the tennis courts were built and in use, the overall courts project was not complete. Existing requirements included an expanded pavilion, Padel tennis development and short tennis courts for walking tennis and junior coaching/playing. A proposal had been provided to the meeting for funding towards the provision of a shelter with seating and tables and an extension to the patio, totalling £12,647.
- (iii) Upgrading of other sports pitches/training areas – a public consultation was currently underway for the provision of junior football and rugby training areas at The Common.

Councillor Dobson had also proposed an extension of MTFC pitches into Stonebridge Meadow at the beginning of the meeting.

Discussion points included:

- Disappointment that notification had come so late. Councillors were sure that the Sports Forum or sports clubs were also in need of funding and may well have been able to put forward suggestions if more time was available.
- No recent representations had been received from the Football Club to request extending MTFC into Stonebridge Meadow and it would likely be opposed by ARK because it would reduce the scrubland habitat and interfere with environmental and conservation work.
- That it was possible to consider funding for the requested area at The Common while a public consultation was ongoing - no decision had yet been made on granting permission.
- That there was £14,000 available from unallocated CIL funds which could be used for future projects

RESOLVED: to allocate (i) £100,000 towards the 3G pitch project and (ii) £10,000 to Marlborough Tennis Club and (iii) the balance to be earmarked as a potential contribution towards a pitch on the Common should the Town Council grant permission after the public consultation closed on 25 March 2021.

470/20 COMMUNITY GOVERNANCE REVIEW

Members noted a report by the Town Clerk and considered a request from Wiltshire Council's Electoral Review Committee whether there is a requirement for a future Community Governance Review.

RESOLVED: to recommend that the next council considers this immediately after the May 2021 elections

471/20 ELECTIONS

Members noted a report by the Assistant Town Clerk about the arrangements for Town and Parish Council elections on 6 May 2021.

472/20 DARK SKIES FEST

Members noted a report by the Assistant Town Clerk about the Dark Skies Festival scheduled for 29-31 October 2021 and considered a recommendation from the Working Party around funding arrangements.

The budget was being managed jointly by the Town Council and North Wessex Downs AONB and whilst both partners would do their best to balance the budget either through raising income or reducing costs, the Working Party recommended that any shortfall be met jointly between the two. NWD AONB had already agreed to these terms. If the festival made a surplus (excluding grant funding) the intention would be to spend it on other dark skies work. Should this be the case the Working Party would make a further recommendation to the Town Council and NWD AONB on how it should be spent.

The **Town Mayor** congratulated the team on a fantastic project.

RESOLVED: that the Town Council will meet 50% of any shortfall in the 2021 Dark Skies Festival budget

473/20 PROJECT PLAN 2017-2021

Members noted a report by the Town Clerk about a review of the Project Plan and considered a recommendation for how actions might be taken forward.

An updated plan showed that a great deal had been completed and the **Town Mayor** hoped that Councillors were proud of all that had been achieved. A number of long term projects had also begun and would continue into the next council. Members suggested others to add:

- To add a project for the conversion of the Salisbury Road workshop into a heritage centre and archive store once the new workshop was complete.
- To add a project for the provision of additional recreational facilities (e.g., basketball hoops) on the hard-standing site of the old tennis courts at Salisbury Road Recreation Ground
- To add the creation of a strategic traffic review
- To recommend that the next Council creates an overall vision/strategy so that projects could be tied together. This would enable broader themes to underpin projects e.g., the declaration of a climate emergency or an overall transport strategy could be linked to individual projects.

RESOLVED: that the updated Action Plan be adopted and recommended to the new council as a useful reference document and that an overall early vision and strategy is agreed with a new Action Plan to underpin it. Also, that the following projects continue to be taken forward:

- Devolution of Services and Asset Transfers from WC
- Continuation of the registration of all land and property with HMLR
- Marlborough Area Neighbourhood Plan
- Community Governance Review
- Cemetery Extension (as listed in MANP)
- Climate Emergency Declaration/Climate Change Strategy
- Dark Skies Festival 2021
- Skate Park Lighting (if not completed in current term)
- Informal car park adjacent to the Rugby Club (as listed in MANP)
- The acquisition of the freehold of the Community and Youth Centre (if devolution of services does not go ahead)
- New Workshop
- Town Hall External Works
- Conversion of the Salisbury Road workshop into a Heritage Centre and archive store once the new workshop was complete.
- A Multi-Use Games Area (MUGA) on the site of the former tennis courts at the Salisbury Road Recreation Ground
- A whole town Traffic Survey

Councillor Fogg left the meeting.

474/20

ANNUAL TOWN MEETING

RESOLVED: to schedule the Annual Town Meeting for 1 June 2021 to allow new Councillors to be introduced. Whether this would be in person, as a hybrid meeting or held remotely would be decided once government guidance was clearer.

475/20

CALENDAR OF MEETINGS 2021/22

Members noted the dates of scheduled meetings for the next municipal year (2021/2022).

476/20

CIVIC DIARY 2021/22

Members noted the calendar of civic events for the next municipal year (2021/2022).

477/20

OUTSIDE BODIES

No updates were offered from meetings of outside bodies.

478/20

COMMITTEE MINUTES

In accordance with para 3.1 of the Scheme of Delegation, Members noted the approved minutes of the **Planning Committee** held 11 January and 1 February 2021, the **Amenities and Open Spaces Committee** held 15 December 2020 and the **Property Committee** held 15 December 2020.

479/20

MEMBERS QUESTION TIME

No questions had been submitted.

480/20

COMMON SEAL

Proposed by **Councillor Castle** and seconded by **Councillor Dow** 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 9.16 pm.

Signed:
Town Mayor

Date:

ITEM 5 Proposed Training Pitch on Marlborough Common

SUMMARY – the purpose of this report is to inform the Council of the outcome of the consultation on the proposed development of a training pitch on the Common, and outline to the Council the relevant issues that the Council are advised to take account of when considering this matter further.

Consultation

1. The consultation period regarding the proposed training pitch ended at 4pm on the 25th of March 2021.
 - Findings of this exercise can be found in the report 'Results of the Public Consultation Marlborough Common conducted 11th February to 25th March 2021, 'on the Town Council's website ([Marlborough Town Council - Home \(marlborough-tc.gov.uk\)](http://marlborough-tc.gov.uk)). The report provides data and respondents comments.
2. The summary results are;
 - There were 1,584 replies to the consultation, of which 1,525 were completed online and 59 returned as hard copy responses.
 - In total 66% support the proposal. Filtered responses for people who live in the parish brings the support figure to 58%.
3. Of the 1,584 responses 951 live (have postcodes) within the parish boundary and are included on the electoral roll.

Environmental Considerations

4. To consider this matter in full a 'Flora and Fauna' survey needs to be carried out to ensure due consideration is given to the environmental impact should an additional training pitch be created on the Common.ⁱ Quotes are currently being sought by the Council for a provider to carry out this survey. Initial advice received suggests this survey will need to be carried out late May to June when the conditions are conducive to an effective survey.
5. Additionally, it is likely a further topological survey to assess the soil composition and structure will need to be carried out as part of the preliminary investigations of the ground options to fully inform a schedule of works for the creation of a training area. This may also lead to recommendations regarding drainage solutions, the nature and extent of which will be affected by any site location.

Location

6. These aforementioned surveys may give rise to the need to carefully consider the differing impact and feasibility of a new pitch's location. Equally, the balance of community interest, and stakeholder interest and need, should also be accounted for in any decision-making process. Options for a possible location would be across the middle section of the Common between the existing rugby pitches and the Golf Club, or adjacent to Frees Avenue in with the existing pitches, with the latter arguably having less impact on other interest and user groups of the Common.

Highway Safety

7. Any increase in training facilities could give rise to increased traffic and attract additional parking along Frees Avenue. Both factors could create an increased safety risk to users of the Common (for all pursuits). This concern is reflected in the consultation responses by some concerned residents.
8. Initial enquiries with Wiltshire Council on this matter suggest no easy solution, short of possibly creating a 'crossing' area. This would require its own budget and investment of time to realise such a measure, as well as the support and approval of Wiltshire Council.

9. Equally, withstanding the creation of a 'crossing' area, it may be a reasonable safeguarding measure attached to any pitch development that a 'road safety management plan' (e.g., marshals in Hi Viz vest etc.) is attached as an expectation of increased use of the common for organised activities involving children particularly (it may be this is established practice with relevant groups and as such can be capitalised on for the benefit of Common users when training pitches are in use?).

Financial Considerations

10. Indicative costs for the possible creation of a training pitch are being sought to support the Council in its decision-making process on this matter. The Council should note that there are several associated costs to this proposal, and it is advised these are all taken into account when considering this matter. The overall final cost for the creation of a training pitch would include these costs. These are, (and not definitively).
- Flora and Fauna survey
 - Topological Survey
 - Pitch – excavation and landscaping etc (plus any drainage arrangements)
 - Legal costs associated to revised agreements with third parties, and permissions
 - Ongoing Pitch maintenance
11. The Council should also consider which of these costs, if any, it is prepared to assume in the public interest, and which should be transferred to other parties.
12. If the pitch were to be supported by the Council, any associated costs it considered that should be retained by itself, may have implications for future proceedings and timelines. i.e., the Council is bound by its own Financial Regulations and the Public Contracts Regulations, depending on the liabilities it assumes or not, and costs involved.ⁱⁱ

Recommendations

13. That the Council takes note of the consultation report and its' results, and that the matter is deferred until such a time as the Council is in receipt of the 'Flora and Fauna' survey, and indicative costs; so that an informed cost /benefit decision can be made. (either Full Council on the 24th May or 28th June 2021).

ⁱ [Natural Environment and Rural Communities Act 2006 \(legislation.gov.uk\)](http://legislation.gov.uk)

ⁱⁱ [The Public Contracts Regulations 2015 \(legislation.gov.uk\)](http://legislation.gov.uk)