

Wiltshire Council Local Plan Review

Summary – This report asks Members to consider a response to the Local Plan Review, in particular the proposals for Marlborough, as well as feedback from the Climate Emergency Working Party on addressing climate change and biodiversity. *This is deferred from the Planning Committee meeting of 22 February 2021.*

1. Background

National policy states that the planning system should be genuinely plan-led. This plan led system places a Local Planning Authority's development plan at the heart of decision making.

The Wiltshire Core Strategy (with saved policies from district local plans), adopted in 2015, form a substantive part of the development plan and is under review, known as the 'Local Plan Review'. This will set out a vision for the future of Wiltshire for the period to 2036 and a framework for addressing housing needs and other economic, social and environmental priorities. It will be the basis against which planning applications are determined and neighbourhood plans developed. It is a legally required document containing planning policies and site allocations to deliver Wiltshire Council's strategic priorities.

2. Why a Consultation?

Drawn up by the local planning authority in consultation with the community, the Local Plan provides an opportunity for local people to shape their future surroundings. This consultation will inform the Wiltshire Local Plan Review, with the draft plan due to be completed towards the end of 2021. The topics covered include:

- How growth (additional new homes and employment land) is distributed around the county ('Emerging Spatial Strategy' paper)
- Levels of growth, potential locations for development and place shaping priorities for each of the county's main settlements (documented in a series of 'Planning for' papers for each Market Town and Principal Settlement)
- Improving the framework for rural communities to meet housing needs ('Empowering Rural Communities' paper)
- The opportunity to inform proposals about how planning policies can be shaped to address climate change and biodiversity net gain ('Addressing Climate Change and Biodiversity Net Gain through the Local Plan - raising the ambition' paper)
- The consultation is supported by a suite of supporting documents that have been prepared to inform the development of policy.

3. Consultation Documents

All consultation documents can be found at [Local Plan Review consultation - Wiltshire Council](#)

Marlborough - Members can consider responding to all elements of the review, but the *Planning for Marlborough* paper is at **Appendix 1** and the associated paper, *Marlborough Site Selection Report*, is at **Appendix 2**

Consultation questions for the above papers are labelled MB1 – MB6 (Pages 4 – 9) and are set out in the *Planning for Marlborough Paper*

Climate Change – Members of the Climate Emergency Working Party have discussed the consultation paper *Addressing climate change and biodiversity net gain through the Local Plan - raising the ambition*. This is at **Appendix 3**.

Consultation questions are labelled B1 – B15 (pages 16 – 20)

The Working Party's Feedback is at **Appendix 4**.

4. Consultative Events

Wiltshire Council have held a number of consultative events throughout the county. The one dedicated to Marlborough took place via videoconference on Monday, 25 January 2021. A PowerPoint presentation is at **Appendix 5**.

5. Financial Implications

There are no financial implications attached to responding to this consultation.

6. Points to Note

- As Members are aware, this consultation is running (coincidentally) in parallel to the Regulation 14 formal consultation on the Marlborough Area Neighbourhood Plan (MANP)
- The MANP Steering Group will be considering its response to the WC consultation on Thursday, 25 February 2021.

Town Clerk's Recommendation

The Town Clerk recommends that Members consider a response to the Local Plan Review on behalf of Marlborough Town Council to meet the deadline of 9 March 2021.

Town Clerk

24 February 2021

Planning for Wiltshire's Gypsy and Traveller Communities – Consultation

Summary – This report asks Members to consider 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. *This is deferred from the Planning Committee meeting of 22 February 2021.*

1. Background

Wiltshire Council is consulting on its intention to prepare a Gypsy and Traveller Development Plan Document. The consultation which, in line with the one on the Local Plan Review, will run to Tuesday, 9 March 2021, comes under Regulation 18 of the Town and Country Planning Regulations 2012 (as amended).

2. What is WC consulting on?

The proposed scope of the Gypsy and Travellers DPD is to allocate land for travellers in sustainable locations meeting identified permanent and temporary accommodation needs up to 2036, in line with Government planning policy and legislation. At this stage, WC is seeking comments on the Plan's scope and its proposed approach to meeting accommodation needs.

3. Consultation Document

The consultation document is *Planning for Wiltshire's Gypsy and Traveller Communities* is at **Appendix 1**. Questions 1 – 8 are set out on pages 4 – 14.

4. Financial Implications

There are no financial implications in responding to this consultation.

Town Clerk's Recommendation

The Town Clerk recommends that Members consider a response to the Regulation 18 consultation on *Planning for Wiltshire's Gypsy and Traveller Communities* to meet the consultation deadline of 9 March 2021.

Town Clerk

25 February 2021

Allocation of S106 Funding

Summary – This report asks Councillors to consider the allocation of a developer contribution as set out under a legal Section 106 Agreement.

1. Background

The Town Council has recently been informed by Wiltshire Council of the receipt of a developer's contribution as set out under a legal S106 Agreement dated 28 July 2016 relating to planning application number 15/02026/OUT – Land off Salisbury Road, Marlborough, Wiltshire. This was an outline development application and the land subsequently bought by developers, Redrow. The amount is £117,110.86p.

Section 106 (S106) Agreements are legal agreements between Local Authorities (in this case Wiltshire Council) and developers; these are linked to planning permissions and also known as planning obligations. They are drafted when it is considered that a development will have significant impacts on the local area that cannot be moderated by means of conditions attached to a planning decision.

For example, a new residential development can place extra pressure on the social, physical and economic infrastructure which already exists in a certain area. A Planning obligation will aim to balance the pressure created by the new development with improvements to the surrounding area ensuring that where possible the development would make a positive contribution to the local area and community.

The Officer Decision Report setting out the reasoning behind this is at **Appendix 1**.

The definition of the contribution within the S106 Agreement is interpreted as follows:

Sports Pitch Contribution means the sum of one hundred and nine thousand nine hundred pounds (£109,900) towards the cost of the provision of new tennis courts at The Common on the outskirts of the golf course and the upgrading of formal sports pitches within the town of Marlborough.

** The amount is index linked, explaining the larger amount received*

2. Input from Marlborough Town Council

The Town Council requested, at an early stage, that provision was made for this via a S106 Agreement. An extract from the minutes of 30 March 2015 is as follows:

573/14 PLANNING APPLICATIONS

The Committee considered the following Planning Applications which had been received from Wiltshire Council –

- a) **15/02026/OUT** – Outline application for up to 220 dwellings (Use of Class C3), hotel (C1), new access from Salisbury Road, open space, landscaping, ecological mitigation, drainage works and ancillary works at land west of Salisbury Road, Marlborough for Crown Estates

RESOLVED: by 6 votes for with 2 against and 3 abstentions that Marlborough Town Council has no objection to this proposal. Councillors welcomed the inclusion of a hotel and listed the following comments/informative to the outline application:

- Insistence on 40% affordable housing and clearer clarification on the provision of both affordable and social housing
- That there should be a further impact assessment on traffic involving all the relevant agencies, most particularly the Highways Agency
- Access to the site remained a concern
- **An insistence on early and continued consultation with the Town Council on proposed S106/CIL agreements**
- Importance of retaining the predicted high quality design status through to development
- Early consultation with the Town Council on the naming of the development

3. Notification of Receipt of Funds

The Town Council was notified by WC of the receipt of the S106 funds in December 2020. Notifications of appropriate S106 contributions is sent out annually in April. Due to COVID this was missed by WC in 2020, therefore the last one would have been in April 2019, which is before the receipt of this contribution received on the 19 May 2019.

4. Allocation of Funds

Wiltshire Council has now asked the Town Council for a decision on how this money will be allocated. Members may like to consider the following options (the money can be shared it, does not have to be allocated to just one project):

- i. A future 3G pitch – preliminary discussions are already underway with Marlborough Youth Football Club and others. (Cllrs Hall and Farrell are the Town Council's representatives to this body). Overall costs for this facility would be in excess of £700,000. No site has yet been identified
- ii. The completion of Marlborough Tennis Courts project – whilst the tennis courts are built and in use, the overall project is not complete. Requirements include an expanded pavilion, Padel tennis development and short tennis courts for walking tennis and junior coaching/playing.
- iii. Upgrading of other sports pitches/training areas - a public consultation is currently underway for the provision of junior football and rugby training areas

All the above fit with the legal S106 Agreement.

5. Financial Implications

The £117,110.86 will be transferred to Marlborough Town Council to allocate to projects and kept as an earmarked reserve. The Town Council would expect to see business cases for projects before releasing monies. Wiltshire Council will require sight of paid invoices for project works undertaken that must meet the agreed allocation (in line with usual processes for drawing down S106 money).

Town Clerk's Recommendation

The Town Clerk recommends that Members consider which project(s) should receive an allocation from the S106 contribution of £117,110.86 from the options listed at para. 4 or other potential projects that fit the S106 Agreement.

Town Clerk

25 February 2021

Community Governance Review

Summary – The report asks Members to consider a request from Wiltshire Council's Electoral Review Committee about whether there is a requirement for a future Community Governance Review

1. Background

Members are asked to consider a request to re-visit an Expression of Interest (EOI) made by the Town Council in September 2019 for review of the parish boundaries, number of wards and a possible parish merger. This was in response to a call for EOIs to all town and parish councils.

The email from WC requesting confirmation about whether this request should still be taken forward and how it will be handled is at **Appendix 1**

The EOI submitted by the Town Council is at **Appendix 2**

2. Outcome

As set out in **Appendix 1**, most town and parish requests were not taken forward. Due to the number received, it was not possible for Wiltshire Council to review all the requested areas in advance of the scheduled May 2021 local elections. The Town Council is now asked to re-visit whether or not it wishes to take the EOI request forward and that it is formerly confirmed early after the May 2021 elections.

3. Points to Note

- It will be difficult to ascertain whether a new council would want to take a community governance review forward
- The merging of parishes with Marlborough was not well received by those parish councils identified (Preshute and Savernake)

4. Financial Implications

There are no financial implications for the request from Wiltshire Council.

Town Clerk's Recommendation

Members may like to consider whether to withdraw the EOI for a Community Governance Review in Marlborough or to recommend that the next council considers this immediately after the May 2021 elections.

Town Clerk

25 February 2021

Town and Parish Council Elections

Summary - This report summarises the process around the elections on 6th May 2021

1. Timetable

An election timetable is attached at **Appendix 1**.

2. Role of Town and Parish Councils

Aside from a duty to inform local people about the elections, town and parish councils have only a limited role to play in them. The elections are administered by Wiltshire Council's Chief Executive and Returning Officer, Terence Herbert.

As a town council, we are required to display statutory notices from the start of the election process and encourage potential candidates to stand for office through posters, website and social media campaigns. Potential candidates are encouraged to talk to the Town Clerk about the role of a Town Councillor.

The Notice of Election is due for publication on Thursday 11th March 2021 and will be published on the Wiltshire Council website at <https://www.wiltshire.gov.uk/elections-2021>.

3. Nomination Packs

Nomination Packs can be downloaded from the Wiltshire Council website. A nomination pack is attached at **Appendix 2**.

4. Other Guidance for Candidates

Guidance aimed at candidates interested in standing for town and parish elections can be found here: <http://www.wiltshire.gov.uk/elections-becoming-a-councillor>

Questions in relation to the work of town and parish councils should be directed to the Town Clerk.

For information on standing as a candidate and completion of the forms, it is recommended that councillors read the Electoral Commission's guidance which is available on the Electoral Commission website:

<http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-in-england-and-wales>

5. Return of Nominations/Delivery of Nomination Paperwork

Papers must be delivered in person, from 12th March – 8th April, between 10am -4pm. Every Town and Parish Council will be allocated a particular office for the delivery of Nomination Papers. The details will be published on the Notice of Election which is due for publication on Thursday 11th March 2021.

The **statutory deadline** for the Returning Officer to receive nominations is: **4pm on Thursday 8th April 2021**.

Any nomination papers and consent to nomination papers received after this time and date will **NOT** be accepted.

NOMINATION PAPERS AND CONSENT TO NOMINATION MUST BE DELIVERED BY HAND in person (but not restricted to the candidate personally). Nominations **cannot** be accepted by electronic means.

6. Withdrawal of Nominations

This form only needs to be completed, if, after a candidate has submitted nomination papers, he/she decides that they no longer wish to stand. This form must be signed by the candidate and a witness and must be received no later than **4pm on Thursday 8th April 2021**.

Close of withdrawals is now the same time and date as close of nominations.

7. Election Results

Votes will be counted on Sunday 9th May. Elected Councillors formally take office on the 4th day after an election.

8. New Council

An informal meeting, the format of which is yet to be agreed will be arranged to welcome new and re-elected town councillors.

Recommendation

Members are requested to note the contents of this report.

Author – Assistant Town Clerk 22nd February 2021

Marlborough Dark Skies Fest 2021

Summary - To note an update and approve a recommendation from the Dark Skies Working Party on Marlborough Dark Skies Fest 2021



Background

Marlborough Town Council and the North Wessex Downs AONB are working in partnership to deliver Marlborough Dark Skies Fest, the first festival of its type, in Marlborough, in the heart of the North Wessex Downs AONB. It is hoped this festival will be the first of many. Its primary focus being to raise awareness of the dark skies initiative and inspire and educate local

people about the wonders of the night sky. The festival will have a strong focus on education, arts, fun and families and will also be an important opportunity to bring together local astronomers and enthusiasts to foster future collaborations.

Marlborough College have been hugely supportive throughout and have very kindly offered to host the Museum of the Moon in their magnificent Chapel.

Members will be aware that Marlborough Dark Skies Fest scheduled to take place across the weekend of 2-4th October 2020 had to be cancelled due to Covid restrictions and a virtual festival was held in its place.



Current Situation

Members of the Dark Skies Working Party have met to discuss and review plans for the re-scheduled Festival, now due to take place across the weekend of 29-31st October 2021.

Government guidelines released on 22nd Feb 2021 state that by 21st June restrictions will be eased on large events and performances, however they will be subject to the results of a scientific Events Research Programme to test the outcome of certain pilot events throughout the spring and summer. The results of this research will determine whether all limits can be removed and ultimately whether our festival can take place as planned. The working party very much hope the festival can take place this year; a little light at the end of the tunnel, welcoming people back into our town, bringing with them much needed support for our local shops and businesses.

Financial Implications

Whilst it is anticipated that most of the events will be free to attend, there may be a requirement for some activities to include a minimal (affordable) charge to cover costs. There will also be opportunities to recover some costs through sponsorship and advertising within the event programme.

The group has been successful in being awarded £14,800 in grant funding from the Arts Council, £1,000 from the Royal Astronomical Society and £1,478 from the Area Board. Further applications for funding are pending.

The North Wessex Downs AONB have committed funding of £5,000 and Marlborough Town Council have approved a festival budget of £3,000.

A copy of the budget can be found at **Appendix 1**.

Recommendation

The budget is being managed jointly by the Town Council and NWD AONB and whilst both partners will do their best to balance the budget either through raising income or reducing costs, the Dark Skies Working Party recommend that any shortfall is met jointly between the two. The NWD AONB have agreed to these terms.

If however, the festival makes a surplus (excluding grant funding) the intention would be to spend it on other dark skies work. Should this be the case, the working group would make a recommendation to the Town Council and NWD AONB on how it should be spent.

Members are requested to note the contents of this report and approve the recommendation above.

Author – Assistant Town Clerk

23rd February 2021

Project Plan 2017 -2021

Summary – This report asks Members to consider a review of the Council's Action Plan (or Project Plan) for 2017/2021 and consider how to take it forward.

1. Background

The Project Plan was last reviewed and re-adopted on 9 December 2019. As the current council term comes to an end, Members may like to be aware of those projects that have been completed and consider those which should be recommended to take forward into the next council term. Though the direction of the next council is for newly elected Councillors to decide, this may be a useful reference document for them.

A draft updated version of the Project Plan is at **Appendix 1**.

2. What has been achieved?

A great deal has been achieved in the last 4 years - completion of the town's CCTV system, refurbishment of public toilets and creation of new ones, the taking on and refurbishment of the Community & Youth Centre, new play areas at Cooper's Meadow and Jubilee Field, implementation of a 20mph limit, some impressive standalone large events (a Puppet Festival, the WW1 weekend of commemorations, a Civil War Re-enactment on The Common) as well as new tourism initiatives.

This is all on top of the year-on-year management of the Remembrance Parade, Armistice Day, Mayor Making, Civic Service, Christmas Lights Switch-on, the In Bloom competition, Mop Fairs and the day to day running of council administration and services around the Town Council estate. (This includes its property portfolio (7 residential and 3 commercial properties), the Town Hall, cemeteries and burials, play areas, sports pitches, The Common, The Green, parks and gardens, War Memorials, Community and Youth Centre, Skatepark and more)

3. We've started and so we'll finish.....

A number of long term projects have been started and will either just cross over into the new council term or be longer term. These are marked in red at **Appendix 1 (Next Council)**. In no order of priority, these are:

- 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

Others – Though not listed here, Members may like to also recommend that the next council includes a Traffic Study in its Project Plan.

4. Vision, Strategy and Action Plan

The current Town Council chose not to work up a vision and strategy before setting out its projects and actions for its 4 year term. The next Council may feel that setting out the strategic direction of the council, backed up with an Action Plan would be a sensible route to take, making project planning and budget forecasting easier to predict rather than dealing with project ideas on an ad hoc basis.

5. Financial Implications

There are no financial implications for Members recommending which project should go forward into the next council. All those involving works (e.g., Town Hall works, Skatepark lighting, cemetery extension, informal car park , new workshop) all have budgets set aside for them.

Town Clerk's Recommendation

The Town Clerk recommends that Members consider whether to adopt the revised Project Plan and whether a Traffic Survey should be included too. Also, if this can then be recommended as a useful reference document for the next council.

Town Clerk

25 February 2021

Annual Town Meeting – 22 March 2021

Summary - This report asks Members to consider a recommendation about when and whether the Annual Town Meeting should take place on 22 March 2021.

1. Background

Although the Annual Town Meeting is convened and chaired by the Town Council, it's not a Town Council meeting but, a meeting of registered electors. *(These are referred to as Annual Parish Meetings where there is a parish council)*. It must be held between 1 March and 1 June (LGA 1972 sch 12 para 4) and the Town Mayor should preside. It's an opportunity for the local electorate to raise local issues and even request a poll (there is legislation laid down governing procedure).

In 2020, this meeting was cancelled due to the pandemic and that no legal ruling was in place to allow them to take place remotely. The recent advice from the Wiltshire Association of Local Councils is as follows:

There is no definitive advice yet. With the amended Flexibility of Meetings (Coronavirus) Regulations, a parish/town meeting may be held remotely so (pre-election period/purdah aside) the meeting could be held prior to the elections. The regulations are only in place until 7 May so at the moment, we don't know what will be permitted after this time. NALC is in conversation with Government about this and I will let councils know when I know more.

The lead up election will already have started.

Members may like to consider whether the meeting should take place on 22 March or later and, if it does, what format it should be in. Due to COVID restrictions, it cannot be the usual format of an open public meeting in the Town Hall. It could, possibly, take the form of an open Q & A session held via Zoom, or a presentation of what has been achieved by the Town Council in the last 4 years.

2. Point to Note

The Town Clerk will give a verbal at the meeting about how other town and parish councils are dealing with their annual parish and town meetings in 2021.

3. Financial Implications

There are no financial implications for running a remote Annual Town Meeting, but there are staff resource implications.

Town Clerk's Recommendation

The Town Clerk recommends that Members consider how to take forward the Annual Town Meeting in 2021.

Town Clerk

25 February 2021