

Marlborough Town Council



11th January 2022

Dear Councillor

Full Town Council

I hereby **summon** you to a meeting of **Marlborough Town Council** which will be held on **17th January 2022 at 7pm** in the **Court Room, Marlborough Town Hall**.

Yours sincerely

Richard Spencer-Williams

Richard Spencer-Williams, PSLCC

Town Clerk

This meeting will be held in the Court Room at the Town Hall according to the latest Government Covid Safety Guidelines, and managed according to the Health and Safety at Work Act 1974(2)e.

There will be twenty places for members of the public to attend. If members of the public wish to attend they should notify the Town Clerk of this by noon on the Friday prior to the meeting. Places will be allocated on a first come first served basis. Organisations and interest groups are asked to send one delegate.

All those in attendance at the meeting will be required to wear a face mask when moving around the Town Hall unless exempt, or when seated.

If members of the public wish to attend and ask a question they should also notify the Town Clerk of this by noon on the Friday prior to the meeting and provide their question in writing at the same time. Some members of the public may not be allowed to attend if all the allocated seats are taken.

If members of the public wish to ask a question, but not attend, they can provide the question in writing to the Town Clerk by noon on the day of the meeting, and a written response will be provided.

PRAYERS

PUBLIC QUESTION TIME

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

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)

TO RECEIVE QUESTIONS TO AND FROM WILTSHIRE COUNCILLORS

Not to exceed 10 minutes

AGENDA

1. Apologies for Absence

2. Declarations of Interest

a) To receive any Declaration/s of Interest under Marlborough Town Council's Code of Conduct issued in accordance with the Localism Act 2011

b) To consider any dispensation requests received by the Town Clerk

Members are reminded that they are obliged to notify the Monitoring Officer of a change to disclosable interests, or a new interest as defined in Appendices A and B of the Code of Conduct within 28 days of becoming aware of it. These should be passed to the Town Clerk to register online.

3. Mayor's Announcements

4. Minutes

To approve and sign the minutes of meetings held 13 December 2021 and 4 January 2022

5. Action Log

To note and review the Action Log

6. Priory Gardens Gate

To review the current Council policy for the management of access to Priory Gardens

7. Platinum Jubilee Celebrations and Tree Planting

To receive an update on the Platinum Jubilee Celebrations and Tree Planting

8. Development and Action Plan

To consider the progression of the Draft Development and Action Plan

9. Merchant's House Lease

To further consider the request by the Merchant's House to extend the lease

10. eComms Policy

To consider the draft eComms Policy for adoption

11. Town Mayor 2022-23

To select the Town Mayor for the forthcoming municipal year 2022/23

12. Deputy Town Mayor 2022-23

To select the Deputy Mayor for the forthcoming municipal year 2022/23

13. Amenities and Open Spaces Committee, and the Staffing Sub-Committee member vacancy

To elect a member for the Amenities and Open Spaces Committee, and the Staffing Sub-Committee

14. Outside Bodies Representatives Update

As requested a brief update by Council representatives of Outside Bodies

15. Committee Minutes - In accordance with para 3.1 of the Scheme of Delegation, to note the approved minutes of the following committee meetings: **Planning** – 20th September, 4th October 2021, 25th October, 15th November and 6th December 2021: **Amenities and Open Spaces** – 15th November 2021 and **Finance and Policy** – 14th June and 25th October 2021. These minutes have been approved by committees 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.

16. Members' Question Time

Questions to be submitted to the Town Clerk by midday on the day of the meeting and not to exceed 10 minutes

17. Common Seal

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

- The skatepark lighting was contributing to families and children re-claiming the Recreation Ground with a marked decrease in reports of anti-social behaviour in the area.
- There had been no recent reports of anti-social behaviour at The Acres.
- Sgt. Cole was not aware of any presence of County Lines gangs in Marlborough.
- Sgt. Cole reminded Councillors and the public that it was important to keep reporting any issues. The areas covered by patrols were guided by the reports.
- Reports could be made by calling 101. People could also report anonymously via Crimestoppers or online.

QUESTIONS TO AND FROM WILTSHIRE COUNCILLORS

Councillor Davies had taken preliminary steps to call in a planning application for a development in Cross Lane to be discussed at the Eastern Area Planning Committee.

Councillor Thomas:

- Wiltshire Councillors were working with the Area Board towards gaining funding for a youth worker to cover the Marlborough area. She was confident that funding would be granted for the first year, but to secure it an existing body would be required to sponsor the request to the Area Board. The Town Council was the obvious body, or perhaps via **Councillor Farrell's** Youth Club.
- Still pursuing information from Housing Associations about empty properties; as yet no joint meeting had been forthcoming although the Leader of the Council was aware of the request. **Councillor Cleasby** proposed that via the Town Clerk a Freedom of Information request should be made to ask for the details of the contract between Wiltshire Council and Aster Group at the time that the houses were sold.

331/21 APOLOGIES

Apologies for absence were received from **Councillors Loosmore, Farrell and Sheppard**.

332/21 DECLARATIONS

There were no declarations.

333/21 MAYOR'S ANNOUNCEMENTS

The Mayor welcomed **Councillor Mark Luson** to his first meeting.

Members were reminded that there would be an extra-ordinary Full Town Council meeting on 4 January 2022 to agree the budget and precept for 2022-23 and he urged everyone to attend.

Thanks were given to Marlborough College for a beautiful Carol Service on Friday, 10 December where Councillors had been made very welcome at the event, which the Mayor considered to be one of the highlights of the year.

Finally, the Mayor took the opportunity to wish Councillors and members of the public a very happy Christmas, and thanked everyone for their support.

334/21 MINUTES

RESOLVED: that the minutes of the meetings held 1st, 22nd and 29th November 2021 were approved as true records and signed by the Town Mayor

335/21 ACTION LOG

The updated Action Log was noted.

336/21 REQUEST FOR TRAINING AREA

Councillors noted the Town Clerk's report and considered recommendations from the Common Working Party to support a request for a new training area at Marlborough Common for youth players at Marlborough Rugby Football Club (MRFC) and Marlborough Youth Football Club (MYFC). Discussion points included:

The Mayor thanked members of MRFC and MYFC for their assistance in clarifying the detailed requirements; members of Transition Marlborough for their offer to help develop biodiversity at Marlborough Common, and **Councillor Fogg** and members of the working party for all the hard work that had brought this proposal to a stage where the Town Council could make a decision.

Councillor Fogg summarised the Working Party's recommendations:

- That the Town Council had agreed an allocation of £9,000 from expected developer s106 Community Infrastructure Levy funds¹ towards the project
- That the 'Frees Avenue' site was recommended because it would have the least impact on Marlborough Common and its users, allowing maximum access to others for example Marlborough Model Flying Club and dog walkers
- It was interesting to note from the Botanical Survey that flora and fauna could flourish in unlikely places and its conclusions were recommended in full. The Working Party would be interested in developing a policy to maximise biodiversity.
- The Working Party would not be disbanded; it would continue to take an overall view of the Common to ensure that all its users would get maximum benefit

Councillor Fogg recommended the report to Councillors.

Councillor Hall, seconded by **Councillor Heath**, proposed that Members approve all seven points of the recommended proposal as written:

"To support the MRFC and MYFC request for a training area at the Frees Avenue site subject to:

- a) That all the 'Habitat Enhancements' as stated in the ecology report are adhered to and carried out by MTC
- b) That other than the £9,000 s106 allocation, MRFC and MYFC should pick up the remaining costs of the projected costs and financial risk of the construction phase of the project

¹ <https://www.gov.uk/guidance/community-infrastructure-levy>

- c) The project itself (construction) would be the responsibility of MRFC and MYFC
- d) The management and maintenance of any new area would be jointly shared between MRFC, MYFC and MTC as appropriate
- e) That a 'Memorandum of Understanding' or 'Agreement' between Marlborough Town Council, MRFC and MYFC to the satisfaction of all parties stated, should be drawn up as a prerequisite of the MTC support for the Training Area prior to commencement of any proposed works, and that in this the needs of other Common users should be accounted for, and a reasonable timeframe for which the works should be completed
- f) That MTC should approach the Planning Inspectorate under section 38 of the Commons Act 2006 as 'landlords' of the Common for approval, and MRFC and MYFC should be required to apply to Wiltshire Council for Planning Consent for their project
- g) That MRFC/MYFC should be required to supply a project and site management plan prior to commencement of any works including a timeline, and overall risk assessment"

After clarifying some points, **Councillor Thomas** suggested two amendments which were discussed and accepted by **Councillor Hall** as:

Point (a): "That all the 'Habitat Enhancements' as stated in the ecology report are adhered to and carried out by MTC *in conjunction with MRFC and MYFC*"

Point (d): "The management and maintenance of any new area would be jointly shared between MRFC, MYFC and MTC ~~as appropriate~~ *in line with current practice*"

RESOLVED: that Marlborough Town Council supports the Marlborough Rugby Football Club and Marlborough Youth Football Club's request for a training area at the Frees Avenue site of Marlborough Common subject to:

- a) That all the 'Habitat Enhancements' as stated in the ecology report are adhered to and carried out by Marlborough Town Council in conjunction with Marlborough Rugby Football Club and Marlborough Youth Football Club
- b) That other than the £9,000 s106 allocation, MRFC and MYFC should pick up the remaining costs of the projected costs and financial risk of the construction phase of the project
- c) The project itself (construction) would be the responsibility of MRFC and MYFC
- d) The management and maintenance of any new area would be jointly shared between MRFC, MYFC and MTC in line with current practice
- e) That a 'Memorandum of Understanding' or 'Agreement' between Marlborough Town Council, MRFC and MYFC to the satisfaction of all parties stated, should be drawn up as a prerequisite of the MTC support for the Training Area prior to commencement of any proposed works, and that in this the needs of other Common users should be accounted for, and a reasonable timeframe for which the works should be completed
- f) That MTC should approach the Planning Inspectorate under section 38 of the Commons Act 2006 as 'landlords' of the Common for approval, and MRFC and MYFC should be required to apply to Wiltshire Council for Planning Consent for their project

- g) That MRFC/MYFC should be required to supply a project and site management plan prior to commencement of any works including a timeline, and overall risk assessment

The Assistant Town Clerk and members of the public left the meeting

337/21 FLAGPOLE

Members noted a report by the Town Clerk and reconsidered a 2018 resolution to erect flagpoles at Salisbury Road Recreation Ground, for which planning permission had expired. Discussion points included:

- Plans to redevelop the workshop may have a bearing on the location of the free-standing flagpole near the entrance to Salisbury Road Recreation Ground
- Whether to progress with a flagpole for the Marlborough Community & Youth Centre to allow flags to be flown when the building is used for civic events
- That Planning Permission had expired; whether to check with a Planning Officer if permission would be required to reinstate a previously installed flagpole
- Whether the costs were justified while the Coronavirus pandemic was ongoing
- That there had been one event (Armistice Day) in the last few years requiring a flag; a temporary flagpole had been borrowed for the occasion

A proposal to install a flagpole at Marlborough Youth and Community Centre was put forward but not supported (there were 4 votes for, 7 votes against and 2 abstentions).

338/21 STANDING ORDERS

Members considered amendments to Standing Orders as recommended by the Finance and Policy Committee.

RESOLVED: that amendments to Standing Order 10 (b), (d) and (f) were agreed

339/21 OUTSIDE BODIES

Representatives to outside bodies provided verbal updates:

Transition Marlborough

Councillor Waltham had attended meetings and toured Marlborough Community Orchard and visited the Community Fridge. Current joint projects were the production of new signs at the community orchard and a nature trail leaflet (the Tourism Officer was working on both). Also considering possible sites for tree planting for the Jubilee.

Stonebridge Meadow Management Committee

Councillor Waltham attended the ARK AGM in September, and had toured Stonebridge Meadow. The Stonebridge Meadow Management Committee Annual Review would take place on Tuesday 25th January. There had been complaints of anti-social behaviour on Stonebridge Lane: it was felt removing the bench would

deprive others who use it. Informally mentioned to police to include in patrols. Ongoing discussions about possible sites for tree planting for the Jubilee.

The **Mayor** thanked all Members for their work with the different groups and organisations in the town which was an important part of Council work.

340/21 COMMITTEE MINUTES

In accordance with para. 3.1 of the Scheme of Delegation, Members noted the approved minutes of the following Committees: **Planning** – 31 August, 20 September, 4 October and 25 October 2021; **Property** – 5 July 2021 and **Amenities and Open Spaces** – 31 August 2021.

341/21 CHRISTMAS AND NEW YEAR OPENING HOURS

Members noted a report by the Town Clerk and considered recommendations about opening hours over the Christmas and New Year period.

RESOLVED: that the Christmas and New Year opening hours were agreed

The **Mayor** took the opportunity to thank staff for the fantastic work they do every day. He was incredibly proud of their work during the pandemic and this year and they were a credit to the town.

342/21 MEMBERS' QUESTION TIME

No questions had been submitted.

343/21 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 8.03 pm

4 January 2022

Marlborough Town Council



Full Town Council

Minutes of an extraordinary meeting of Marlborough Town Council held Monday, 4 January 2022 in the Court Room, Marlborough Town Hall at 7pm

PRESENT Councillor Mark Cooper
Councillor Nicholas Fogg

Town Mayor

Councillor Andrew Ross
Councillor Noel Barrett-Morton
Councillor Mervyn Hall
Councillor Donald Heath
Councillor Jo Waltham
Councillor Richard Allen
Councillor Kymee Cleasby
Councillor Jane Davies
Councillor Caroline Thomas
Councillor Mark Luson

ALSO

PRESENT	Richard Spencer-Williams	Town Clerk
	Dawn Whitehall	Administrator
	Neil Goodwin	Marlborough.News

PUBLIC QUESTION TIME

There were no questions.

344/21 APOLOGIES

Apologies for absence were received from **Councillors Sheppard** and **Fogg** (arriving late)

345/21 DECLARATIONS

There were no declarations.

346/21 MAYOR'S ANNOUNCEMENTS

The Mayor began by wishing everyone a happy new year.

Councillor Hillier had today contacted the Town Clerk to stand down from the Town Council with immediate effect. The Mayor thanked her for all her hard work while a member of the Council and said it had always been a pleasure to work with her. Councillor Hillier had contributed a lot: knowing how much she loved Marlborough the Mayor hoped she could contribute in other ways, and he asked Councillors to join him in wishing her well and thanking her for her service.

Members should note that the Town Council may be short staffed for a while, with two members of the Grounds team currently self-isolating due to Covid.

A reminder to return nominations for Town Mayor and Deputy Mayor to the Town Clerk by 14 January in time for the Full Town Council meeting on 17 January. Nomination forms had been circulated by email and hard copies were also available.

347/21 BUDGET AND PRECEPT 2022-23

Councillor Ross introduced the topic and summarised the report and main points of consideration:

- This year the Finance and Policy Committee (F&P) had been unable to recommend a precept proposal as its meeting scheduled for 14 December had to be cancelled as it would not have been quorate
- The Planning and Standing Committees had all sat to make budget recommendations
- At a prior F&P meeting held 6 December the Committee had informally discussed the budget and had concluded that a 4.9% increase felt appropriate. While not an agreed decision, this had informed the preparation of the figures under discussion
- There was an increase in the tax base this year compared to a decrease last year
- The figure last year had resulted in a budget cut. This had directly affected the Grounds Team which had struggled because of the reduction in resources
- Some expenditure increases could not be avoided: for example salary increases in line with inflation, employer National Insurance contributions, and utility costs (energy increases could be up to 25%). Other non-discretionary costs included tax and business rates
- Committee projects were discretionary, and Community Infrastructure Levy (CIL) monies would be used to fund projects rather than the precept (for example upgrading play areas or contributing to a new bridge at Stonebridge Meadow)
- Everything requested by each Committee had been included within the budget
- Earmarked Reserves (EMR) were set aside for large expenditure items such as a new cemetery and Town Hall repairs
- Climate Change was proposed as a new EMR, with the option to vire surplus funds from the current year (£3,900 had already been identified) – this approach would be added to the agenda for the next F&P meeting
- Some large expenditure items to be funded from EMR were not shown in the budget: for example a new workshop and a heritage centre. The workshop must be a priority as the current facilities were no longer fit for purpose. Discussions with the Chair of the Property Committee had included exploring ‘locked’ and unused areas of the Town Hall as possible space to accommodate a Heritage Centre
- Emergency Planning was not included in the budget and could be reviewed when setting EMR at financial year end

In conclusion **Councillor Ross** proposed a Precept of £790,937.

For a Band D household this 4.9% increase would equate to £10.49 per household - to £224.11 per annum.

Councillor Fogg joined the meeting

Discussion points included:

- It was important to recognise that the current high level of inflation created a burden on families as well as the council – they would need to absorb increases to food, rent/mortgage, energy, fuel, travel and NI
- Larger towns had the ability to set lower increases due to having a much bigger tax base with service costs essentially remaining the same. Any comparisons

should therefore be drawn between similar sized towns, e.g. to compare Marlborough to Corsham rather than Chippenham

- Other income streams were matters for standing Committees, for example Cemetery charges, venue hire fees and rental income. Although they may increase, the impact on the overall budget would be minimal
- Clarification that F&P had held informal discussions around likely acceptable precept figures but not agreed a figure or made a recommendation. It had been unable to do this at the planned meeting to carry this out because the extraordinary meeting on 14 December had been inquorate and consequently had to be cancelled
- Final figures for any surplus to vire to EMR, and what those could be, could not be decided until financial year end. Concerns were expressed about whether already agreed work around Climate Change could be funded
- Whether a document could be shared to show current estimates for EMR
- Whether budgets were forecast beyond the next year
- Whether the Community Area Transport Group (CATG) budget should be reduced
- That some parishes contributed more than 25% to CATG projects
- Whether to remove or reduce the civic budget
- A reminder that budget provisions did not have to be spent but nothing could be spent without a budget provision

RESOLVED: that Committee Budgets were agreed and that a net budget precept requirement to levy to Wiltshire Council for 2022/23 be £790,937

The precept increase is equivalent to 4.9% for a Band D property (£224.11 per annum; an increase of £10.49)

The Mayor thanked Councillors for an excellent debate, and **Councillor Ross** and the **Town Clerk** for their hard work to bring the budget proposals together.

348/21

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 7.55 pm

Description	Minute Number	Source	Owner	Status	Meeting or Start Date	Due Date	Notes
Twinning working Party		Full Council	Town Clerk	In Progress	19/07/2021		First meeting 14.10.21. Cancelled due to Cllr apologies.
MANP Submission		Full Council	Town Clerk	In Progress	19/07/2021	20/08/2021	Submitted to WC At Reg 16 stage/undergoing examination.
Further consideration of CATG requests: to contact Manton residents with an update on the 5 Point Safety Scheme application to the Substantive Highways Scheme Fund	190/21	Full Council	Town Clerk	In Progress	06/09/2021		5 point scheme been referred to WC CATG, Steve Hinds for further work to cost.
Further consideration of CATG requests: go back to CATG at the next meeting on 16th September 2021 to seek a revision to the design submitted by Wiltshire Council for the safe crossing on the High Street	190/21	Full Council	Councillor Allen	In Progress	06/09/2021	16/09/2021	Discussed at CATG on 9.12.21. WC Highways engineer S. Hinds to do 'mock-up' design but has requested MTC agree the location. Location to be considered at Planning Committee on the 28.1.22.
Town Clerk & Councillor Thomas to liaise in setting up a meeting to discuss social housing	Questions to/from Wiltshire Councillors	Full Town Council	Town Clerk & Councillor Thomas	In Progress	01/11/2021		Cllr Thomas followed up with WC Mr J Walker, Housing Allocations Manager-who advised tenants should complain via HA's or Housing Ombudsman.
New workshop: feed back to Full Council the outcome of Resolution (ii) (o develop an alternative plan to refurbish and develop the existing workshop at the Recreation Ground site, within the current budget), to enable a comparison of the feasibility and cost of both sites, in order that a 'best value' decision for progressing an improved workshop facility can be made.	290/21	Full Town Council	All councillors	In Progress	22/11/2021		Site meeting at existing site with Woolley and Wallace and Grounds Manager scheduled for the 14.12.21. Awaiting initial draft outline plan.

Councillor Co-option: The Mayor asked for a letter to be drafted to Mr Sims to thank him for his candidacy, and continuing interest.	309/21	Full Town Council	Town Clerk/Town Mayor	Complete	29/11/2021		
Queens Platinum Jubilee Celebrations: RESOLVED 1.11.21: (i) to form a working party to plan the events (ii) to hold an open evening to gauge community interest and identify membership of the working party		Full Town Council	Town Clerk/ Assistant Town Clerk/ councillors	In Progress	01/11/2021		Initial community engagement meeting planned for 18.1.22 at Town Hall 7-8pm.
Development Action Plan: Town Clerk to create a draft document for Full Town Council to consider and agree Committee ownership at its meeting in January 2022		Full Town Council	Town Clerk, All councillors	In Progress	01/11/2021		Draft Development and Action Plan (version 1) on FC agenda 17.1.22 for consideration/progression (see agenda item 8)
MRFC, MYFC Training Area on the Common: 1) A 'Memorandum of Understanding' or 'Agreement' between Marlborough Town Council, MRFC and MYFC 2) MTC to approach the Planning Inspectorate under section 38 of the Commons Act 2006 as 'landlords' of the Common for approval		Full Town Council	All councillors	In Progress	13/12/2021		MRFC/MYFC emailed inviting to meet for initial conversation about agreement; for feedback to CWP. Awaiting reply.
Agreed Precept submission		Full Town Council	Town councillors	Complete	04/01/2022		Submitted 5/01/2022

Purpose

The purpose of this report is to ask the Full Council to re-consider its current policy of not locking the Priory Gardens gate at Figgins Lane, in place of a policy to lock the gate with partnership support.

Anti-Social Behaviour

The reason it is suggesting the gate is locked is to respond to the impact of anti-social behaviour (ASB) in the Gardens and neighbouring properties during the evenings (sometimes late); and ensure the integrity of the Gardens. This has been a long-standing issue, and the Council has received regular complaints from residents.

Amenities & Open Spaces Working Party review of Open Spaces, & Staffing Sub-Committee

The A&OS Committee, through its review of the parks and open spaces, has identified the Priory Gardens as an 'ornate garden,' and with this supports the idea of locking the Priory gate. The OSWP recognised that each open space or play area had its own integrity and that the Council would benefit from being able to uphold this e.g., Stonebridge Meadow has also suffered ASB which has led to actions such as removing a bench as opposed to ensuring this community provision is protected. Therefore, it was also recognised that there is more at stake for the Council and the community it serves when considering the matter of Priory Gardens and the locking of its gate, as this serves to inform the Council's policy with regard to all its other open spaces and play areas.

The OSWP referred this matter to the Staffing Sub-Committee so that this matter could be considered in tandem from a staffing perspective. The Staffing Sub-Committee is scheduled to consider this on 11th January, so it is not possible at the time of authoring this report to appraise the Council of the Staffing Sub-Committee's considerations on this matter. It is hoped that the outcome can be verbally reported at the Full Council meeting.

Staff Implications

Not all ground staff are confident or willing to do this due to the historical incident and potential threat of abuse from the public. Two staff, the Grounds Manager and Senior Groundsman are willing to lock the gate, as part of a joined up and supported approach.

The existing staff budget and rota system can accommodate the locking of the gate at 4.30pm in the winter months, and 6pm in the summer months, over a 7-day week. The exception would be to ensure staff cover for the weekend opening and closing at the times not currently covered by the Senior Groundsman.

To achieve full weekend cover a third staffing option would need to be created. A casual employment arrangement could be created and funded from the A&OS staffing underspend. This cost could also then be absorbed into the new 0.5 FTE post requested for the grounds team (yet to be confirmed).

There is the potential for two more existing staff to assist if they can be reassured the approach is working at a later stage.

NB The Grounds Manager would be a fall-back option, to cover holiday/sickness.

Partnership Approach & Strategy

If the gate were to be locked and this adopted as policy by the Council, it is important to note particularly from a staffing perspective that this can only effectively be achieved through a partnership approach drawing on the role of key partners with their respective powers and influence. i.e., The Council staff do not have the powers to 'enforce.'

The roles needed to support the locking of the gate would be as follows:

MTC Grounds staff - to clear park (announce and check park) and lock gate (and unlock)

MTC & Schools – to inform and educate about times, and policy

Police - to enforce boundary / respond to ASB

Police

On 29th November, the Town Clerk met with the Police at Priory Gardens to discuss the issue and approach. They stated they support the gate being locked and they would find it easier to police the space if this was the case. Simply because it would signal a clear message to the gardens users that they could then use to support their response to the situation. They would also be prepared to be key holders so that they could easily access the gardens to clear out unwanted visitors if needed.

Signs and mixed messaging

If the gate were to be locked, the signs in Priory Gardens would need updating and replacing to support the times and approach. The current signage is not consistent with the policy and practice of the Council and gives out a mixed message (the signs state the Gardens close, but this is not executed), which is not good for the Council's public perception.

MTC Policy – lock, or retreat and report

To develop an effective response to this issue it is suggested that the Council adopt an approach which aims to lock the gate without confrontation if it were to present itself as a possibility. This would mean:

- Staff announce the gate is to be locked and ask public to vacate (with 5-minute warning)
- Staff to check the area
- If clear – staff lock the gate
- **If public refuse to leave staff retreat and report to Police / office for records**

Cost

A third member of staff would need to be funded at a cost £245 (standard rate) - £491 (overtime rate) per annum.

Recommendation

The proposed recommendation, **subject to consideration of the Staffing Sub-Committee at its meeting on 11th January and the suggested staffing capacity being in place**, is that the Staffing Sub-Committee support locking the priory Garden gate:

- 4.30pm in the winter months, and 6pm in the summer months, over 7 days per week.
- For a **trial period** from February (half term) to the end of June (half term), with a review in May/June prior to the summer holiday period. Subject to a satisfactory review at this juncture, to then extend the trial period until September. And
- On the basis this is to be implemented in conjunction with the relevant partners, and clear messaging and signage.

It should be noted that if this is agreed for trial then expedient action would be needed to ensure the right staffing, signage and communications, and partnership briefings are in place for a co-ordinated and jointly timed implementation start date as soon as possible and prior to the Easter holidays.

Members are asked to consider this matter and instruct the Town Clerk accordingly.

Town Clerk 6.1.22

ITEM 7

PLATINUM JUBILEE CELEBRATIONS & TREE PLANTING

2-5 JUNE 2022

Purpose

- To receive an update on the Platinum Jubilee Celebrations and Tree Planting
- To consider membership for a Platinum Jubilee Working Party
- For Councillors to consider the opportunities for celebratory Tree Planting

Celebration Planning

1. A preliminary community consultation workshop is planned for 18th January 2022, 7-8pm at the Town Hall.
2. Members of the public will be invited to offer ideas, and signup to be part of one or more 'working parties'. The workshop will simply run a number of consultation tables to capture peoples' initial ideas and contact details. The workshop will be supported by the Town Clerk, Assistant Town Clerk, and the Tourism Officer. All Councillors are invited to attend and also offer their services to help facilitate discussions.
3. The Covid situation may hamper attendance, and the workshop itself will need to facilitate a 'flow' of participation, rather than static conversations should numbers be high.
4. The workshop will be followed up with a post on our website to encourage ideas and the opportunity for the wider community to get involved.

5. **Members are asked to consider the membership for a Platinum Jubilee Working Party** that can support any Community interest shown in a timely way.

Tree Planting

6. Preliminary discussions have taken place between the Town Clerk, Grounds Manager and the Chair of the Amenities and Open Spaces Committee, with initial ideas focussed on the Common.
7. There is wider scope for tree planting as previously discussed, and **Members are invited to an open discussion to further initial ideas of the opportunities for celebratory Tree Planting, to feed into the planning process.**

Recommendation

Members are asked to consider both matters and instruct the Town Clerk accordingly.

ITEM 8

DEVELOPMENT AND ACTION PLAN

Purpose

To consider the progression of the Draft Development and Action Plan.

1. Councillors are asked to note the draft Development and Action Plan (see appendix 1) and consider its 'SMART'² criteria, in particular to consider and agree:
 - The content and range of aims?
 - The priority of each aim? (currently initially presented in a priority order as defined by the Town Clerk)
 - The timescale and delivery date for each?
 - The ownership of the areas of action and how these can best be progressed?
 - The resource implications for the range of developmental areas of work?
2. In addition, Councillors are asked to consider the next steps in its progression and completion, and how they would like to achieve them e.g. via a working party or parties; delegated authority to the Town Clerk, or a combination of each?
3. It should be noted that not all the content reflects aspirational developments but reflects existing Council commitment. Significant aspirational Council activity has been highlighted for ease of reference.

Recommendation

4. Councillors are asked to consider the matter and instruct the Town Clerk accordingly.

² 'SMART' ; Specific, Measurable, Achievable, Relevant, and Timed

Purpose

To consider the Merchant's House Trust's request for an extended lease or asset transfer.

Background

1. The Chair of Trustees for the Merchant's House Trust (MHT) has written to request that the lease for 132 High Street be extended to a term of 50 years. This is because their potential funders require greater security of tenure.
2. Furthermore, it has also been requested that the Town Council might be prepared to transfer the freehold over, and for this to be held by the Trust in perpetuity.
3. This matter was first considered at the Finance and Policy Committee on 6th December 2021. At this time the Committee requested more information advising the Council from a legal perspective, and asked the MHT to offer more information about the expectations of charitable funders, with examples of the lease duration requested.
4. Due to the need for the MHT to proceed in funding applications, and the timing of the next Finance and Policy Committee (14th March 2022), this matter is being presented to the Full Council for consideration.

Considerations

5. The current lease agreement has a seven-year term and is set to run for four and a half years.
6. It should be noted that the MHT:
 - owns 133 High Street
 - pays a nominal rent of £1 per annum
 - has leased 132 High Street since 31st March 1998
 - has invested around £740,000 in conservation, and improvement works in the property
 - has recently invested £86,000 on the roof, and expects to fund further works to the roof at a cost of £70,000
 - has now launched an appeal to raise funds and have interest from a number of charitable donors who they believe would be receptive to their applications, subject to a more secure tenancy arrangement.
7. Following the Finance and Policy Committee meeting on 6th December 2021 legal advice was sought and the MHT was approached for more information as requested.

Legal perspective

8. The Town Council is empowered under the General Consent Order (Circular 06/03) to make disposals at an under value, subject to compliance with the relevant procedure. This allows a 50-year Lease just as much as a 7-year Lease.

9. In practice, as the Merchant House is rented out at a peppercorn rate, the longer the Lease the higher the burden to justify not just the under value but committing the Town Council for such a long period to such an under value.
10. Different Councillors will come and go over the years, and the views of the current Council may well be quite different to those of 20 years from now, who will also be facing different challenges. It is for that reason (although not strictly a legal one and more of a governance matter) that our legal services have advised that shorter term Leases are preferable. It means that the Town Council can review at each renewal the appropriateness of continuing to allow occupation at an under value having regard to the other demands upon its finances and 'generosity.'

Merchant House Response

11. The MHT have stated there are now very few funding bodies which cover capital works to a listed building. Additionally due to the impact of Covid, much of the available funding either stopped completely, the funding criteria has been changed (i.e., Historic England currently only fund repairs to buildings on the at-risk register) or is being deployed elsewhere.
12. To date, the funding bodies the MHT have identified are:
 - Historic Houses Association – no stipulation on lease, pre-application form submitted and currently waiting for a response
 - Steele Charitable Trust – currently working on submitting an application. Not sure of lease requirements at this stage
 - Pilgrim Trust – stipulate a 25-year lease, would be happy with a slightly shorter lease but with a comfort letter assuring continual renewal
 - Woolfson Foundation – stipulate a 15-year lease
 - Sylvia Waddilove Foundation – stipulate a 10-year lease
 - Heritage Lottery Fund – the plan is to submit a HLF project enquiry form once the other funders have been approached for the remainder of the amount. When asked about the length of the lease their response was *'The requirements relating to the length of any existing lease on the building (or part of) would depend on the specifics of the lease and may need to be reviewed by our legal team prior to starting any potential project, if your application is successful.'*
13. The MHT are actively fundraising for the repairs and are pursuing every avenue for funding, but without the lease being extended are unable to apply for 3 out of the 6 identified funders.

Recommendation

14. Given the legal advice allows for granting a longer term but cautioning the Council away from this, whilst the MHT feedback on funders requirements suggest a 10- 25-year term it may be a compromise offer of a 10-15-year lease is offered, with a 'comfort' letter as described where needed.
15. It is worth noting the legal premise for caution is to not place future Councils in a compromised situation with an asset. However, the current lease of seven years already

does this, but with less risk due to the shorter timescale. Also, this arrangement has been in place since 1998, with a Council commitment to the MHT venture over this period, renewing the lease every seven years. The question arising is what risk can each Council term be expected to burden, whilst also balancing this against community benefit and the inherent challenge of sustaining a project such as the MHT?

16. The mitigating factor to the risk (loss of rental income, loss of control of an asset) is the inward investment to a council asset from a third party, in this case the MHT.

17. The Committee is asked to re-consider the MHT request and instruct the Town Clerk accordingly.

Town Clerk 10.01.2022

ITEM 10

eCOMMS POLICY

Purpose

To consider the draft eComms Policy for adoption.

Background

1. This draft Policy was first re-presented to the Finance and Policy Committee on 25.10.21 when it was resolved to re-send to the working party to offer feedback on amendments. The Finance and Policy Committee reconsidered it on 6.12.21 when it resolved to refer it to Full Council for adoption (**Min. No. 327/21: RESOLVED: to recommend the draft Electronic Communications Policy to Full Town Council for adoption to replace the limited Social Media Policy currently in place**).

Current Status

2. The draft policy is now re-presented to the Council for consideration and recommendation to Full Council for adoption.

Recommendation

It is recommended that the eComms Policy is adopted by Full Council.

Town Clerk 6.1.22

(Please see Appendix 2 for draft eComms Policy)

MARLBOROUGH TOWN COUNCIL



SERVICE DELIVERY PLAN 2021-2025

Author: Town Clerk

Date adopted: tbc

Review date: tbc

P	Aim	Objective	Actions	When	Who	£	T
1 Climate Emergency Response							
	To minimise the Council's carbon footprint and environmental impact with the aim to be carbon neutral by 2031	To reduce unnecessary energy consumption and the Council's carbon footprint	Energy saving policy and practices in Council buildings	Ongoing	Overarching, and integral to all Council services and activities. (Full Council, all Committees, Councillors, Staff)	Yes	
			Maximise opportunities for building insulation in MTC estate	2022	CEWP - support and develop partnership network	Yes	
			Carry out a Town Council audit/environmental impact assessment	2022		Yes	
			Renew energy providers with 100% renewable energy sources	2023	TC, OM	Yes	
			Develop biodiversity and carbon reduction practices across the estate, specifically a plan for: <ul style="list-style-type: none"> Tree planting Wildflower planting 	2022 – ongoing	A&OS, GM, GT	Yes	Yes
		To encourage increased awareness of environmental issues, challenges, and solutions in all sections of the Council in the Community	Support and develop partnership network	2021 – ongoing	ARK, Transition Marlborough, business and community sectors, schools, partners, tenants	Yes	
			Biannual Dark Skies event	2023/25	North Wessex Downs AONB, Marlborough College, schools	Yes	
			To provide relevant need-led training for Council staff and Councillors as required to support the progression of the above	Ongoing	F&P, SC, TC	Yes	
2 Properties							
	Ensure the Council's properties are maintained to a good standard and are fit for purpose (Properties – Town Hall, Community and Youth Centre, 1&2 Rec Cottages, Kingsbury St Flats, 5 High St Offices and Flat, Shops – Bike/Physio, George Lane toilets, Town Hall Toilets, workshop)	To expediently carry out any remedial maintenance works as identified	Respond to needed remedial works as identified by the property agent inspections	2022 – ongoing	TC, OM	Yes	
		To proactively carry out medium term maintenance works that ensure the integrity and good upkeep of the properties	Carry out overview of Council properties and agree 3-year maintenance schedule and precept accordingly	2022 – ongoing	PR, F&P	Yes	Yes
		To ensure the instatement of an improved grounds team workshop offer	To complete a plan for the use of the existing workshop site and assess feasibility against the site at land adjacent to The Common; and for a FC decision on the development option, with a view to begin works on the chosen workshop site	2022	FC	Yes	

P	Aim	Objective	Actions	When	Who	£	T
3 Open Spaces, Parks, Play Areas							
<p>Maximise and ensure the integrity of the Town's Parks and Open Spaces and Play Areas</p> <p>The Common, Salisbury Road Recreation Ground, Elcot Playing Fields, Stonebridge Meadow, Wye House Gardens, Plume of Feathers, The Green, Coopers Meadow, Jubilee Field, Priory Gardens, War memorials, Orchard Road, Churchill Court Trees, verges, Tin Pit, Rabley Wood, Victorian Cemetery</p>	<p>To ensure each town park, open space or play area:</p> <ul style="list-style-type: none"> Is maintained to a high and safe standard Is relevant to the range of needs in the Community Offers a safe and purposeful user experience 	Bin emptying / replacement	Daily/ weekly	GT	Yes		
		Health and safety inspections	Daily	GT	Yes		
		ROSPA inspections	Annual		Yes		
		Maintain existing benches and play equipment/areas	Ongoing		Yes		
		Support existing allotment sites (x3) as appropriate/agreed	Ongoing		Yes		
		Review and devise overview plan for open spaces and play areas; and identify supporting resource and finance plan as required, including, subject to feasibility: <ul style="list-style-type: none"> MUGA at Salisbury Road Recreation Ground Fenced outdoor group area at MC&YC Wye House Gardens concept, landscaping/apparatus installation as relevant Possible youth shelter/area on edge of The Common 	2021-2022/25	OSWP, A&OS, SC, F&P, partners (WC, schools and Police, ARK, TM)	Yes	Yes	
		Support TM in the development of the Jubilee Community Orchard	2022-2025	A&OS, GM, GT, TO	Yes		
		Maintain skatepark		ATC, GM, GT	Yes		
		Ensure the positive development of the Rabley Wood site, working in partnership with Wiltshire Wildlife Trust as required	2022-2025	A&OS, F&P, FC, TC, GM	Yes	Yes	
		Monitor and review resource base in relation to expectation as required	Ongoing		Yes		
4 Town Centre Plan							
Develop a Town Centre Plan	To influence other key stakeholders and partners towards a shared vision	To develop a Town Centre Plan through a combination of: <ul style="list-style-type: none"> Community consultation Commission of relevant services 	2022-2025	PC, TC	Yes	Yes	
5 Traffic Plan							
Promote and increase road safety and pedestrian experience in the town	To develop a 'Traffic Plan' to support in influencing other key stakeholders and partners towards a shared vision	Create Traffic Management Plan through a combination of: <ul style="list-style-type: none"> Community consultation Commission of relevant services 	2022-23	PC, WC	Yes	Yes	
	To challenge speeding by the effective deployment of SIDs	Evolve current SID management practice	2021-ongoing	PC, F&P, FC, TC, ATC, GM, GT	Yes		
		Purchase second SID	2021-ongoing	PC, F&P, FC, TC, ATC, GM, GT	Yes		
		Monitor and increase capacity if needed	2021-ongoing	PC, F&P, FC, TC, ATC, GM, GT	Yes		

P	Aim	Objective	Actions	When	Who	£	T
6 Neighbourhood Plan							
6	Ensuring the Marlborough Area Neighbourhood Plan	To support the MANP through the referendum stage, and until adoption is achieved	Support the MANP Steering Group in the task of managing the NP process, and as guided by WC	2021-2022	MANP SG, PL, FC, TC, WC	Yes	Yes
			Restate the MANP Steering Group and review the MANP as required	2023		Yes	
			Commission further consultancy if required. Apply for grant funding if available or identify funds via precept to support review if needed	2024		Yes	
		To advocate affordable rented accommodation	Increase MTC stock if opportunity presents		FC, PC	Yes	
			MTC to consider enabling role of Community Led Housing Initiative	2024	PC	Yes	Yes
			To proactively advocate the needs of existing Housing Association tenants	2022	PC	Yes	

7 Civic Offer							
7	To ensure the Town's Civic services and program as part of the Town's "brand" including: <ul style="list-style-type: none"> • Mayor Making • Remembrance Sunday • Armistice Day • Marlborough Mop • Christmas Lights and switch-on • Marlborough College Carol Service • Mayoral end of term event • Peppercorn rent ceremony 	To ensure each event is delivered to a high standard	To ensure timely event plans are in place and communicated to all parties	Annually	All staff, FC, all relevant partners		
			Recruit and induct Civic Secretary	2022			
			Review and replenish gowns/regalia	2022		Yes	
			Consider succession planning for Mace Bearers and Town Crier	2023			

8 Cemetery						
To ensure the burial needs of the town are met	Maintain existing Cemetery to high standard, and associated supporting administration	Regular grounds maintenance	Ongoing	GM, GT, OM	Yes	
		Induct Civic Secretary	2022			
	Secure additional land site for a new Cemetery	Research Cemetery legal and religious, planning, requirements	2022-25	A&OS, TC, GM	Yes	Yes
		Formulate development plan and costing			Yes	Yes

9 Marlborough Common						
To ensure the effective management and utilisation of The Common	To clarify and agree a set of guiding principal considerations for the governance of The Common, including: <ul style="list-style-type: none"> • Legal • Environmental • Commoner needs and rights • Health and safety • Practical and administration 	CWP to draft proposal of principal considerations in consultation with A&OS, F&P; FC to agree in consultation with TC, OM, GM	2022	FC, A&OS, CWP, F&P, TC, GM, OM		Yes
	To carry out a land survey of The Common to ensure an accurate understanding of the topography by the Council	To commission a survey	2022	CWP, TC, GM	Yes	
	To establish and Operational Management Forum (OMF) for the Common comprising key stakeholders	Consider and agree TORs for OMF Establish inaugural meeting and quarterly dates	2022	A&OS, TC, GM		Yes
	To oversee the creation of a 'training area' by MRFC and MYFC	Monitor and implement as per FC resolutions	2022	FC, CWP, TC, GM, MRFC, MRC		Yes

10 Devolution

To improve service delivery to the town via devolution of services from Wiltshire Council (inc. possibly High Street markets)	Establish what services or assets may be taken on from Wiltshire Council in a sustainable way	Clarify WC committed to MC&YC	2022	TC, ATC, GM, WC	Yes	Yes
		Time analysis of GT current duties	2023	TC, ATC, GM	Yes	Yes
	Ensure preparatory groundwork is carried out to ensure smooth transition and sustainable service devolution	Catalogue devolution offer with time analysis, costing, staffing need (grounds or otherwise as appropriate), and formulate sustainability plan	2023-24		Yes	Yes
		MTC to consider devolution officer, agree financial plan to ensure service sustainability, including precept implication (level and timing)	2023-24	SC, TC, ATC, GM	Yes	Yes
		Devise and implement training plan to underpin new services if required	2023-24	SC, TC, ATC, GM	Yes	Yes
		Staff recruitment as needed	2024	SC, TC, GM, ATC, OM	Yes	Yes
		Progress new workshop prior to extending devolution of ground staff duties	2022-24	FC, TC, GM	Yes	Yes
		Clarify what WC support can be sustained via direct delivery or as advisory resource (e.g. Highways, Sparkle Team, Parish Steward, grit bin, gullies)	2023-24	FC, TC, ATC, GM	Yes	Yes
		Ensure necessary legal agreements are in place	2023-24		Yes	Yes
		Implement service devolution as per plan	2024		Yes	Yes

11 Maximising Assets

To maximise Marlborough's assets for the benefit of the town (see also no. 3, Parks, Open Spaces, Play areas and no. 7, Civic offer)	To maximise the use of MTC's assets through an effective marketing and branding strategy	Raised profile of the Town Hall – events, weddings, wakes, groups, offering targeted Town Hall open days	2022-ongoing	OM, ATC, CT		
		Raised profile of the Community and Youth Centre	Ongoing			
		Consider marketing and branding strategy	2022-2023	FC, PR		Yes
		Improved CCTV – Salisbury Road Recreation Ground	2023		Yes	
		To devise and implement a comprehensive signage plan for the town	2022-23	F&P		
		Clarify CIL funds	Ongoing			
	To ensure easy user passage between town locations	Secure budget line	2022-23/24	TC, ATC, OM, CT		
	To ensure the necessary resource is in place to support the communicated offer	Management oversight, and evidence-based electronic monitoring system	2022-ongoing	ATC		Yes
	To ensure the service delivery is implemented to a high standard	Sustain Community Fridge, recruit volunteer co-ordinator	2022	TC		
	Up to date asset register	Ensure the land register is completed for all MTC assets; seek to secure legal internship to carry out registration work	2022-24			Yes

12 Eco-Tourism						
To promote the concept of 'Eco-Tourism' as an approach and product supported by Marlborough's location	To establish a partnership forum, and TORs to support 'Eco-Tourism'	Draft TORs, and agree membership	2022-25	FC, F&P, A&OS		
		Contact and engage relevant stakeholders and partners	2022	TC, ATC, TO		
	To identify the scope of 'Eco-Tourism' opportunities in Marlborough area	Vision and mapping exercise; agree scope of opportunities to focus on	2022			Yes
		To devise an 'Eco-Tourism' strategy and development plan clarifying the opportunities presented	To review "Marlborough in Bloom" or "Flower Festival"	2022		Yes
			Promote services and activities via website, social media, Marlborough Town and Country magazine	2022		Yes
			Capitalise on use of Great West Way in support of concept	2022		Yes

13 Heritage Centre						
To capitalise on the heritage assets held by Marlborough Town Council, as an integral part of the civic experience offered by the Council	Develop a heritage centre feasibility plan	Establish working party to devise draft feasibility plan	2022-23	F&P, FC, TC/ATC		Yes

14 Community Engagement						
To engage young people, the Community and business sector in support of shared goals and needs (see also 1, 3, 4, 5, 6, 9 and 120)	Establish scope of engagement with target stakeholders	Agree list of target stakeholders	2022-ongoing	FC, TC, ATC, TO		Yes
		Identify opportunities to synergise with MTC aims, or in support of youth, community, or business sector needs	Run business engagement event at Town Hall	2022	TC, ATC, TO, FC	
	Encourage and support instatement of Local Youth Network		2022	TC, WC		Yes
	To maximise the use of MTC s137 funding to lever community engagement		Promote youth and community use of s137 grants	2022-ongoing	TC, ATC, TO	
		Establish "youth" budget line	2022/23	F&P, FC	Yes	Yes

15 Cultural Development						
To increase the Council's cultural development offer and events (see also 7 and 11)	Ensure positive shared experiences for community cohesion, and be forward thinking in terms of bringing back events	Identify additional events and associated resource	2022-ongoing	FC, F&P, A&OS, TC	Yes	Yes

16 Partnerships						
To proactively establish Marlborough Town Council's role in influencing and enabling, and partnerships	To maximise opportunities for Marlborough residents	To ensure effect Marlborough Town Council representation with outside bodies	2022-ongoing	FC, TC, ATC		Yes
		Establish a working party to devise engagement plan, clarifying the scope of opportunities and stakeholders or partners where Marlborough Town Council would aim to lever maximum influence in support of its aims and objectives	2022			Yes

17 Business and Employment						
To support and enable business and employment development (see also 14)	Work with Wiltshire Council Economic Development and other partners to identify opportunities for small businesses, a "business hub" or young people?	Contact Wiltshire Council Economic Development, SWLEP; explore funding opportunities of initiatives the Town Council can facilitate or support	2022/23	FC, TC, TO, WC		Yes

18 Resourcing and Finance						
All aspirations should be supported realistically, and also could look at creative ways to draw in resources to enable developments in a managed way (e.g. 1/2/5/10 years)	To ensure all aims are realized and managed within Local Government Financial Regulations	Regular monitoring of accounts and budgets	Monthly	TC, OM, Chair of F&P		
		Annual accounts	March/April annually	TC, OM, F&P, FC		
		AGAR and External Audit	May/June – September annually			
		Quarterly budget reports	July, October, January, April annually	All Committees		
		Precept and budget setting	October-December/ January annually	All Committees, FC, TC		
	To ensure each aspirational aim is supported by the necessary resource (time and money)	Refer to each aim		All Committees, FC, TC		
	Maximise use of CIL funds	Agree use of existing CIL funds	2022	F&P, TC		
	Maximise use of s106 funds	Allocate funds to Tennis Club and MRFC as agreed	2022	F&P, TC		
Clarify position with Marlborough Sports Forum re: 3G pitch		2022	FC, TC			

Glossary of terms

A&OS Amenities & Open Spaces Committee
CEWP Climate Emergency Working Party
F&P Finance & Policy Committee
GT Grounds Team
MTC Marlborough Town Council
OSWP Open Spaces Working Party
SBMC Stonebridge Meadow Management Committee
TM Transition Marlborough

ARK Action for the River Kennet
CT Caretaking Team
FC Full Council
MC&YC Marlborough Community & Youth Centre
MYFC Marlborough Youth Football Club
PL Planning Committee
SWELP Swindon & Wiltshire Local Enterprise Partnership
TO Tourism Officer

ATC Assistant Town Clerk
CWR Common Working Party
GM Grounds Manager
MRFC Marlborough Rugby Football Club
OM Office Manager
PR Property Committee
TC Town Clerk
WC Wiltshire Council

MARLBOROUGH TOWN COUNCIL

Electronic Communications and Social Media Policy

1. Introduction

Marlborough Town Council uses online tools to provide and communicate information easily, clearly, effectively, appropriately and in a timely manner to the people, businesses, and agencies it works with and serves.

The Council has a website, social media (Facebook, Twitter, and Instagram) accounts, YouTube channels and uses email to communicate. For a full list see section 6.

The Council will always try to use the most effective channel for its communications and over time may add to the channels of communication that it uses as it seeks to improve and expand the services it delivers. When these change this Policy will be updated to reflect the new arrangements.

The Council's website and social media accounts intend to provide information and updates regarding Council meetings, news, services, events, and activities within our Parish as well as information for tourists, and to promote our town positively.

It is important to ensure that the Council balances the opportunities presented by social media platforms with its duties to service users and partners, its legal responsibilities, and its reputation. For example, the Council must be mindful of its duty to safeguard children, young people, and vulnerable adults.

2. Purpose

This policy aims to provide a framework of good practice to ensure that:

- 2.1. Users know what to expect from Council online platforms and how to communicate online with Marlborough Town Council.
- 2.2. The Council is not exposed to security, legal or governance risks.
- 2.3. The reputation of the Council is not adversely affected.
- 2.4. Users can clearly distinguish where information provided via social media is legitimately representative of the Council.
- 2.5. Council Representatives (as described in 3.1) are clear about their roles and responsibilities.

3. Scope

- 3.1. This policy covers the use of electronic mail, websites, social media, and networking applications by Council employees, elected Members, partners or other third parties (including contractors and volunteers) acting on behalf of the Council. These groups are referred to collectively as "Council Representatives."
- 3.2. Where individuals, including those from partner organisations or volunteers, are involved and are acting on behalf of the Council, they will also be expected to comply with relevant Council policies.

- 3.3. This policy covers online and social networking applications including, but not limited to, blogs (for example, WordPress), online discussion forums, collaborative spaces, media sharing services (for example, YouTube), videoconferencing (for example, Zoom) and social networking and micro blogging applications (for example Twitter, Facebook, Instagram and TikTok).
- 3.4. This policy applies to all uses of electronic communications used for any Council-related purpose and regardless of whether they are hosted corporately or not and must be considered where Council Representatives are contributing online in an official capacity to sites provided by external organisations.
- 3.4. All Council Representatives should bear in mind that information they share online, even if they are on private spaces, are still subject to copyright, data protection and Freedom of Information legislation, the Safeguarding Vulnerable Groups Act 2006, Equal Opportunities and other legislation.
- 3.5. Use of social networking applications in work time for personal use only is not addressed by this policy.

4. Terms of Use of Online Media

Council Representatives must adhere to these Terms of Use. These apply to all uses of social networking applications by all Council Representatives. This includes, but is not limited to, public-facing applications such as open discussion forums and internally facing uses such as project blogs regardless of whether they are hosted on corporate networks or not.

Comments made on social media platforms sometimes lack transparency or clear audit trails: for example, a @username may be an alias with no contact information provided such as an email address. In addition, users tend to 'share' and comment on posts across multiple sites and profiles. This means it is not always possible to see all comments relating to a topic or post (for example, if someone has shared and commented on a private profile).

For these reasons, the Town Council will never use social media to enter into debates, discussions to answer questions raised by the public other than to answer simple service-related questions (for example, "*How do I apply for an allotment?*"). Proper routes to raise questions with Council include Public Question Time at any Council meeting or via the Town Council office (in writing, by email or by telephone), or by contacting a Councillor. Contact details for Officers and Councillors are published on the Town Council's website.

Official Council profiles and pages will be managed by staff on behalf of the Town Clerk and will only be used to share information or promote events or tourism. They will not be used to enter into discussions, debates, or answer questions other than simple service questions.

Where individuals, including those from partner organisations or volunteers, are involved and are acting on behalf of the Council, they will also be expected to comply with relevant Council policies.

All Terms of Use apply to all types of online communication irrespective of platform.

- 4.1. All proposals for using online communications as part of a Council service (whether they are hosted by the Council or by a third party) must be approved by the Town Clerk first.
- 4.2. Use of online applications which are not related to any Council services (for example, contributing to a wiki provided by a professional association) do not need to be approved by the Town Clerk. However, Council Representatives must still operate in line with the requirements set out below.

- 4.3. Where applications allow the posting of messages online, users must be mindful that the right to freedom of expression attaches only to lawful conduct. The Council expects that users of social networking applications will always exercise the right of freedom of expression with due consideration for the rights of others and strictly in accordance with these Terms of Use.
- 4.4. Posts must not contain content that is knowingly unlawful, libellous, harassing, defamatory, abusive, hateful, threatening, harmful, obscene, profane, sexually oriented, or racially offensive.
- 4.5. Posts must not be used for actions that would put the Council Representatives in breach of Council codes of conduct or policies relating to Elected Members or staff.
- 4.6. Council profiles, pages or posts must not be used for party political purposes or specific campaigning purposes as the Council is not permitted to publish material which 'in whole or part appears to affect public support for a political party' (LGA 1986).
- 4.7. All users need to be aware that applications may be closed, or commenting suspended, for a defined period before local or national elections in order to comply with legislation which affects local authorities.
- 4.8. Council profiles, pages or posts must not be used for the promotion of personal financial interests or personal campaigns.
- 4.9. Council profiles, pages or posts must not be used for the promotion of commercial ventures.
- 4.10. Any contributions made by Council Representatives should be professional and uphold the reputation of the Council.
- 4.11. Members, if using their own social media account profiles, must ensure that they state they are either speaking in a personal capacity or simply providing details of works undertaken or policies agreed by Marlborough Town Council and not speaking on behalf of the Council.
- 4.12. Council Representatives should not post to, or comment on, Marlborough Town Council social media sites as their comments may be perceived to reflect the views of Marlborough Town Council and could lead to unnecessary debate in the public domain and/or leave the Council exposed to reputational risk. They can however do this if they have cleared the content in advance with the Town Clerk or his or her delegated officer, for example, the Mayor or Chair of a Committee may be asked to comment on a matter of public interest. Comments should always represent a corporate or consensus view. Any comments deemed to be in violation of this will be hidden and/or removed (see section 7 'Enforcement).
- 4.13. Members may interact with Town Council social media channels simply to show support, for example to 'like' a post, or to share stories to other platforms with neutral comments, or to add neutral or benign comments to a post, for example to say "well done" against a good news story.
- 4.14. Council Representatives should think very carefully before posting to other social media platforms with wide readership, for example the Facebook page called Marlborough Notice Board. If they do so they should make it clear in their statement that their comment reflects their own personal views and is not representative of Marlborough Town Council unless this has already been cleared by the Town Clerk or is signposting to information already published on the Marlborough Town Council website or other channel.

5. Transparency

It is important to ensure that members of the public and other users of online services know when an email account, website or social networking application is being used for official Council purposes. To assist with this, all Council Representatives must adhere to the following requirements:

- 5.1. Officers and Elected Members must only use their email account or website in the @marlborough-tc.gov.uk domain for user accounts which will be used for official Council purposes.
- 5.2. Council Representatives should identify themselves as such where appropriate on social networking applications and in official email accounts (for example, by providing additional information in user profiles and/or to add an email signature with “*Councillor myname, Marlborough Town Councillor*”)
- 5.3. The use of the Council’s logo or other branding elements should be used where appropriate to indicate the Council’s support. The logo should not be used on social networking applications which are unrelated to, or are not representative of, the Council’s official position.
- 5.4. Official complaints procedures must be published in a prominent place which is easily accessible to others.

6. List of Applications

Marlborough Town Council has a range of online tools that will be to convey and share information to the public, to tourists or for press announcements.

- 6.1. Email – all official accounts will only use the @marlborough-tc.gov.uk domain. Officers and Elected Members have email address which are listed on the Town Council Website. In addition, there is a general enquires address: enquiries@marlborough-tc.gov.uk
- 6.2. Website - <https://marlborough-tc.gov.uk/>
The Town Council’s website is the ‘landing page’ or hub for all council-related information. It provides information about services, useful links for the community and tourist information. It is a repository for information, for example agendas and minutes of meetings; venue hire prices; contact information and from time to time may be used to host public consultations or other relevant items of business.
- 6.3. Facebook @MarlboroughTC is the main Marlborough Town Council Facebook page. From time-to-time subpages will be created, for example @marlboroughdarkskiesfest to promote the 2021 Dark Skies Festival and used in partnership with the North Wessex Downs AONB, and @MarlboroughinBloom to showcase the town’s entry into RHS South West in Bloom.
- 6.4. Twitter : @MTCWilts
- 6.5. Instagram : @VisitMarlborough; used exclusively as a tourist information page
- 6.6. YouTube: Marlborough Town Council is the main channel, with sub channels for Marlborough Dark Skies Fest and Visit Marlborough UK tourist information.
- 6.7. Sending a message/post to us via social media will not be considered as contacting the Council for official purposes and will not be obliged to monitor or respond to requests for information through these channels. Instead, please make direct contact with the Town Clerk or via the general enquiries email address and/or any Members by emailing or writing to us.

- 6.8. We retain the right to remove comments or content that includes:
- Obscene or racist content
 - Personal attacks, insults, or threatening language
 - Potentially libellous statements
 - Plagiarised material, any material in violation of any laws, including copyright
 - Private, personal information published without consent
 - Commercial promotions or spam
 - Alleges a breach of a policy or the law
- 6.9. The Council's response to any communication received not meeting the above criteria will be to either ignore, inform the sender of our policy, or send a brief response as appropriate. This will be at the Council's discretion based on the message received, given our limited available resources. Any information posted on our Social Media pages not in line with the above criteria will be removed as quickly as practically possible. Repeat offenders will be blocked from pages. The Council may post a statement that *'A post breaching the Council's Social Media Policy has been removed.'* If the post alleges a breach of a Council policy or the law, the person who posted it will be asked to submit a formal complaint to the Council or report the matter to the police as soon as possible.
- 6.10. SMS (*texting*). Council Representatives are reminded that this policy may also apply to text messages.
- 6.11. Video Conferencing, e.g., Skype, Zoom. Council Representatives are reminded that this policy also applies to the use of Video Conferencing.

7. Enforcement

- 7.1. In accordance with the published complaints procedure³, any breach of the terms set out in this policy could result in the application or offending content being removed, and/or the publishing rights of the responsible Council Representative being suspended.
- 7.2. The Town Clerk reserves the right to require the closure of any applications and/or removal of content published by Council Representatives which may adversely affect the reputation of the Council or put it at risk of legal actions.
- 7.3. Any communications or content published that causes damage to the Council, any of its employees or any third party's reputation may amount to misconduct or gross misconduct to which the Council's Disciplinary Policy applies.

8. Complaints

Complaints should be made in line with the Town Council's Complaints Procedure which is available from the Town Council website.

9. Review

This policy will be reviewed on an annual basis or sooner if any areas require improvement.
Policy adopted: xxxxdatexxxxxx

This policy is based on established good practice and guidance from the Society of Local Council Clerks.

³ Available at <https://www.marlborough-tc.gov.uk/council/corporate>

