

Review of Standing Orders

Summary – This report asks Members to re-adopt the Town Council’s standing orders and consider a recommendation to review these in line with model standing orders recently issued by the National Association of Local Councils (NALC)

1. Background

The National Association of Local Councils has just issued a new model standing orders. These incorporate the requirements of new legislation introduced since the current ones were published in 2013. There are also other minor drafting improvements and more on corporate responsibilities in relation to the provision and management of information (including personal data). Otherwise, the new model varies little from the 2013 version. Marlborough Town Council’s current standing orders also incorporate some of its own orders (e.g. a call-in procedure).

There has been insufficient time since receiving the new model to undertake a review and Members may like to consider re-adopting the current version (at **Appendix 1**) and bringing the standing orders back to the next Full Council meeting for proper review.

2. Point to Note

The Town Council undertook a full review of its standing orders in 2014

3. Financial Implications

There are no financial implications of holding a review of standing orders.

Town Clerk’s Recommendation

The Town Clerk recommends that Members re-adopt the current Standing Orders and a reviewed document with suggested amendments is brought back to Full Council on 25th June 2018.

Town Clerk

May 2018

Appointment of Members to Working Parties

Summary – This report asks Members to agree that the Tourism and the Civil War Re-enactment Working Parties continue into 2018/19 and to consider membership of these.

1. Background

The Tourism and the Civil War Re-enactment Working Parties are affiliated to Full Town Council. Standing Committees will also be re-visiting the requirements for Working Parties in 2018/19 and an item enabling this will be included on the agenda for each relevant committee.

Details on the running of Working Parties is at para.6.1 of the Scheme of Delegation.

2. Tourism Working Party

The Terms of Reference were agreed by Full Town Council on 22 January 2018 (Min.490/17) and can, if agreed by Members, remain in place for 2018/19. Membership is open to non-Council members and meetings are likely to be held during the day to fit in with those other members.

Members of the Working Party in 2017/18 were Cllrs Mervyn Hall and Don Heath.

3. Civil War Re-enactment Working Party

This is proposed as a new Working Party and will be working with the English Civic War Society (ECWS) towards the Battle of Marlborough re-enactment event over the weekend of 28/29 July 2019. Other local organisations (e.g. The Merchant's House and Marlborough History Society) are also involved. (An update and a suggested Terms of Reference is at **Item 24**).

Two meetings have taken place with the ECWS to discuss the event. The Town Clerk and Office Manager have attended these along with Councillor Hall.

Representation from 2-3 Town Councillors would be welcome. Again, as this Working Party is open to non-Council members, meetings are likely to be held during the day to fit in with other members.

Town Clerk's Recommendation

The Town Clerk recommends that Members agree that the Tourism and the Civil War Re-enactment Working Parties are run in 2018/19 and that

- i) The Terms of Reference for the Tourism Working Party are re-adopted
- ii) Membership of the Tourism Working Party is agreed (suggested as 2 Councillors)
- iii) Membership of the Civil War Re-enactment Working Party is agreed (suggested as 2-3 Councillors)

Town Clerk

May 2018

Insurance Renewal

Summary – This report is to note that the Town Council has entered into a new long term agreement for insurance cover with Zurich Municipal.

1. Background

Financial Regulations para.15 sets out the following:

15. INSURANCE

15.1. Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers.

15.2. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.

15.3. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.

15.4. All members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council.

In addition, Financial Regulations, para. 11.1. (a).ii) confirms that procedures for contracts do not apply to specialist services such as insurance. However, such services should be reviewed regularly. This was reviewed in April 2018, when a number of options were looked into and Members agreed to enter into another 3 year long term agreement (LTA) with Zurich Municipal (Min 664/17).

Claims - In 2013, Zurich handled a large claim following the theft of the Mayoral Chain and the full replacement value was paid. During the previous LTA (extended for a further 2 years) there was one minor motor claim. No brokers are involved.

2. Financial Implications

The renewal premium for 2018/19 will be £13,707.45. This still leaves a contingency for further cover if the need arises.

Town Clerk's Recommendation

The Town Clerk recommends that Members note this report and that the Council has agreed to enter into a new 3 year long term agreement with Zurich Municipal.

Town Clerk

May 2018

ITEM 14

Review of Council's and/or staff memberships and subscriptions to other bodies.

Summary

In accordance with Standing Orders 6k (xii), Members are asked to review and consider subscriptions and memberships.

1. Background

List below are the current subscriptions and memberships

Administration

Wiltshire Association of Local Councils	1106.70
Zurich – LCAS Membership	95.00
Community First	40.00
Visit Wiltshire	760.00
Communicorp (Local Council Updates)	100.00
Tower and Town	5.00
Information Commission	35.00
Communicorp (Clerk & Councils Magazine)	12.00
SLCC	332.00

Outside

Institute of Cemetery & Crematorium Management	90.00
Open Spaces Society	45.00
National Allotment Society	55.00
CPRE	36.00
Pear Technology (IT Mapping System)	140.00
ARK	30.00

Town Clerk's Recommendation

The Town Clerk recommends that Members approve the current subscriptions and memberships.

Author – Office Manager

May 2018

General Data Protection Regulation (GDPR)

Summary – This report updates Members on the implementation of the GDPR and asks them to adopt a Privacy Notice as required under this new regulation.

1. Background

As Members are already aware the General Data Protection Regulation (GDPR) will take effect in the UK from 25 May 2018. It replaces the existing law on data protection (The Data Protection Act 1998) and gives individuals more rights and protection regarding how their personal data is used by councils. Marlborough Town Council must comply with its requirements just like any other organisation.

The good news is that the GDPR's main concepts and principles are very similar to those contained in the current Data Protection Act 1998. The Information Commissioner's Office (ICO) and with which the Town Council is already registered, will still be the regulator in charge of data protection and privacy issues. As the Town Council fully complies with the current law, much of what we do still applies under GDPR. However, a main change is that the regulation places a much greater emphasis on transparency, openness and accountability.

The National Association of Local Councils (NALC) has produced a 63 page toolkit with various actions which Town Council staff are working through. An early action is to adopt a Privacy Notice. A draft based on a standard format is at **Appendix 1**.

2. Data Protection Officer (DPO)

It was originally thought that all town and parish councils would have to appoint an external DPO. The GDPR is ambiguously drafted in that if, for example, the Clerk was appointed as DPO, it would be in direct breach of Article 38 of the new Regulation itself. As a result many councils have already outsourced the work. At the Finance & Policy meeting of 19 March, Members resolved to delegate to the Town Clerk to appoint an external company to take on this role, if necessary. The legal situation has only just become clear.

The House of Commons last week (11 May 2018), during the Report Stage, accepted a Government amendment to the Data Protection Bill, the effect of which will be to remove all parish, town and community councils, parish meetings and Charter Trustees in England and Wales from the initial requirement that they must appoint a Data Protection Officer.

All other obligations under the General Data Protection Regulation (GDPR) will come into force on 25th May with councils having to comply.

Town Clerk's Recommendation

The Town Clerk recommends that Members note the update on the GDPR and that Town Council staff are working through additional compliance actions. Also that the draft Privacy Notice is adopted.

Town Clerk
May 2018

**TOWN CLERK'S REPORT
FULL TOWN COUNCIL – MONDAY, 21 MAY 2018**

Summary This is a report of follow-up to resolutions made at Full Town Council. This is a Standing Item on the agenda to update Members. Once follow-up is completed or taken on by a Committee, items will be marked as closed. Ongoing items will be brought back to Council when a new decision is required or when a fuller update is needed.

Min. 403/15, 234/16	Civil War Re-enactment – SEE AGENDA ITEM 24
Min.21/17	Review of the Scheme of Delegation – A point about attendance at committee meetings calling into question the legality of Para. 8.1 of the Scheme about whether all Councillors have a right to attend any committee meeting has been referred to WALC which will be raising it with the Legal Team at the National Association of Local Councils (NALC) – Ongoing
Min.180.17	Promotion of Community WiFi in Marlborough – Following the meeting on 6 November, further follow up action is being taken in terms of looking at examples of this promotion in other towns– Ongoing
Min 657/17	WW1 Commemorations – On 16 April, it was confirmed that the Rotary Club would work with the Town Council to hold a Beacon event on The Common on 11 November. Recent minutes of the Civic Working Party (CWP) were noted and it was agreed that the recommended changes to Armistice Day and Remembrance Parade should go ahead. Also that the CWP invites other organisations to attend a meeting to coordinate events into a whole town commemoration and that part of that meeting should be dedicated to discussing event management for the Town Hall event on Saturday, 10 November. The CWP is affiliated to the Finance & Policy Committee. Closed.
Min.490/17	Tourism Working Party (TWP) – On 22 January, it was resolved that the TWP liaises with VisitWiltshire about the new coordinated approach to tourism. Also, that accommodation providers and others be invited to join the TWP and that a Town Guide is taken forward. David Andrews, Chief Executive of VisitWiltshire will be attending the next meeting the TWP. ALSO SEE AGENDA ITEM 11
Min. 554/17, 668/17	20mph Consultation – As agreed, the Town Council undertook a public consultation which ran to 27 April about options for 20mph speed restrictions. This was also discussed in a public open session at the Annual Town Meeting on Monday, 23 April 2018. A report was drawn together which is available at: http://www.marlborough-tc.gov.uk/images/surveys/20mph_survey_results_and_comments.pdf Led by public feedback, Councillors made a decision to agree Option 1 as the proposal to take forward to CATG. Closed.
Min. 654/17, 677/17	Community Asset Transfer Request – On 16 April, Councillors resolved that a formal request for a Community Asset Transfer (CAT) be made of WC for land at Kelham Gardens for parking and that the Town Mayor with Cllr. Loosmore attend the Cabinet Meeting on 24 April. At the Cabinet meeting, the request for a CAT was turned down. Negotiations are continuing with WC on the acquisition of this land. At this stage, it is being dealt with through the Planning Committee. Closed

Civil War Re-enactment

Summary – This report asks Members to note the minutes of a meeting held to discuss the Civil War Re-enactment to be held in 2019 and consider recommendations to take the event forward.

1. Background



Re-enactments have taken place twice in the town. Firstly, in the High Street in 2008 to coincide with the 800 year Charter celebrations and on The Common in 2014. Both were hugely successful events. The 2014 event drew a large crowd to the battle on The Common and a Living History Village at Priory Gardens. Feedback from the community, visitors, retailers and accommodation providers was very positive.

Councillors have already agreed that there should be another re-enactment event – The Battle of Marlborough. This will take place over the weekend of 27/28 July 2019. The provider of this re-enactment will again be the English Civil War Society.

This event is listed in the Town Council's Action Plan for 2017 – 2021.

2. A Civil War Re-enactment Working Party

There have been a small number of meetings convened over the last 18 months or so and at the last meeting it was agreed that the shaping of the event and its associated activities would be best dealt with through a Town Council Working Party which is open to other representatives – English Civil War Society (ECWS), Marlborough History Society, The Merchant's Trust, etc. The notes of the most recent meeting are at **Appendix 1**.

With around 14 months remaining until the event itself, it is important to begin the management of the event, fundraising and sponsorship as from now.

3. Terms of Reference (ToR)

A draft ToR for the Working Party is at **Appendix 2**.

4. Town Council Membership

It has been suggested that 2-3 Councillors sign up to this Working Party and the roles of Chair and Vice Chair should be taken by Town Councillors.

5. Financial Implications

As set out in the notes at **Appendix 1**, the Town Council has already committed £1,000 towards the event with a further £4,000 at year-end. This will be held as an ear marked reserve. The Marlborough History Society has contributed £1,000. A balance now needs to be found of £14,000 to be raised through sponsorship and external grant funding. There is an event budget line for 2018/19 of £7,000. Members may like to consider adding a revenue line for this for 2019/20 during the autumn precept setting round. Councillors have commented that the re-enactment weekend should be a free community event.

The Town Council is acting as the accountable body for this.

6. Letter of Intent

The next stage is to formally commit to the event by signing the Letter of Intent issued by the ECWS as provider of the re-enactment for the Town Council. In 2014, this was delegated to the Town Clerk.

Recommendation

Following the meeting of 20 April, the recommendation for Full Town Council is as follows:

- That the Terms of Reference be approved
- 'The Letter of Intent' be agreed and signed
- Councillor membership of the Working Party be agreed.

Town Clerk

May 2018

Coopers Meadow Play Area

Summary – This report asks Members to note an update and consider a recommendation from the Amenities & Open Spaces Committee about taking the play area project forward.

1. Background

As Councillors are aware, the project to upgrade the Cooper's Meadow Play Area is listed in the Council's adopted Action Plan 2017-21. A Working Party has been set up (to be continued into 2018/19) to take this project upgrade forward. Its meeting notes were submitted to the A&OS Committee on 30 April 2018.



The recommendation from that meeting was:

RESOLVED: (ii) to delegate to the Town Clerk to identify a suitable Project Co-ordinator/Manager and build up an initial proposal to submit to Full Council on 21 May 2018

2. Initial Proposal

The project will move forward as follows:

- A Project Manager will be appointed to take the project forward (one who is experienced in dealing with installing play areas and working with suppliers and one who can take on the consultation aspect of the project (it will be important to have input from users - Mothers and Toddlers groups and the local primary school). It could be that a local groundworks contractor will deal with the basic surfacing requirements.
- Project Manager to draw up a tender request for submission on the government Contract Finder website (para. 11.1.b of Financial Regulations states that with a project of this size (i.e. in excess of £25,000), tender bidding needs to comply to The Public Contracts Regulations 2015 and be entered into via the government Contractor Finder website - <https://www.gov.uk/contracts-finder>)
- Tenders will be presented to Full Town Council for final decision on a contractor to provide the upgrade.

The Town Clerk and current Chairman of the Working Party, Cllr Cooper, have set up meetings with potential project managers in the week beginning 21 May.

3. Financial Implications

It has been confirmed that S106 monies of £23,894.47 can be allocated to the project together with CIL payments of £19,384.49 totalling a project budget of £43,278.96p. The Project Manager's costs are still to be confirmed.

Town Clerk's Recommendation

Following the appointment of a Project Manager in the week beginning 21 May, the Town Clerk recommends that it is delegated to her to work with him/her to build up a tender request to submit via the government's Contract Finder website and then, when received, submit the tenders to Full Town Council in line with para. 11 of Financial Regulations.

Town Clerk

May 2018

The Great West Way

Summary – This report is to update Members on the progress of the Great West Way project and asks them to consider membership of the Ambassador Scheme.

1. Background

VisitWiltshire is leading on developing a new touring route -125 miles in length and approximately 15 miles wide - which will join up many of England's iconic destinations and attractions along a corridor west of London through to Bristol. This is one of a number of projects funded by HM Government's £40m Discover England Fund, administered by VisitEngland. Marlborough is along this route and with the town councils in Calne and Corsham has been involved with the project from the early stages.



This touring route will be suitable for visitors to travel by car, coach, rail, cycling, walking or even canal boating. A range of themed itineraries and trails, including heritage, food and drink, countryside, film tourism, etc. will allow visitors to explore the route in depth and aims to rival other international touring routes.

The Town Mayor, Cllr Kirk Wilson and the Town Clerk have attended a number of meetings with VisitWiltshire over the last 2 years.

2. Latest News

Lots has been happening since VisitEngland confirmed this project as the first to receive Stage 2 funding as part of the "Discover England" initiative. This means there is great confidence that the Great West Way will become one of England's premier touring routes.

Destination Marketing Organisations (knowns as DMO's) in Bristol, Bath and Tourism South East have become official destination partners and key appointments have been made to the Great West Way team with brand consultants, website development, travel trade support and business development appointees.

VisitWiltshire is also seeking proposals for filming and photography on the Great West Way and there has been a call for good quality editorial, images and video. There is also a Great West Way Development Group.

3. Great West Way Ambassador's Club

At the Full Council meeting on 5 March 2018, Councillors were informed about a Great West Way Ambassador's Club. This has now been launched. This is a chance for businesses and locations along the route to get on board and have designated destination status. The benefits of this to Marlborough include:

- Official Ambassador recognition
- Global promotion for the town as being part of the Great West Way
- Place on priority list for PR, bloggers and marketing activity
- Permission to use the visual identity
- Featured as an Ambassador on website
- Featured in official visitor guides and maps
- Social Media package
- Training
- Featured in a *Rough Guide* being produced for the Great West Way

A presentation setting out the full proposal for Marlborough Town Council is at **Appendix 1**.

Further background information is available at <https://www.visitwiltshire.co.uk/partners/great-west-way>

4. Financial Implications

As set out at **Appendix 1**, the subscription is £1,875 pa for 3 years for membership of the Ambassador's Club. This includes a discount of 25%. This would normally be a charge to the Council's Subscriptions budget.

5. Point to Note

We understand that Corsham and Calne Town Councils are signing up to this town membership too.

Town Clerk's Recommendation

The Town Clerk recommends that Members note this update report and agree to Marlborough Town's membership as a Designated Destination Ambassador at a subscription cost of £1,875 pa.

Town Clerk

May 2018