

MARLBOROUGH TOWN COUNCIL

RECREATION AND AMENITIES COMMITTEE

Minutes of a meeting of the Recreation and Amenities Committee, which was held on Tuesday 3rd January 2006 in the Council Chamber, Town Hall, Marlborough 8.20pm.

PRESENT

Councillor Mrs P. Dow
Councillor M. C. Curtis
Councillor B. Castle
Councillor M. Cooper
Councillor M. Gray
Councillor P. B. Cossey
Councillor D. L. Parker

Chairman

Councillor S. Dobson

Observer

Mrs Sue Fry
Mrs Linda Chapman
Mr N. Kerton
Miss Ann Outrim

Office Manager
Civic Secretary
Wiltshire Gazette
The Adviser

Plus 5 members of the public

The Chairman requested that Mr McClintock from the Elcot Lane Pavilion Trust be allowed to give a verbal update to the Council on its current position. This was agreed.

Mr McClintock stated that the Pavilion has been used intermittently over the last 1 ½ years on weekdays between 9am and 5pm plus as changing facilities for football teams.

There had been some vandalism but the building was now secure and at this time the toilets are being refurbished.

APOLOGIES:

Apologies for absence was received by Councillors Mrs H. A. Cripps and Councillor Mrs. E. M. Hannaford.

DECLARATIONS OF INTEREST:

Agenda Item 4
Agenda item 4

Councillor P. Cossey – Reported to Standards Board
Councillor D. Parker – Reported to Standards Board

CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that the Town Mayor Councillor Mrs Hilary Cripps would like to wish every one a very happy New Year.

The Chairman would like to apologise for not putting the goal posts on the Agenda this was an unfortunate oversight and it will be addressed at the next R & A meeting.

Also the Chairman asked if fellow Councillors were in agreement that the Tractor Purchase should be moved to Part 2.

This was agreed.

Councillors D. Parker and P. Cossey Declared Interest and left the room at 8.20pm

ELCOT LANE PLAYING FIELD –

The land transfer document had been circulated and questions raised regarding the interpretation of the wording due to the lack of punctuation. In addition information from the former Town Clerk suggested that clarification of the covenant had been sought from Wiltshire County Council, but was only given verbally. The Town Clerk therefore reiterated the suggestion made at Full Town Council that the legal opinion of Wiltshire County Council is sought in writing especially their clarification of the wording “allotments public open spaces recreation purposes and playing fields”. Additionally in respect of the lack of action on their part in providing the promised new school building, whether they consider the agreement to forego the covenants on practical completion is valid.

Following a discussion –

Proposed by Councillor R. Allen, seconded by Councillor M. Curtis and –

373/05

RECOMMENDED: unanimously that the Town Clerk should pursue Wiltshire County Council Legal Officers to request clarification and bring the response to Full Town Council.

Councillors D. Parker and P. Cossey returned to the room at 8.28pm

CASTLEOAK CARE PARTNERSHIP – Developers of Coombe End Court

a) The Castleoak Care Partnership have requested the signing off of the works to the former tennis courts in accordance with the licences agreed method. The Town Clerk reported that Councillors Mrs P. Dow and B Castle along with the Town Clerk and the Health and Safety Officer visited the site in December. It was found the surface is uneven and not adequate for recreational facilities without drainage works taking place. Castleoak have indicated that they are willing to come back and rectify the problems.

b) A letter had been circulated from The Orders of St Johns Care Trust, who are enquiring as to whether or not the Town Council will consider extending the current agreement with Castleoak for a further 12 months.

It was felt that before detailed negotiations take place with Castleoak a consultation exercise should undertaken with local residents, the youth centre and other interested parties to discuss the long term use of the former tennis courts and that a meeting should be arranged as soon as possible.

Proposed by Councillor R. Allen, seconded by Councillor Mrs P. Dow and –

374/05 **RECOMMENDED:** unanimously that Marlborough Town Council should hold a meeting to discuss the future use of the area, before detailed negotiations take place.

**PUBLIC ENQUIRY – Footpath Modificatons between Elcot Lane and Stonebridge
14TH MARCH 2006 – Town Hall, Marlborough**

The Town Clerk had previously circulated the notification of the date for Public Enquiry by Wiltshire County Council. The letter from the Football Club to the Mayor was regarding the Town Council’s original acceptance of the modification and the reason why this decision was reversed and subsequently the modification rejected at a later consultation. The Town Clerk requested the Committees guidance on the response to be made to the Football and approval that the boundary fence will be repaired.

Members of the Council advised the Clerk that they had made a commitment to keep footpaths open and in light of objections changed their position and the Football Club should be informed of this. It was agreed the fence should be repaired, if it was our responsibility.

375/05 **RECOMMENDED:** that action should be taken as suggested and the Marlborough Town Council should leave judgement on the modifications to the Public Enquiry.

ROBERT BROTHERS FAMOUS CIRCUS – permission to use Marlborough Common.

Robert Brothers Circus have requested permission to hold their circus on Marlborough Common the show dates being 19th – 23rd April 2006 pulling into the Common on the evening of Monday 17th April.

It was agreed that compliance with the new licensing laws would need to be investigated.

Proposed by Councillor M. Cooper, seconded by Councillor P. Cossey and –

376/05 **RECOMMENDED:** unanimously that –
Marlborough Town Council has no objection to the Circus subject to the usual conditions applying and including the removal of all posters from around the town.

REQUEST FROM OPEN SPACES

Councillors had been circulated with a letter from the Open Spaces Society requesting donations from Members to assist with costs of preparing amendments to the Commons Act currently before Government, which will enable them to strengthen the protection of commons.

Proposed by Councillor B. Castle, seconded by Councillor P. Cossey and –

377/05 **RECOMMENDED:** by 5 votes for with 1 abstention that –
Marlborough Town Council should respond with a donation of £50.

ELCOT LANE PAVILION TRUST

Whilst undertaking an inspection of the Town Council's properties, the Clerk had raised questions regarding maintenance of the Elcot Lane Pavilion currently leased to the Elcot Lane Pavilion Trust and in light of the information given by Mr. McIntock prior to the meeting it was

- 378/05 RECOMMENDED:** The Town Clerk should write to the Trustees requesting clarification of the uses the pavilion is currently being put to, as the Town Council should ensure the restrictive covenant on Elcot Lane is being adhered to. Information should also be obtained on progress with the refurbishment of the Pavilion and a further report made to the R & A Committee in due course.

CHRISTMAS DECORATIONS – High Street, Marlborough

In view of the recent comments raised by various members of the public a discussion took place with regard to Christmas decorative lighting in the High Street.

Many comments have been received on the lack of Christmas lights in the High Street, when compared with other Towns in the area. The Councillor felt that a meeting should be arranged with the Chamber of Commerce, Rotary Club, Spirit of Christmas, Traders and the Council to try and find a way forward.

The Chairman requested that consideration be given to suspending Standing Orders to allow members of the public to speak on the Christmas lights.

Proposed by Councillor B. Castle, seconded by Councillor P. Cossey and –

- 379/05 RECOMMENDED:** unanimously that –
Standing Orders be suspended

Mr Derek Smithers – Chairman The Spirit of Christmas

Would like to state that neither he nor The Spirit of Christmas has any connection with the Christmas Lights and has taken a lot of criticism from members of the public assuming that he is involved.

Mr Malcolm Ward – Spirit of Christmas

Because of Health and Safety the Chamber of Commerce will no longer be able to carry on and unless someone with authority takes over there will not be any lights at all next Christmas. We need to look at places like Pewsey, Hungerford and Wootton Bassett and find out how they are able to fund it.

The Chairman thanked Mr Ward and Mr Smithers and asked if they would be prepared to come along to a meeting to try and find a way forward.

Standing Orders were reinstated at 9.04pm

The Council thanked the Chamber of Commerce for all the hard work that they have put in over the years, however it does seem that the smaller traders help more than the bigger

organisations. It was suggested that the Marlborough Town Council could play a part in helping bring the organisations together and should look at how other towns fund their decorative Christmas lighting.

- 380/05** **RECOMMENDED:** That the Town Clerk contact the towns suggested to ascertain how they fund and organise their Christmas lighting and report back to Full Council.

REVIEW OF MEMORIAL DIMENSIONS

The Town Clerk reported that a number of complaints had been received from Stonemasons and members of the public regarding the sizes of memorials allowed under the current guidelines. In addition the Town Council need to consider how the guidelines will be enforced and the supervision of siting of memorials needs to be addressed as the siting can vary and cause problems for grass cutting. The placing of vases and other items needs to be regulated, as broken glass vases has Health and Safety implications and other items can make the grass cutting difficult.

It was suggested that a copy of The Cemetery Rules and Regulation should be attached to all new purchasers of plots.

- 381/05** **RECOMMENDED:** that a revised draft of Rules and Regulations should be drawn up and presented to the R & A Committee for discussion.

ITEMS FROM PREVIOUS MINUTES

- a) The Town Clerk reported that the Christmas tree and Christmas card recycling (Full Town Council Minute No. 313/05) – is underway and that the Town Council were providing the Christmas card recycling in the Council offices along with the library.
- b) Councillors had been circulated with a letter from Humberts with reference to the problem of leaking gutters. It is felt that as a matter of urgency this problem need addressing and the Chairman asked that the Committee give their permission for delegated powers to be used to enable money to be spent to clean out the guttering. It was also suggested that the cleaning of the gutters should be undertaken every six months as programmed maintenance.

Proposed by Councillor D Parker, seconded by Councillor P. Cossey and -

- 382/05** **RECOMMENDED:** unanimously that the Committee agreed that the cleaning of the gutters should go ahead and the establishment of a 6 monthly programme is considered to ensure that the gutters are kept clear of pigeon debris.

CEMETERY – (copy attached)

- (a) Exclusive Right of Burial
- (b) Memorials and Inscriptions

PART 2

RESOLVED: that under the Local Government Act 1972 the Public and Press be asked to leave the meeting, due to the fact that legal and confidential matters were to be discussed.

TRACTOR PURCHASE

A discussion took place as to whether the R & A Committee wished to recommend to Full Town Council that the purchase of a new tractor be agreed in principle and the old tractor be retained, concern was expressed regarding the purchase of a new tractor bearing in mind the Town Council's current financial status.

The information contained in the confidential report (attached hereto) from the Town Clerk gave an idea of the costs involved, other methods of funding could also be explored (for example capital equipment loan from Council's bankers). The Town Clerk stated that she is reluctant to pursue any further information unless agreement can be reached that the tractor is to be replaced as we are wasting contractors and office time, in obtaining quotes and information.

Proposed by Councillor N. Fogg, seconded by Councillor P. Cossey
and –

RECOMMENDED: unanimously that the purchase of a new tractor should be deferred for at least 12 months.

The Meeting closed at 9.45pm

PRIVATE AND CONFIDENTIAL REPORT ON DISCUSSIONS THAT TOOK PLACE WITHIN PART 2 FOR COUNCILLORS INFORMATION ONLY.

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