

**TOWN CLERK'S REPORT  
FULL TOWN COUNCIL – MONDAY, 9 DECEMBER 2019**

**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.

<b>Min.23/18</b>	<b>Review of the Scheme of Delegation</b> – 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 has raised it with the Legal Team at the National Association of Local Councils (NALC). This has been re-requested by the Town Clerk (August 2019) – <b>Ongoing</b>
<b>Min.103/19</b>	<b>Citizen of the Year</b> – Members agreed that a draft policy/criterion be drawn up for consideration at a future Full Town Council. <b>Ongoing</b>
<b>Min.308/19</b>	<b>Tourism</b> – At the meeting on 4 November, it was resolved that some minor amendments are made to the Tourism Strategy and that advice from VisitWiltshire (VW) is sought before wider consultation takes place. <i>The CEO of VW has now passed on comments.</i> Also, that an application for Coach Friendly Status is submitted to the Confederation of Passenger Transport (CPT). <i>An application form has been submitted.</i> It was agreed too that a signage review takes place and that it is delegated to the Town Clerk to appoint People & Places to undertake the work at a cost of £1,200. <i>This has been followed up and work starts before Christmas. An update report will be provided at the Full Council meeting on 20 January 2020.</i> <b>Ongoing</b>
<b>Min.309/19</b>	<b>Open Space at Barton Park</b> – At the last Full Council, it was agreed that the terms of a licence giving maintenance responsibilities to the Town Council be further investigated. An email has been sent to the Estates Team at WC and a response is awaited. <b>Ongoing</b>
<b>Min.315/19</b>	<b>Representative to the Marlborough Patients Liaison Group</b> – On 4 November, it was requested that both the Deputy Mayor (Cllr M Cooper) and Cllr Farrell be nominated by the Town Council to this group. This information has been passed on. No response has yet been received. <b>Ongoing</b>
<b>Min.316/19</b>	<b>Tree at Stonebridge Meadow</b> – At the last meeting it was agreed that a White Willow tree be planted in the unmown area of the amenity area and that a decision on the plaque be referred to the A&OS committee on 18 November. Subsequently, the wording of the plaque was agreed (Min.353/19). <b>Closed</b>

## Casual Vacancy – Co-option of Town Councillor (East Ward)

### Summary

Following the resignation of Cllr Harry Forbes, Wiltshire Council has formally confirmed that no requests were received to hold a by-election and that the Town Council is able to co-opt a new Town Councillor to represent the East Ward. This report reminds Councillors of the process agreed at the Full Town Council meeting of 22 May 2017 (Minute 39/17).

### 1. Background

Under the Local Government Act 1972, s.79, as long as a potential candidate qualifies to be a Councillor then he/she can step forward. They have to be:

- a British, Commonwealth, Irish or European Union citizen
- 18 years old or over and meet at least one of the following criteria:
  - i) have been on the electoral register for the parish, or
  - ii) during the previous 12 months have owned or tenanted land or premises in the parish, or
  - iii) during the previous 12 months their principal or only place of work has been in the parish, or
  - iv) during the previous 12 months they have resided in the parish or within 3 miles of it.

Certain people are unable to stand and these include paid officers of the council, bankrupts and those subject to recent sentences of imprisonment.

Three candidates have stepped forward:

**Mr Simon Bell**

**Mrs Vanessa Hillier**

**Mr Charles Johnston (known as 'Keith')**

Each candidate qualifies under LGA.1972, s.79

### 2. The Process

All candidates have been treated alike and after expressing an interest and confirming that they qualify for the role, each has been invited:

- To come along to the Town Council offices to talk to the Town Clerk about becoming a Town Councillor and given some literature about Marlborough Town Council
- To provide a written statement (no more than one side of A4) setting out why he/she would like to serve as a Councillor and what attributes they might bring to the role. These statements can be found at **Appendix 1**.
- To make a short presentation (3 - 5 mins) at the Full Council meeting on 9 December 2019 where Members will also ask questions.

The vacancy was advertised via the local press, website, posters and social media.

### 3. Voting

Members will listen to presentations, ask questions and vote for their chosen candidates after all have spoken. Here is an extract from WC guidance:

**The person co-opted must receive an absolute majority vote of the councillors present and voting. For example, where there is a council of eleven members and there are nine councillors present and voting, the absolute majority is five. Where**

## ITEM 6

**there are more than two candidates for the vacancy, it may be necessary to run a series of votes, each time removing the candidate who has the least number of votes until one candidate secures an absolute majority.**

Councillors shall vote by show of hands, or, if it is resolved by Members, by paper ballot.

After the vote has been concluded, the Mayor will declare the successful candidate duly elected.

### **An example**

On the assumption that all 15 Town Councillors are present, a majority of 8 votes would be needed to identify the successful candidate. Councillors keep voting until a majority vote is reached. Each Councillor has 1 vote. If no majority is reached, then the candidate(s) with no votes or the least drops off the end. With three candidates for a vacancy and the vote is split between the bottom two candidates then those bottom votes will need to be split through a vote to decide who goes forward against the candidate achieving the higher number of votes.

### **Town Clerk's Recommendation**

The Town Clerk recommends that Members note the process and consider the co-option of a new Town Councillor to the East Ward.

**Town Clerk**

**5 December 2019**

## Play Area at Jubilee Field, Manton

**Summary** – This report asks Members to consider feedback from recent consultations and agree the final design

### 1. Background

At the Full Council meeting of 4 November, Members agreed the suppliers for the upgrade of the new play area. The relevant extract from the meeting minutes is as follows:

**326/19 UPGRADE TO PLAY AREA AT MANTON**  
 Councillors noted reports by the Town Clerk and the Town Council's Play Consultant and that a consultation would be held at Preshute School for children, parents, carers and local residents on Wednesday, 13 November and that any proposed amendments to the preferred design would be submitted to Full Council on 9 December  
**RESOLVED:** That the contract to upgrade the play area at Jubilee Field, Manton be awarded to Dragon Play and that £500 from the dedicated budget line be contributed to the project

The design from the preferred contractor is at **Appendix 1**

### 2. Consultation and PR

Three consultative events have since taken place:

Wednesday, 13 November (afternoon) - Preshute School for pupils, their parents and carers.  
 Wednesday, 13 November (evening) – Preshute School for local residents  
 Wednesday, 4 December – Town Hall for all comers\*

*\*This was an additional meeting for those unable to attend the consultations at the school*

All those who attended consultations were invited to complete a feedback form. This is at **Appendix 2**.

The Council's Play Consultant/Project Manager and the Town Clerk attended the first consultation and Cllr Cooper joined them for the second session at Preshute School. Cllr Cooper, Cllr Heath and the Town Clerk attended the December drop-in event.

### 3. Analysis

Feedback indicates the following:

#### Preshute School Consultations

- 16 forms were completed by the pupils and parents from the school
- 16 forms were completed by the local residents

#### **Form Feedback from Pupils and Parents**

- Zip Wire, Fortress Unit (Juniors), Timber Trail and Basket Swing were favoured the most
- No changes or suggestions other than possibly some shade (however, this will really be from the trees as it would not be appropriate to install a shade structure)
- Overwhelmingly positive and very excited

## **Form Feedback from Residents**

- Remove the Zip Wire
- More shade (see point above)
- Location and inclusive picnic benches
- Parking and dog concerns (play items outside the fence)

## **Town Hall Consultation (only residents attended)**

9 feedback forms received.

### **Form Feedback**

Good design for replacement of fenced area

Should be restricted to current area and not outside of it

Remove the Zip Wire

Relocate the Zip Wire

Materials reflect environment well

Some equipment needs moving (e.g. basketball hoop, 'adult toning' equipment)

Remove fortress

More park bench seats rather than picnic benches

The new area is too large and dominant for Jubilee Field

Higher usage will worsen parking issues

## **4. Impact on Jubilee Field**

Though the consultation events focused on the design of the upgraded play area, a key theme in concerns raised by residents who attended the third consultation was the impact of the new play area on the rest of Jubilee Field. The feeling was positive towards the design of the replacement for the existing footprint, but not for all the surrounding equipment. In particular, the Zip Wire was felt to be particularly obtrusive - ("cutting the field in two.") and the preference was for it to be removed or, at the very least, re-located.

Most attending did emphasise the tremendous work done by Manton Community Outdoors in driving the project forward and raising funds for the play area which clearly needs upgrading.

## **5. Overall**

The feedback from young people and families consulted has been very positive with a real sense of excitement about the new play area. Some local residents, whilst welcoming an upgrade to the existing playground, have concerns about the spread of equipment across the Jubilee Field and would like some amendments to the design to ensure that plenty of open space remains.

## **6. Financial Implications**

The overall project cost is £70,000. Councillors have agreed a total CIL funding contribution of **£23,880** towards plus budget funding of **£500**. In addition, Manton Community Outdoors has raised in excess of **£40,000** which includes various grants and crowd funding. In the last 2 weeks, a grant has been awarded from the Area Board of **£2,500**.

## **7. Supplier**

Through the tender process, DragonPlay was awarded the contract by the Town Council. The company is being helpful in trying to work with the Council and Manton Community Outdoors to reach the best design through some amendments. (Some changes can easily

be made to the design (e.g. a shorter Zip Wire, from 30m down to 20m). However, a delay in receiving the order may put completing by Easter in doubt. Lead time for manufacturing of the equipment is 4-6 weeks with 4 weeks for installation. This leaves little margin for any delays caused by adverse weather conditions.

### **8. Point to Note**

- Councillors are invited into the offices to view all responses to the three consultations including emails received separately. These will also be available at the meeting.

### **Town Clerk's Recommendation**

The Town Clerk recommends that, using consultation feedback, Members consider:

- i) Whether to agree the design as it has been put forward
- ii) Defer a decision on the final design to the Full Council meeting of 20 January 2020 and use the time in the lead-up to this to work with the Town Council's Play Consultant and DragonPlay to look at compromises on equipment (e.g. the Zip Wire) and layout of the play area.

**Town Clerk**  
**5 December 2019**

## Community Governance Review

**Summary** – This report asks Members to consider a response to a letter from Savernake Parish Council about Marlborough Town Council's interest in a Community Governance Review.

### 1. Background

Members will recall discussing the possibility of a Community Governance review at the Full Council meeting of 9 September 2019. Here is the relevant extract:

#### 232/19 COMMUNITY GOVERNANCE REVIEW

The Town Mayor introduced this rare opportunity to express an interest in changes to governance arrangements as detailed in the Town Clerk's report and guidance issued by the Department for Communities and Local Government (now known as The Ministry of Housing, Communities and Local Government) and the Local Government Boundary Commission for England. The type of changes might include:

- Moving parish boundaries and combining parishes
- Changing the wards within a parish or creating new ones
- Changing the names of parishes and wards
- Dissolving parish councils
- Changes to the number of Councillors

Councillors recognised that the demographics in the area would continue to change over the next few years so were supportive of a review of the existing parish boundaries and wards. Discussion points included:

- That residents of surrounding villages enjoyed the amenities in the Marlborough parish
- The ability of very small parish councils to provide services to their communities
- That Savernake Hospital and the nearby housing estate (Maurice Way) were currently within Savernake parish, although the perception was that they were more closely linked to the town of Marlborough
- That smaller parishes might not be able to make the required 25% contribution to improvements to highways via the Community Area Transport Group and other contributory schemes
- Whether new wards should be created (e.g. Manton) giving them dedicated Councillors
- The financial implications to precept payments for smaller parishes if combined with other parishes
- That any proposed changes must be subject to public consultation
- That, at this stage, the opportunity was merely to express an interest in a review, and could be withdrawn at any point with no binding obligations on the Town Council

**RESOLVED:** to express an interest in a review of governance arrangements to include a possible combination of Marlborough with the parishes of Preshute and Savernake and to review the current ward structure especially if parish boundary changes take place

An Expression of Interest (EOI) was submitted. Wiltshire Council has now decided which to take forward as part of a Community Governance Review. (It received more than 70 EOIs). Marlborough was not included in the list taken forward. Details of which ones are being

considered are at **Appendix 2**. Decisions on these will be made before May 2021. The Briefing Note makes clear that those not going through will be dealt with later (i.e. not within the current WC term of office).

### **2. Savernake Parish Council**

The Chairman of Savernake Parish Council has written to the Town Council rejecting the proposal and his letter is at **Appendix 1**.

### **3. Points to Note**

- The Town Council submitted an Expression of Interest only
- Members may like to be aware of discussions held between Preshute Parish Council and its neighbouring parishes (see final link in briefing document or **Appendix 3**)

### **4. Financial Implications**

There are no financial implications.

### **Town Clerk's Recommendations**

The Town Clerk recommends that Members consider a response to Savernake Parish Council.

**Town Clerk**  
**5 December 2019**

**Action Plan 2017 – 2021**

**Summary** – This report asks Members to adopt updated Project Plan 2017 – 2021 following a consultation exercise.

**1. Background**

At the meeting of 9 September, Members considered a review of the Action Plan of projects for the current Council term (2017-2021). This was an appropriate time - approximately halfway through the current Council term. (A workshop (open to all Cllrs) was held on 31 July 2019). An extract from the meeting minutes is as follows:

**PROJECT PLAN 2017-2021**

Members considered the updated Project Plan following a review workshop held 31 July. The discussion included:

- Suggested rewording of FTC24 – Town Museum Collaboration
- Whether it would be helpful to add a column to show the likely source of funding, e.g. Community Infrastructure Levy, External Grants, Town Council precept, etc
- That a proposal about moving commemorative stones on the Common was a low priority for consideration by the next council
- That the plan should be made available for public comment
- That a Vision and Strategic Plan would be a helpful tool to explain and draw together the Town Council's activities and priorities and would help to steer the next council term in 2021-2025
- That any Vision, Strategy and Project Plan could be amended once the outcome of discussions with Wiltshire Council about devolution of services were known

**RESOLVED:** (i) that the Project Plan was agreed with suggested amendments

**RESOLVED:** (ii) to delegate to the Town Clerk to arrange an online public consultation asking for comments on the 2017-2021 Project Plan

**RESOLVED:** (iii) to draw up a Vision and Strategy

The Action Plan is at **Appendix 1**.

**2. Public Consultation**

A public consultation has taken place and promoted via Town & Country magazine, the website and social media. It ran for 6 weeks. No comments have been received.

**3. Points to Note**

- The next stage will be to draw up a Vision and Strategy

**Town Clerk's Recommendation**

The Town Clerk recommends that Members now adopt the reviewed Action Plan of projects.

**Town Clerk**

**5 December 2019**

## Britain in Bloom 2020

**Summary** – To provide an update on the town's entry into South West in Bloom and Britain in Bloom 2020

### Background

At a meeting of the A&OS committee on 18 November 2019, it was **RESOLVED**: that a decision on the Town Council's role in MiB 2020 be deferred until there was more certainty about MiB resources and which competitions would be entered for next year.

### Current Situation

Since this meeting, the Assistant Town Clerk has received notification from one of the two remaining MiB committee members who confirmed that the resident whom it was hoped would step up and chair the committee going forward, has withdrawn her offer. The 2 members remain committed to the group and will seek to draw in more members in the New Year and confirmed their support if an application to enter in 2020 is made.

Subsequently, the Assistant Town Clerk received an invitation from Britain in Bloom (BIB) for Marlborough to enter the national competition in 2020. This is quite an honour and not something given lightly. Having discussed the implications with the Town Clerk and Grounds Manager, it was agreed to accept the invitation to enter the competition, the deadline for which was very tight, and, in the absence of a MiB committee, that the Town Council should take in-house and drive the 2020 entries into both the South West in Bloom (SWIB) and national BIB competition. A campaign to recruit community volunteers will take place in the New Year.

Judging for the SWIB competition will take place during the first week of July, with the national competition judging during the first week of August. This gives adequate time between the two to receive some feedback from the judges for potential improvements/enhancements to the town.

Consideration will be given to the increased expectations of the national competition (for example, judging starts from the moment the judges cross the town boundary) and the resource implications this will have on the Town Council's Grounds Team.

The Assistant Town Clerk will work closely with the Grounds Manager and his team on both of the entries, which will involve the co-ordination of the 'It's Your Neighbourhood' entries, the creation of the portfolio and presentation for both competitions and all of the publicity and promotion. Whilst there will be an increase in workload, both agree that the process will run smoothly under Town Council management.

### Financial Implications

The budget to cover both competitions for 2020/21 is £600.00 and there are no proposals to increase this.

### Recommendation

Members are requested to note the report and agree that the Town Council will lead on both the SWIB and BIB national competition entries in 2020.

**Author – Assistant Town Clerk**

**5 December 2019**