



Shaftesbury Town Council

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To: Members of Shaftesbury Town Council's Full Council (FC), Councillors Austin, Brown (Chair), Cook, Hall, Jackson, Kirton, Lewer, Loader, Perkins, Proctor, Taylor (Vice-Chair), Todd. All other recipients for information only.

You are summoned to a meeting of the Full Council for the transaction of the business shown on the agenda below.

To be held at 7.30pm (or directly following the Planning & Highways Committee meeting, whichever is the sooner) on Tuesday 21 August 2018 in the Council Chamber, Shaftesbury Town Hall

Claire Commons, Town Clerk

Members are reminded of their duty under the Code of Conduct

Public Participation

The Chairman will invite members of the public to present their questions, statements or petitions submitted under the Council's Public Participation Procedure.

Members of the public and Councillors are entitled to make audio or visual recordings of the meeting provided it does not cause disruption or impede the transaction of business. Out of courtesy to those present, the Council requests that intention to record proceedings is brought to the Chairman's attention prior to the start of the meeting.

Agenda

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| 1 | APOLOGIES | 3 |
| | To receive and consider for acceptance, apologies for absence | |
| 2 | DECLARATIONS OF INTEREST | 3 |
| | Members and Officers are reminded of their obligations to declare interests in accordance with the Code of Conduct 2012. The Clerk will report any dispensation requests received. | |
| 3 | MINUTES | 3 |
| | To confirm as a correct record, the minutes of the previous meetings of the Full Council. | |
| 4 | JUDICIAL REVIEW | 4 |
| | To agree delegated authority and expenditure for the Judicial Review in relation to the Cattle Market. | |
| 5 | PLANNING AND HIGHWAYS TERMS OF REFERENCE | 5 |
| | To consider amendment to the Planning and Highways Terms of Reference to authorise expenditure for the Neighbourhood Plan. | |
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| | To consider delegating spend grant funding to officers | |

7 FOOTBALL CLUB 7
To consider an amendment to the proposed lease for the Football Club

8 POP-UP GALLERY..... 8
To consider support of Young Enterprise pop-up gallery initiative

(End)

References

Cleyden, P., 2016. *Arnold-Baker on Local Council Administration*. Tenth ed. London: LexisNexis.
Local Government Act, 1972 s.101. [Online]
Available at: <https://www.legislation.gov.uk/ukpga/1972/70/section/101>
[Accessed 18 July 2018].
Local Government Act, 1972 s.222. *Legislation*. [Online]
Available at: <http://www.legislation.gov.uk/ukpga/1972/70/section/222>
[Accessed August 2018].

Administration for a meeting of the Full Council
To be held at 7.30pm (or directly following the Planning & Highways Committee meeting, whichever is the sooner) on Tuesday 21 August 2018 in the Council Chamber, Shaftesbury Town Hall

1 Apologies

To receive and consider for acceptance, apologies for absence

STRATEGIC PLAN AREA: INTERNAL ENGAGEMENT, MARK JACKSON

The Council (including committees) should approve (or not) the reason for apologies given by absent councillors. If a council member has not attended a meeting of the council (or its committees) or has not tendered apologies which have been accepted by the council (or committee), for six consecutive months, they are disqualified.

1.1 Apologies received to date

1.1.1 .

2 Declarations of Interest

Members and Officers are reminded of their obligations to declare interests in accordance with the Code of Conduct 2012. The Clerk will report any dispensation requests received.

STRATEGIC PLAN AREA: INTERNAL ENGAGEMENT, MARK JACKSON

2.1 Declarations of Interest received to date

2.1.1 There have been no declarations received at the point of papers being issued.

3 Minutes

To confirm as a correct record, the minutes of the previous meetings of the Full Council.

STRATEGIC PLAN AREA: INTERNAL ENGAGEMENT, MARK JACKSON

3.1 Minutes to be adopted

3.1.1 3rd July 2018

3.1.2 11th July 2018

3.1.3 10th August 2018

Report 0818FC4 to a meeting of the Full Council
To be held at 7.30pm (or directly following the Planning & Highways Committee meeting, whichever is the sooner) on Tuesday 21 August 2018 in the Council Chamber, Shaftesbury Town Hall

4 Judicial Review

To agree delegated authority and expenditure for the Judicial Review in relation to the Cattle Market.

4.1 Summary

- 4.1.1 Shaftesbury Town Council has been cited as 2nd defendant in a Judicial Review Claim in relation to the sale of the Cattle Market site at Christy's Lane. The sealed claim being received on 13th August 2018.
- 4.1.2 The Clerk has appointed solicitors in this case.
- 4.1.3 The anticipated cost to the Council is likely to be £40,000 if it progresses to final hearing.
- 4.1.4 Decisions will be taken under advisement from the solicitor or barrister and in consultation with the nominated councillors. Decisions will be recorded on the Delegated Decisions Notification form and reported at the next Ordinary Council Meeting.

4.2 Financial Implication

- 4.2.1 £40,000

4.3 Legal Implication

- 4.3.1 The Local Government Act 1972 provides the power of local authorities to prosecute or defend legal proceedings (Local Government Act, 1972 s.222)

4.4 Risk

- 4.4.1 Risk of improper expenditure is mitigated by consultation on expenditure with nominated councillors and regular reporting to Council or its committees.

4.5 Recommendation

- 4.5.1 That the Council delegates authority to the Town Clerk in consultation with three nominated councillors expenditure of up to £40,000 from General Reserves to progress with all matters in relation to the Judicial Review Claim received on 13th August 2018.

STRATEGIC PLAN AREA: INTERNAL ENGAGEMENT, MARK JACKSON

(End)

Report Author:
Claire Commons, Town Clerk

Report 0818FC5 to a meeting of the Full Council
To be held at 7.30pm (or directly following the Planning & Highways Committee meeting, whichever is the sooner) on Tuesday 21 August 2018 in the Council Chamber, Shaftesbury Town Hall

5 Planning and Highways Terms of Reference

To consider amendment to the Planning and Highways Terms of Reference to authorise expenditure for the Neighbourhood Plan.

5.1 Summary

- 5.1.1 The Neighbourhood Plan Advisory Committee has no delegated authority to spend. Officer's have authority to spend on this project within budget up to £2,500.
- 5.1.2 The Terms of Reference for the Planning and Highway Committee require it to contribute to the Neighbourhood Plan.
- 5.1.3 It is recommended that the Terms of Reference are amended to explicitly provide authority to the Committee to spend up to £5,000 in line with current financial regulations, for matters relating to the Neighbourhood Plan.

5.2 Financial Implication

- 5.2.1 No financial implications relating to this report.

5.3 Legal Implication

- 5.3.1 The Local Government Act 1972 provides for arrangements for the discharge of functions by a committee, sub-committee or an officer. (Local Government Act, 1972 s.101)

5.4 Risk

- 5.4.1 Risk of imprudent expenditure is mitigated through the Council's Financial Regulations and Terms of Reference.

5.5 Recommendation

- 5.5.1 That the Terms of Reference for the Planning and Highways Committee is amended to explicitly include expenditure for the Neighbourhood Plan in line with financial regulations and agreed budget.

STRATEGIC PLAN AREA: INTERNAL ENGAGEMENT, MARK JACKSON

(End)

Report Author:
Claire Commons, Town Clerk

Report 0818FC6 to a meeting of the Full Council
To be held at 7.30pm (or directly following the Planning & Highways Committee meeting, whichever is the sooner) on Tuesday 21 August 2018 in the Council Chamber, Shaftesbury Town Hall

6 Neighbourhood Plan

To consider delegating spend of grant funding to officers

6.1 Summary

- 6.1.1 The Council has secured £7,382 grant funding for professional support in producing the Neighbourhood Plan. There are specific controls for limiting this expenditure.
- 6.1.2 The Council is also in the process of securing an additional £8,000 for technical support in producing the Neighbourhood Plan.
- 6.1.3 As both of these funds are provided with financial controls for their use, it is recommended that authority is delegated to officers for expenditure within the set criteria and in consultation with appropriate councillors.

6.2 Financial Implication

- 6.2.1 There is no expenditure identified in this report.

6.3 Legal Implication

- 6.3.1 The Local Government Act 1972 provides for arrangements for the discharge of functions by a committee, sub-committee or an officer. (Local Government Act, 1972 s.101)

6.4 Risk

- 6.4.1 Risk of imprudent expenditure is mitigated through the Council's Financial Regulations and Terms of Reference and consultation with relevant councillors.

6.5 Recommendation

- 6.5.1 That the Council delegates authority to the Business Manager in consultation with the Town Clerk, the Mayor and Neighbourhood Plan Lead Councillor (currently Mrs Claire Commons, Cllr Brown and Cllr Lower respectively) expenditure of £7,382 Locality Fund and up to £8,000 Town Design Statement fund to progress with the Neighbourhood Plan in accordance with the limitations placed upon those grant criteria.

STRATEGIC PLAN AREA: INTERNAL ENGAGEMENT, MARK JACKSON

(End)

Report Author:
Claire Commons, Town Clerk

Report 0818FC7 to a meeting of the Full Council
To be held at 7.30pm (or directly following the Planning & Highways Committee meeting, whichever is the sooner) on Tuesday 21 August 2018 in the Council Chamber, Shaftesbury Town Hall

7 Football Club

To consider an amendment to the proposed lease for the Football Club

7.1 Summary

- 7.1.1 At its meeting on 15th May 2018, the General Management Committee resolved to secure a combined Football Club and Clubhouse lease on a long term basis with inbuilt break clauses to manage the governance and risks and protect the asset.
- 7.1.2 Members may refer to the public and confidential papers in relation to that meeting for background information.
- 7.1.3 A Sports Club expert has been drafted in to support the Club Directors with their governance processes and to date has made excellent progress in his capacity as honorary Consultant
- 7.1.4 Part of the Football Club governance plan has included a review of the heads of terms lease that was produced post the GEM meeting in May. Since then the honorary Consultant has liaised with the UK Football Association and their recommendation is to extend the draft 25 year lease to 30 years.

7.2 Financial Implication

- 7.2.1 There are no financial implications arising from this report. Legal fees for preparation of this lease are within budget.

7.3 Legal Implication

- 7.3.1 Local Councils may receive rents from tenants of their property. (Cleyden, 2016, p. 144)

7.4 Risk

- 7.4.1 Risk associated with a long lease are mitigated by inclusion of an additional break clause

7.5 Recommendation

- 7.5.1 That, in light of new information, the Council extends the agreed lease period for the Football Club from 25 years to 30 years as recommended by the UK Football Association.
- 7.5.2 That an additional break clause at 25 years is included into the Heads of Terms and Lease.
- 7.5.3 That the Council delegates authority to the Business Manager in consultation with the Town Clerk, Council Football Representative and Lead Councillor for Outdoor Lifestyle to finalise the Heads of Terms for the Lease with the Football Club.

STRATEGIC PLAN AREA: RESIDENTS LIFESTYLE - OUTDOOR, LUKE KIRTON

(End)
Report Author: Brie Logan, Business Manager

Report 0818FC8 to a meeting of the Full Council
To be held at 7.30pm (or directly following the Planning & Highways Committee meeting, whichever is the sooner) on Tuesday 21 August 2018 in the Council Chamber, Shaftesbury Town Hall

8 Pop-up Gallery

To consider support of Young Enterprise pop-up gallery initiative

8.1 Summary

- 8.1.1 Two students from Bournemouth Arts University approached STC to seek guidance on acquiring an empty shop for the sole purpose of setting up pop up gallery.
- 8.1.2 A pop up shop on the High Street has been secured for one week commencing 20th August in agreement with the Landlord.
- 8.1.3 The young people believe this project provides them with an opportunity to showcase their talent and inspire the community to enjoy their work. In their words ‘this collective effort will give back in a quantifiable way supporting Young Enterprise as our local community (STC and Landlord) has supported us’
- 8.1.4 All income generated via the selling of the artwork will be donated to Young Enterprise, the Mayor’s charity.
- 8.1.5 Pop up shops features on the strategic plan and this project gives the Council the chance to road-test the approach and build evidence for future similar projects

8.2 Financial Implication

- 8.2.1 There are no financial implications arising from this report.
- 8.2.2 1 hour of officer time will be required to assist with co-ordination.
- 8.2.3 Public liability insurance cover has been obtained at no additional cost.

8.3 Legal Implication

- 8.3.1 There are no legal implications arising from this report.

8.4 Risk

- 8.4.1 There are no risks identified within this report.

8.5 Recommendation

- 8.5.1 That the Council supports the Young Enterprise pop-up gallery initiative.

STRATEGIC PLAN AREA: Choose an item.

(End)

Report Author:
Claire Commons, Town Clerk