



Shaftesbury Town Council

Town Hall, Shaftesbury, Dorset. SP7 8LY

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To: Members of Shaftesbury Town Council's Full Council (FC).

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 on

Tuesday 01 October 2019 in the Council Chamber, Shaftesbury Town Hall

All other recipients for information only

Claire Commons

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. The period of time designated for public participation shall not exceed twenty minutes. A member of the public shall not speak for more than three minutes.

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

- 1 APOLOGIES 3**
To receive and consider for acceptance, apologies for absence (1 min)
- 2 DECLARATIONS OF INTEREST 3**
To declare any interests relating to the business of the meeting and receive any dispensation requests from the Clerk. (1 min)
- 3 MINUTES 3**
To confirm as a correct record, the minutes of the previous meeting of the Full Council. (1 min)
- 4 REPORTS 8**
To receive and note reports from the Mayor, Committee Chairmen, Lead Councillors County Councillors and Local Organisations. (10 mins)
- 5 ACTIONS FROM LAST FULL COUNCIL MEETING 9**
To receive updates on actions arising from the last Full Council Meeting. (5 mins)
- 6 VE DAY CELEBRATIONS 10**
To receive an update regarding plans for VE day Celebrations and consider allocating funds for the commemoration. (30 mins)
- 7 MARKET 14**
To consider undertaking a feasibility study on improving the market experience (10 mins)

8	SERVICE LEVEL AGREEMENT - BVTDC	15
	To consider recommendation from the General Management Committee to enter into a 1-year service level agreement with the BVTDC for the provision of Tourism Services (15 mins)	
9	S106 FUNDS ALLOCATION	16
	To receive a verbal update from the Town Clerk regarding the allocation of s106 funds to the Shaftesbury Almshouse Charity. (10 mins)	
10	FOOTBALL CLUB SUB-LEASE	19
	To provide additional information regarding the Council's legal responsibilities for the Football Club (15 mins)	
11	PROJECT BELLE	21
	To consider the status of the bid relating to Project Belle (15 mins)	
12	PAYMENTS	23
	To consider payments for authorisation (5 mins)	

(End)

Bibliography

Shaftesbury Town Council, 2012. *Code of Conduct*. [Online]

Available at: https://www.shaftesbury-tc.gov.uk/images/STC_Code_of_Conduct_2012.pdf

Tharmarajah, M., 2013. *Local Council's Explained*. 1st ed. London: NALC.

1 Apologies

To receive and consider for acceptance, apologies for absence (1 min)

1.1 Background

- 1.1.1 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.

1.2 Apologies received to date

- 1.2.1 Councillors Lower, Proctor and Loader due to personal commitments.

2 Declarations of Interest

To declare any interests relating to the business of the meeting and receive any dispensation requests from the Clerk. (1 min)

2.1 Background

- 2.1.1 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
- 2.1.2 Where a matter arises at a meeting which relates to a councillor's interest, the councillor has the responsibility of declaring that interest in accordance with the adopted code of conduct. (Shaftesbury Town Council, 2012)

2.2 Declarations of Interest or dispensations received to date

3 Minutes

To confirm as a correct record, the minutes of the previous meeting of the Full Council. (1 min)

3.1 Background

- 3.1.1 When the meeting is approving the draft minutes of a previous meeting as an accurate record, the only issue for the meeting is whether the minutes accurately record the proceedings of the meeting and the resolutions made at them. It is irrelevant if the chairman or other councillors were not present at the meeting to which the draft minutes relate.
- 3.1.2 If it is necessary for the draft minutes of the previous meeting to be corrected because of an inaccuracy in them, then the amendments to the draft minutes must be approved by resolution. (Tharmarajah, 2013, p. 154)

3.2 Minutes to be adopted

- 3.2.1 See following pages



SHAFTESBURY TOWN COUNCIL

Full Council

Minutes of the Full Council held in the Council Chamber, Town Hall, High Street, Shaftesbury Dorset SP7 8LY on Tuesday, 23 July 2019 commencing at 7:30pm.

Members Present

Councillor Cook (Chair)
Councillor Chase
Councillor Hollingshead
Councillor Loader
Councillor Pritchard
Councillor Welch

Councillor Brown (Vice-Chair)
Councillor Hall (for part of meeting)
Councillor Lewer
Councillor Prichard
Councillor Proctor
Councillor Yeo

Officers Present:

Claire Commons, Town Clerk
Brie Logan, Business Manager

In Attendance:

Inspector Simon Perry, Dorset Police

15 Members of the public

1 member of the press

MINUTES**Public Participation**

Members of the public were invited to make representations to the Council on any matters relating to the work of the Council or to raise any issues of concern.

- Redrow Development – concern about Town and County process
- Project Belle – Interest in debate
- Thanks for support to Planet Shaftesbury

Meeting Commenced: 8:03pm

F35 Apologies

None, noted Cllr Hall would be late arriving

F36 Declarations of Interest and Dispensations

All members were invited to declare any interests throughout the meeting if the need arose. There were none.

F37 Order of Business

It was **RESOLVED** to change the order of the meeting to put item 10 'Project Belle' to the end in case of need to go into confidential session.

F38 Minutes

F38a It was **RESOLVED** to amend the Minutes of the Meeting of 14th May 2019 to include Councillor Hall in attendance for part of the meeting. The minutes were duly amended and signed.

F38b It was **RESOLVED** to approve the minutes of the meeting held on 18th June 2019 and the minutes were duly signed.

F39 Reports

Officer Report 0719FC5 was received and noted.

F40 Member Motion – Climate Emergency

Member Motion NoM0025 was received at it was **RESOLVED** that Shaftesbury Town Council declares a Climate Emergency recognising the need for urgent action and will form a working group with members of the community to draw up a plan for action by the end of October 2019.

ACTION: TOWN CLERK AND CLLR CHASE

F41 Member Motion – Plastic Free Shaftesbury

Member Motion NoM0026 was received

Councillor Hall arrived at 8:30pm

It was **RESOLVED** that this Council supports the process of Shaftesbury becoming a plastic free community, including (but not limited to) the removal of single use plastics from Council premises

ACTION: TOWN CLERK AND CLLR CHASE

F42 Payments

Officer report 0719FC7 was received and a payments list tabled. It was **RESOLVED** to approve the payments from the Town Council's current account totalling £12,555.49 and note the bank balances.

ACTION: FINANCE AND SERVICES OFFICER

The meeting was suspended at 8:37pm for refreshments due to the heat and reconvened at 8:42pm.

F43 Football Club

Officer report 0719FC8 was received and noted. It was **AGREED** to provide additional information regarding the Council's legal responsibilities.

ACTION: BUSINESS MANAGER

F44 Neighbourhood Plan Consultation

Officer report 0719FC9 was received and noted.

F45 SLA – Blackmore Vale Tourism Development Company

Officer report 0719FC11 was received and it was **RESOLVED** to **DEFER** the item to another meeting of the Council to allow representatives of the BVDTC to be present and respond to questions.

ACTION: BUSINESS MANAGER

F46 Planning Application – Rear of 25 High Street

Officer report 0719FC12 was received and it was **RESOLVED** in relation to application 2/2019/0342/FUL and 0343/LBC Store Rear of 25 High Street to return the observation **No Objection**.

ACTION: TOWN CLERK

F47 DAPTC AGM Proposals

Officer report 0719FC13 was received and it was **RESOLVED** to delegate to the Clerk in discussion with Councillors Brown and Lower regarding planning policy and large developments and defer to the Planning and Highways Committee meeting of 13th August 2019.

ACTION: TOWN CLERK

F48 Committee Terms of Reference

Officer report 0719FC14 was received and it was **RESOLVED** to adopt the Terms of Reference for the following Committees;
General Management (GEM),
Recreation, Open Spaces and Environment (ROSE),
Planning and Highways (P&H),
Human Resources (HR)
Shaftesbury Neighbourhood Plan Advisory (SNPAC)
Visitor Experience Advisory (VEAC)
Economic Development Advisory (EDAC)

ACTION: TOWN CLERK

F49 Strategic Plan

The Town Clerk and Business Manager provided a verbal update on the Strategic Plan workshop and it was noted that further discussion was needed before consideration by the Council.

ACTION: ALL COUNCILLORS

The meeting having reached 2 hours and no resolution passed to suspend standing order 3x, the meeting was closed at 10:04pm and item 10 'Project Belle' will be deferred to the next meeting of the Council.

Signed

Date

Payments for Approval 23rd July 2019

Date	Ref	Amount	Payee	Detail
01/07/2019	DD	£ 313.00	Dorset Council	Rates Unit 9C
01/07/2019	DD	£ 218.00	Dorset Council	Rates Bell St Toilets
01/07/2019	DD	£ 52.00	Dorset Council	Rates Cemetery
01/07/2019	DD	£ 712.00	Dorset Council	Rates Town Hall
01/07/2019	DD	£ 233.34	SSE	Electric Barton Hill April-June inc Fair Usage
01/07/2019	DD	£ 254.14	E-ON	Electric Swimming Pool
11/07/2019	DD	£ 849.20	Hitachi	Mower Payment
01/07/2019	SO	£ 275.00	S'bury Trinity Trust	Car Park space Trinity
02/07/2019	DD	£ 74.74	O2	Grounds Mobiles June
03/07/2019	Card	£ 260.00	DVLA	Road Tax Nissan Truck
08/07/2019	DD	£ 145.44	BT	Line Rental Broadband
08/07/2019	Card	£ 8.70	Amazon	Receipt paper rolls for card machine
09/07/2019	DD	£ 278.57	BT	BT Cloud June to August
15/07/2019	DD	£ 304.31	Fuel Genie	Fuel for Grounds June
16/07/2019	DD	£ 21.94	Card Saver	Card Machine Cost June
16/07/2019	DD	£ 80.40	Sage	Pay Roll Software
16/07/2019	Card	£ 8.32	Adobe	Photoshop
23/07/2019	O/L329	£ 344.09	Aqua Supplies	Cleaning supplies Town Hall, Pool, Bell St Toilets
23/07/2019	O/L330	£ 177.26	R Baker	Face Book advertising swimming pool
23/07/2019	O/L331	£ 100.82	British Gas	Electric Bell St Toilets
23/07/2019	O/L332	£ 63.88	Claire Commons	Travel -Governance Course, cleaner and ribbon
23/07/2019	O/L333	£ 447.55	DWP	Refuse Collection July-Sept
23/07/2019	O/L334	£ 129.25	Fire Protection	Inspection and supply of fire extinguishers Pool
23/07/2019	O/L335	£ 21.15	A Hollingshead	Travel Cllr training course
23/07/2019	O/L336	£ 185.04	Hunts	Refreshments for pool
23/07/2019	O/L337	£ 193.08	The IT Department	Monthly support, spam and 365
23/07/2019	O/L338	£ 302.95	Ben Johnson	Echo Blower, clutch for strimmer
23/07/2019	O/L339	£2,758.13	Octopus	Temporary Groundsman
23/07/2019	O/L340	£ 1,680.00	Partnership Security	CCTV for Pool
23/07/2019	O/L341	£ 18.00	Service-U-right	Puncture Repair
23/07/2019	O/L342	£ 336.00	Tincknell Fuels	Fuel for mowers
23/07/2019	O/L343	£ 141.02	Travis Perkins	Paint, locks, postcrete and chain
23/07/2019	O/L344	£ 42.48	Western Workshop	Case of spray grease
23/07/2019	O/L345	£ 36.00	Pear	Map of Listed Buildings NHPG
23/07/2019	O/L346	£ 1,089.50	Essential Pool supplies	Chemicals for pool
23/07/2019	O/L347	£ 63.07	British Gas	Electric Unit 9C
23/07/2019	O/L348	£ 217.12	British Gas	Electric Town Hall
23/07/2019	O/L349	£ 120.00	Clare Davis	Aqua Fit Classes
		£ 12,555.49	Total Payments	

4 Reports

To receive and note reports from the Mayor, Committee Chairmen, Lead Councillors County Councillors and Local Organisations. (10 mins)

4.1 Summary

- 4.1.1 The Council receives reports from external partners (County Councillors, local organisations and other public bodies) and internal reports from the Mayor, committee chairmen, lead councillors, representatives to organisations.
- 4.1.2 These reports are to inform and give the opportunity for topics of note to be addressed later by the Council or its committees.
- 4.1.3 Reports and minutes provided in advance are taken as 'read'.
- 4.1.4 PK Littlejohn external audit is due by 30th September. This audit report will be presented to Council upon receipt.

4.2 Financial, Legal and Risk Implications

- 4.2.1 There are no legal or financial implications arising from this report as the item is not specific enough to give advance notice of a decision to be taken.
- 4.2.2 There is a risk of decisions being taken on items not clearly identified on the agenda. This is mitigated by clear agendas and deferring items not notified in advance.

4.3 Recommendation

- 4.3.1 That the reports are received and noted and any actions arising identified for future meetings of the Council or its Committees

STRATEGIC PLAN AREA: ENGAGEMENT

4.4 Detail

- 4.4.1 The following reports are expected as standard and appended to this report; **Chairman and Civic Report, County Councillor Reports.**
- 4.4.2 Committee (including Advisory Committee) reports and Lead Councillor reports are provided where there are updates or additional information not contained within the circulated minutes or where the terms of reference require specific reports back to the Council. Recommendations from Committees, Sub-Committees and Advisory Committees will be provided as individual agenda items.
- 4.4.3 Committee minutes have already been circulated relating to:
 - Planning and Highways:
 - Recreation, Open Spaces and Environment:
 - General Management:
 - Human Resources Committee
- 4.4.4 **Local Organisations** may provide reports either through their Council representative or directly to the Council, where provided, these are appended to this report.

(End)

Report Author:

Brie Logan Business Manager

5 Actions from last Full Council Meeting

To receive updates on actions arising from the last Full Council Meeting. (5 mins)

Updates on actions arising from the last Full Council Meeting	
Date of Meeting	Action Description
2019 07 23	<p>F40 Member Motion – Climate Emergency</p> <p>Member Motion NoM0025 was received at it was RESOLVED that Shaftesbury Town Council declares a Climate Emergency recognising the need for urgent action and will form a working group with members of the community to draw up a plan for action by the end of October 2019.</p> <p>ACTION: TOWN CLERK AND CLLR CHASE</p>
2019 07 23	<p>F43 Football Club</p> <p>Officer report 0719FC8 was received and noted. It was AGREED to provide additional information regarding the Council's legal responsibilities.</p> <p>ACTION: BUSINESS MANAGER</p>
2019 07 23	<p>F47 DAPTC AGM Proposals</p> <p>Officer report 0719FC13 was received and it was RESOLVED to delegate to the Clerk in discussion with Councillors Brown and Lower regarding planning policy and large developments and defer to the Planning and Highways Committee meeting of 13th August 2019.</p> <p>ACTION: TOWN CLERK</p>

5.1 Recommendation

To received and note the report.

(End)

Report Author:

Brie Logan Business Manager

6 VE Day Celebrations

To receive an update regarding plans for VE day Celebrations and consider allocating funds for the commemoration. (30 mins)

6.1 Summary

- 6.1.1 It was RESOLVED at the Full Council meeting held on 18th June 2019 to establish a working group to draw up plans for commemorating the 75th Anniversary of VE.
- 6.1.2 To receive a report from Councillor Yeo (lead Councillor for this project) Please refer to appendix A

6.2 Financial Implication

- 6.2.1 It is expected the event expenditure will be in the region of £12,000. Funding for this event was not considered in the budget setting process therefore funds will need to be transferred from reserves.

6.3 Legal Implication

- 6.3.1 TENS licence application needs to be in place
- 6.3.2 Road close application needs to be in place

6.4 Risk

- 6.4.1 Risk assessment to be carried out for the event.
- 6.4.2 Public Liability insurance will be needed for a large event.

6.5 Recommendation

- 6.5.1 That Shaftesbury Town allocate funds of combined budget for national 2020 VE and VJ day commemorations of a combined total of £12,000 from reserves. The project group want to ensure that the town and its citizens can celebrate these important national events in a fitting manner on their 75th anniversary.

STRATEGIC PLAN AREA: MARKETING & EVENTS

(End)

Report Author:
Brie Logan Business Manager

Appendix A.

Report – Cllr Yeo

VE Day Commemorations and Celebrations 8th to 10th May 2020 and VJ Day Commemorations on 15th August 2020.

The Government has designated that the early Spring Bank Holiday weekend, beginning on Friday 8th May, is to be for the nationwide Commemoration and Celebration of the 75th Anniversary of VE Day (the allies Victory in Europe over Nazi Germany) in World War Two. At the request of the Council, a Working Group was set up to scope a suitable plan and the organisational implications and cost that will be required so that the people of Shaftesbury can mark this major national event in a fitting and memorable manner.

This Working Group comprised Councillors Jeanne Loader, Peter Yeo, Alex Chase, and Matthew Welch, with excellent assistance and advice from Colonel Robin Miller (Ret'd), The Chairman of the Shaftesbury Branch of the Royal British Legion.

As this will be a major national commemoration and celebration, Shaftesbury Town Council needs to ensure that fitting and memorable events occur, and are also encouraged, over the VE Day bank holiday weekend which all 8,500 Shaftesbury citizens can potentially attend, see or participate in.

On VE day in Shaftesbury in 1945 there was a parade through the town which was flanked by cub scouts carrying poles with burning torches atop them. They marched along Park Walk and then lit a beacon bonfire on Castle Hill. A street party also occurred in the High Street with the Town Hall being at the centre of this. On the Town Hall balcony, a record player was linked up to a PA System (owned by a Mr Norton) so that dancing and celebrations could occur outside in The High Street.

The Working Group's plan for 2020 VE Day commemorations and celebrations emulates these historic events, but they are also updated to cater for the vastly increased population of Shaftesbury too and will, if suitably funded and organised, will show Shaftesbury Town council in a reputationally enhancing light.

On Bank Holiday Friday 8th May 2020 the plan is to close off the High Street to firstly enable the erection of a covered stage outside of the Town Hall and also two (side less) Marquees (9m x 18m each) in the High Street to ensure we have provided some essential shelter in the event of wet weather (plus seating and tables).

There will be food and drink stalls, plus several World War 2 vehicles and some WW2 re-enactors to add to the theme and atmosphere. At 5pm live music (1940s and modern) will begin on the stage outside the town hall, at 6pm there will be bell ringing from the churches all over the nation. At 6:05pm the Mayor will read a poignant address to the assembled citizen as will a vicar/clergyman. From 6:20 pm until 9pm there will be a variety of performances from the Town Choir, The Town Silver band, the Belle Street Jazz Band, and Bell Street Female trio/duo etc. At 9pm (dusk) there will be a spectacular airborne aerobatic display from 'Airborne Pyrotechnics' - two synchronised aerobatic aircraft festooned with LEDs and pyrotechnics that perform to music while they dispense numerous impressive pyrotechnics. They are fully licensed by the Civil Aviation Authority and will be view-able from the High Street and all over Shaftesbury and for 10 miles around. Live music will then continue on the stage outside of The Town hall at 9:15 pm and will continue until 11pm or midnight TBC.

On Saturday 9th May 2020, as per the suggested national guidelines, individual street parties will be encouraged. Shaftesbury Town Council involvement in the organisation of these will be minimal, however the whole town will need to be leafleted well in advance to let people what we will be occurring over this national bank holiday weekend so that Street Party celebrations can become organised. The Mayor and Town councillors will be expected to attend some of them. The Councils other main concern on this date will be to ensure the clear up of The High Street after the Friday night street party and removal of the two marquees.

So far, we have conducted substantial research and have provisionally booked live entertainment acts (the several musical and the 'Airborne Pyrotechnics' dusk aerobatic display) to avoid them being lost to other town's VE Day events. We also have quotes for the cost of performing licences, marquee hire, table and chair hire, High Street closure fees, port also hire, VIP refreshments, some WWII re-enactors and WW2 vehicles, advertising costs etc. We are inviting food and drink stall owners and informing all the high street pubs, cafes and restaurants that this will be a major event that will attract lots of extra business.

To ensure success, we estimate we shall need a budget of £12,000 from the Council's Reserves (only 2% of them) to cover this major National event. This equates to £1:41 per citizen, so is excellent value. We have written to The Chamber of Commerce to see if they may assist with some costs and are awaiting a response. We also expect some income from stall holder pitch fees and maybe sponsorship too.

As this will be a major Shaftesbury event as part of national celebrations and commemorations, we hope that all Town Councillors would help to man the event. We will also probably need the assistance of the Grounds Team and litter pickers to help with the set up and also the 'clear up' the following day.

As the National plan for VJ day celebrations is yet to be announced, we have also considered this necessity and planned in principle to mark V-J Day (Victory over Japan) on its anniversary, Saturday 15th August, by the attendance of the Mayor and Councillors and representatives of the Royal British Legion etc with a wreath laying ceremony at The Town Memorial. Minimal costs are anticipated for the VJ Day Commemorations as we do not plan to have another street party event, but only the service at the Town Memorial followed by refreshments at the town hall for invited representatives, octogenarian citizens and veterans etc.

Report 1019FC6

Estimated Costs for Shaftesbury Town Council's VE Day Weekend (Friday 8 th May to Sunday 10 th May 2020) Commemorations and Celebrations of the national 75 th anniversary of VE Day (and for VJ Day Commemorations on Saturday 15 th August 2020).			
	Advertising	£1,000	Inc Banner, posters, leaflets, distribution cost
	Two marquees: each one is 9m x 18m and has 25 tables (6ft x 2.5ft) and 300 chairs	£5,000	Erect on Friday morning, remove Saturday morning
	'Airborne pyrotechnics': dusk aerobatic display by two LED & pyrotechnic festooned aerobatic aircraft, viewable by all of Shaftesbury	£1800 +VAT (£2,160 inc VAT)	
	High Street closure Fees x 2 days	£200	
	Public Performance licence	£100	
	Insurance	£250	
	Town Band Performance	Free in lieu of two free uses of The Guildhall	
	Bell Street Jazz band	£300	
	Belle Street female trio/duo	£350	
	PA Sound System Hire	£300	
	Stage outside of town hall (covered)	£300	
	Pop Band	£100	
	Community Choir	No Charge	
	Re-enactor fees	£300	
	Portaloos x 8 @ £55+Vat plus £25+Vat drop off/collection fee.	£558 total inc VAT	
	Contingency (7%)	£840	Unexpected costs
	VJ Day Commemorations:		
	Wreaths	£100	
	Refreshments/Buffer	£142	
	Total estimated Cost	£12,000	

7 Market

To consider undertaking a feasibility study on improving the market experience (10 mins)

7.1 Summary

- 7.1.1 The draft strategic plan identifies the need to improve the market experience with an expectation of improving the town's economy and keeping the town vibrant. The Shaftesbury Chamber of Commerce are also focused on driving footfall to the town and are passionate about maintaining a positive economic environment.
- 7.1.2 There is a need to enlist expert support to work through the entire vision: branding, logistics and marketing and to identify what market offer would best suit Shaftesbury. A feasibility study needs to be undertaken to find out what the scope and capacity of the market experience could be using experts that are recognised as industry experts.
- 7.1.3 Research has been undertaken to establish market management best practice and learnings from others, acknowledged as experts in this field; experience is key to shaping the future needs of the Shaftesbury market experience. It is recognised by the industry experts that improving the market experience has to be a long-term goal. There is no instant fix, there are no quick wins and there is no magic formula.
- 7.1.4 Based on the outcome of the feasibility study, and if the key indicators are favourable, then the next step would be to establish a stakeholder group to create the vision and project plan. This project also has the expectation of improving the economic development and visitor experience aspects within the strategic plan.

7.2 Financial Implication

- 7.2.1 The feasibility study would be conducted over a five-day period at a cost of £400 per day. The cost would be split between STC and Shaftesbury Chamber of Commerce. Therefore, the STC commitment would be £1000

7.3 Legal Implication

- 7.3.1 The Council has the General Power of Competence

7.4 Risk

- 7.4.1 None. By conducting a feasibility study at this stage, it means that STC can take on board the outcomes from the study to shape future decision making

7.5 Recommendation

- 7.5.1 That the Council commits to a £1000 investment in partnership with the Chamber of Commerce to conduct a feasibility study on the Shaftesbury's overall market offer.

STRATEGIC PLAN AREA: VISITOR EXPERIENCE

(End)

Report Author:
Brie Logan Business Manager

8 Service Level Agreement - BVTDC

To consider recommendation from the General Management Committee to enter into a 1-year service level agreement with the BVTDC for the provision of Tourism Services (15 mins)

8.1 Summary

- 8.1.1 At its meeting on 17th September 2019, the General Management Committee considered a proposal to enter into a service level agreement with the Blackmore Vale Tourism and Development Company for the provision of tourism services in Shaftesbury, Gillingham and surrounding area. The original proposal was to uplift an historical 1-year agreement to a five-year agreement.
- 8.1.2 The Committee considered the proposal and BVTDC informed members that Gillingham Town Council would be considering its contribution of £3,000 the following evening. The Committee recommended to Full Council to provide a SLA of £8,000 for the financial year 2019/202 and to initiate a tender process for future considering recommendations from the Visitor Experience Advisory Committee.
- 8.1.3 The Town Council has been made aware that Gillingham Town Council has resolved not to provide any funding for the current financial year.
- 8.1.4 Members are asked to refer to their papers for the General Management Committee meeting for the detail of the proposal

8.2 Financial Implication

- 8.2.1 £8,000 SLA investment from budget line 303 – Grants and SLA

8.3 Legal Implication

- 8.3.1 None

8.4 Risk

- 8.4.1 The BVTDC will not promote Shaftesbury as a destination from November 2019 through to Spring 2020 if the organisation is not funded.
- 8.4.2 The tendering process will take in the region of 6 months to organise application and selection process.

8.5 Recommendation

- 8.5.1 STC supports the SLA request for funding for BVTDC for the 2019/20 financial year.
- 8.5.2 STC approves the approach to manage the SLA for tourism marketing for future years via a tender process

STRATEGIC PLAN AREA: MARKETING & EVENTS

(End)

Report Author:
Brie Logan Business Manager

9 s106 Funds Allocation

To receive a verbal update from the Town Clerk regarding the allocation of s106 funds to the Shaftesbury Almshouse Charity. (10 mins)

9.1 Summary

9.1.1 See Appendix B

9.2 Financial Implication

9.2.1 There are no financial implications arising from this report

9.3 Legal Implication

9.3.1 There are no known legal implications arising from this report

9.4 Risk

9.4.1 There are no identified risks in this report

9.5 Recommendation

9.5.1 To receive and note the report

STRATEGIC PLAN AREA: POLICIES, PROCEDURES AND GOVERNANCE

(End)

Report Author:
Brie Logan Business Manager

Appendix B.
FORM D



EXECUTIVE DECISION NOTICE

Service Area	Planning (Community and Policy Development) Development Management Housing
Subject/Title	The use of £200,000 of S106 funds from developments in Shaftesbury to support Shaftesbury Almshouses to redevelop 20 older people's homes.
Decision Status (for example For determination or approved)	For determination
Decision Taker(s)	Councillor G Carr Jones Councillor D Walsh
Designation	Housing Portfolio Planning Portfolio
Lead Director	Stephen Hill
Lead Officer Contact	Paul Derrien (01305) 252447 pderrien@dorset.gov.uk
Date of Decision	
Reason for the Decision	<p>1. To use S106 funds to support the delivery of affordable housing and to meet the corporate plan objective to 'Ensure that people who are vulnerable or in hardship are supported, feel safe and more able to live independently'.</p> <p>2. The Old Brow development in Shaftesbury (planning ref 2/2010/1026/PLNG) provided a financial contribution of £315,000 towards affordable housing of which £145,184 remains unspent. The funds were received in September 2011. The Old Brow scheme is an older person's housing development in Shaftesbury, and this is a good opportunity to spend the funds in an area that they came from.</p> <p>3. The Council also hold £200,000 from a development at 12 to 24 Coppice Street in Shaftesbury. This contribution was from an older person's development by Churchills. The S106 agreement states that the contributions should be, in the first instance, spent in Shaftesbury. It is proposed to use £54,816 of these funds to support the Almshouse project, taking the total contribution to £200,000.</p> <p>4. Shaftesbury Municipal Almshouse Charity, also known locally as Chubbs Almshouses, own 20 bedsits on Salisbury Road that are allocated to local older people in housing need. These homes were built in 1968 and no longer meet current standards nor do they meet the aspirations of local people. Shaftesbury</p>

Report 1019FC9

	<p>Almshouses have planning permission (2/2014/0375/PLNG) to extend and convert the bedsit accommodation to provide one-bedroom accommodation.</p> <p>5. The detail of the work proposed by Shaftesbury Almshouses is to extend and convert the bedsits to provide one-bedroom accommodation. This work includes the demolition of several external walls and increasing the floor space of all of the flats.</p> <p>6. The business plan for the development shows a significant shortfall in funding for this work. The Almshouses are using their own funds, a grant from the William Williams Trust and will also be taking out a mortgage on the property. This is an opportunity to support a local charity in their aim of providing good quality housing for local older people. There has been an Almshouse in the town for a long time with a commitment to helping local people. The homes that they own require significant amounts of work to ensure they are fit for the future and that the Almshouses will meet the needs of local people.</p> <p>7. In order to make this scheme viable it is proposed to give a grant of £200,000 which equates to £10,000 per unit. This level of grant has been used to deliver new units elsewhere in the Partnership area. The grant will be paid in two stages at start on site (50%) and completion (50%).</p> <p>8. There is a need for affordable housing for older people in Shaftesbury. In 2011 there were 7,190 over 75 years old in North Dorset. By 2031 it is projected that there will 12,870 people over 75, an increase of 79% (figures from DCC Extra Care Strategy). There are currently 195 applicants on the North Dorset Housing Register with a connection to Shaftesbury or the surrounding Parishes. Of the applicants with a connection to the area 47 are aged over 51 years old and 15 over 75.</p> <p>9. In order to qualify for the grant Shaftesbury Almshouses will be required to enter into a nominations agreement to ensure that those people allocated the homes meet the Councils definition of local needs person</p>
Alternative Options considered and rejected	<p>1 – Not to support the project. The likely impact of this being that Shaftesbury Almshouses are not able to redevelop the site and risk to managing homes that are not wanted by older people.</p> <p>2 – To save the S106 funds to use on other projects. This risks not being able to find a suitable local project in the Shaftesbury Area.</p>
Consultees	Shaftesbury Town Council
Budget Implications	This project will ensure that S106 funds held by the Council are spent on appropriate projects to provide affordable homes for local people in housing need.
Legal Implications	The S106 agreement for the Old Brow development states that the affordable housing contributions are for the purpose of 'providing affordable housing including land acquisitions and grant funding for schemes initially within the area of Shaftesbury'.
Conflict of Interest	The Shaftesbury Almshouse scheme already has planning permission so there is no conflict of interest.
Reference Documents	<p>Planning application – 2/2014/0375/PLNG, Chubbs House, Salisbury Street. Extent and convert existing bedsit accommodation to provide one-bedroom apartments</p> <p>S106 agreement – Old Brow, Shaftesbury</p>

10 Football Club Sub-Lease

To provide additional information regarding the Council's legal responsibilities for the Football Club (15 mins)

10.1 Summary

- 10.1.1 The Council AGREED at the Full Council meeting held on 23rd July 2019 to provide additional information regarding the Council's legal responsibilities for the Football Club.
- 10.1.2 The council asked a number of questions pertaining to the legal responsibilities of the landlord. I have attached a copy of these questions and answers from the STC Solicitor in appendix C.
- 10.1.3 The Council delegated 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 at the FC meeting in August 2018. Included in the lease was the provision for sub-letting as outlined in clause 17.
- 10.1.4 The day-to-day management of the leases pertaining to STC assets is managed under delegated authority with the Town Clerk.
- 10.1.5 The draft lease is being prepared by the Football Club solicitor. The STC solicitor will inform the Town Clerk when the document is ready for review. The sub lease can be reviewed by the council upon completion by both sets of solicitors.

10.2 Financial Implication

- 10.2.1 None at this stage

10.3 Legal Implication

- 10.3.1 None at this stage.

10.4 Risk

- 10.4.1 None at this stage

10.5 Recommendation

- 10.5.1 To receive and note the report

STRATEGIC PLAN AREA: POLICIES, PROCEDURES AND GOVERNANCE

(End)

Report Author:
Brie Logan

Business Manager

Appendix C.

Questions from Business Manager on behalf of STC to the STC Solicitor:

As responsible Landlords the council want to be clear on accountability and risk and make sure that the FC as the tenant has crossed all the T's in terms of governance and compliance. A set of questions (below) was sent to the STC solicitor. (Responses from STC Solicitor in red)

- 1) The car wash is expected to employ 4 members of staff. The amount of car wash users (the customers) is unknown at this stage. The company has its own Public liability insurance. Is there any risk to the council as landlords or does the risk lie entirely with the sub-tenant in terms of any accident/ incident?
The council does have a potential liability as Landlord to members of the public as occupier. This applies under the Occupiers Liability Act 1957 and 1984. The Landlord as well as the Tenant and sub-tenant could be deemed an occupier. As STC have some level of "control" Over the premises, they should maintain public liability insurance
- 2) If planning is approved, then a formal sub-lease agreement needs to be drawn up by you as the STC solicitor and Farnfields as the tenant's solicitor? Or is it the responsibility of the sub-tenant to arrange this via the sub-tenant's solicitor?
The sub-lease would be agreed between Farnfields and the sub-tenant's solicitor, but we would need to give our consent which would involve me approving the lease/licence
- 3) Do we need any legal documentation for the 6-month trial – i.e. a licence to operate?
I would strongly advise a licence is entered into as per the above.
- 4) If the car wash people employ a casual member of staff and as an example does not have a valid visa or right to work in the UK then who is liable for prosecution – the landlord, tenant or sub-tenant? A council believes that this industry is renowned for paying below the minimal wage thus contravening the slavery act. Again, who is liable. As responsible landlords can you foresee any HR/ employability risks?
The employer will be liable for prosecution in these circumstances
- 5) A separator tank is being installed which separates the chemical waste from the water. Again, in event of an unlikely leak/ contamination then who would be liable for prosecution – the landlord, tenant or sub-tenant?
**The landlord has a responsibility to ensure that in terms of electricity/fire, that the premises do not pose risk to human health. There is a "Compliance" clause in the lease, which shifts responsibility for statutory compliance to the tenant (clause 28)
Specifically, in relation to contaminants, the Contaminated Land Regime imposes liability for the remediation land as follows: -
Class A persons in the first instance; liability is imposed on those who caused or knowingly permitted the contaminated substance to be present in or under the land.
Class B persons if no class A person can be found; liability passes to the current owner or occupier of the site.
Therefore, there is a potential risk of liability in these circumstances and so the lease/licence between the tenants and subtenant must deal with these obligations. The court will take into account responsibilities under a lease.**

The Director team at the FC have advised me that they have agreed that all liability lies with the sub-tenant and paperwork has been signed however advice from STC solicitor as the legal expert was requested.

11 Project Belle

To consider the status of the bid relating to Project Belle (15 mins)

11.1 Summary

- 11.1.1 Officer report Officer report 1118FC6 was received and the council **RESOLVED** to create bid to purchase the ex-supermarket in Bell Street.
- 11.1.2 The bid was presented to the managing agents on 5th December 2018.
- 11.1.3 A number of email exchanges and phone conversations took part between the Business Manager and the managing agents throughout January to March 2019.
- 11.1.4 Purdah restrictions restricted this item being presented to council in March to May 2019
- 11.1.5 An agenda item for Full Council was prepared to review progress on the status of the bid on 23rd July. The meeting having reached 2 hours and no resolution passed to suspend standing order 3, the meeting was closed at 10:04pm and item 10 'Project Belle' was deferred to the next meeting of the Council (thus being GEM on 17th September)
- 11.1.6 On 29th July an informal councillor briefing session on Project Belle enabled 4/6 new Councillors to be engaged with the status of the project. A request was made during the meeting to make contact with the receivers to arrange a meeting between the receivers and two Councillors to discuss the STC bid. An email on 21st August (see appendix D) confirmed that a bid had been selected and as a result it was felt by the Receivers that a meeting was not necessary.

11.2 Financial Implication

- 11.2.1 The council resolved to ringfence 100K from reserves of support in line with the cash flow 5-year forecast as a 2-year investment to be repaid in 2021
- 11.2.2 North Dorset District council approved 70K of financial support as a contribution to the project. Should project Belle not proceed, NDDC allocated 50K of funding towards a navigational signage project.
- 11.2.3 No formal GWL application was submitted albeit the project satisfied the criteria

11.3 Legal Implication

- 11.3.1 The Council has the General Power of Competence

11.4 Risk

- 11.4.1 The council may want to raise the value of the bid however the cash flow forecast demonstrates that the project would not be financially viable or sustainable if the bid was increased.

11.5 Recommendation

- 11.5.1 That the Council provides a report to the managing agents to (1) withdraw the bid or (2) maintain the status of the bid

Appendix D.

Email dated 21/8/2019 from Andrew Capes – managing agent from GVA/ Avison Young

Good afternoon Brie

Thank you for your email which I forwarded to the Receivers and we discussed on the phone. In tandem with this, the lender had also received a letter from Virginia Edwyn-Jones on behalf of the Shaftesbury Civic Society / Shaftesbury & District Chamber of Commerce which you will have doubtless seen.

We are working with one particular party at levels considerably higher than the level of the council's bid and hope to be in a position to bring this to a conclusion in the near future. You did indicate that even with the change of personnel, it was unlikely the council's bid could be significantly improved upon. Whilst the receivers and the lender understand the concern and ramifications of the vacant store on the town, we are working hard to secure a purchaser. In light of the hopeful conclusion, the Receivers do not feel there would be anything to be gained from a meeting.

When I am in a position to let you detail of the final outcome, rest assured I will.

I will also make sure that the contents of Mrs Edwyn-Jones' letter are relayed to a successful purchaser.

Please let me know if you require anything further.

Many thanks

Kind regards

Redacted

(End)

Report Author:
Brie Logan, Business Manager

12 Payments

To consider payments for authorisation (5 mins)

12.1 Recommendation

12.1.1 That the Council approves the payments from the Town Council's current account and notes the bank balances. Please refer to appendix E.

12.2 Summary

12.2.1 A list of payments will follow this report, an updated list may be provided to the committee prior to or at the meeting

12.2.2 A bank, cash and investment reconciliation will follow this report detailing the current position following payments identified.

12.3 Financial Implication

12.3.1 The RFO is required to prepare a schedule of payments requiring authorisation to be presented to the council or finance committee. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of contract of employment) may be summarised to remove public access to any personal information. (Shaftesbury Town Council, 2017)

12.4 Legal Implication

12.4.1 Every local council and parish meeting must ensure that it has a sound system of internal control which facilitates the effective exercise of its functions and the achievement of its aims and objectives. The council must likewise ensure that its financial, operational and risk management is effective. (Cleyden, 2016, p. 178) (the Accounts and Audit Regulations, 2015)

12.5 Risk

12.5.1 Risk of improper expenditure is mitigated through the Council's adopted financial regulations and oversight of financial management by the Council as a corporate body.

STRATEGIC PLAN AREA: POLICIES, PROCEDURES AND GOVERNANCE

(End)

Report Author:
Brie Logan Business Manager

Appendix E.

Date: 26/09/2019

Shaftesbury Town Council

Page 1

Time: 08:37

NatWest Current A/c

List of Payments made between 20/09/2019 and 02/10/2019

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
24/09/2019	Essential Pool Supplies	ol322	260.00		Purchase Ledger Payment
02/10/2019	Aqua cleaning Services	ol317	129.60		Toilet roll, blue rolls
02/10/2019	British Gas	ol319	96.43		Electric Bell Street Toilets
02/10/2019	EG. Coles	ol320	151.38		Light unit, wiper
02/10/2019	Clare Davis	ol321	90.00		Aqua Fit Classes
02/10/2019	Essential Pool Supplies	ol323	260.00		Chemicals less £200 for Locker
02/10/2019	Thorngrove Garden Centre	ol324	771.34		Plants
02/10/2019	C E Plumbing & Heating	ol325	197.75		Supply & fit new taps
02/10/2019	Octopus Personnel	ol326	1,100.48		Temp Grounds & Office Staff
02/10/2019	Workplace Products	ol327	6,500.00		Credit against lockers
Total Payments			<u>9,556.98</u>		