

# **FROME TOWN COUNCIL**

*making Frome a better place*

## **FROME TOWN COUNCIL MEETING**

**Wednesday 5 November 2014, 7pm**

**Conference Room, Frome Medical Practice, Enos Way, Frome, BA11 2FH.**

Dave Anderson; Eve Berry; Adam Boyden; Carole Bullen; Graham Burgess; Adrian Dobinson;  
Toby Eliot; Pippa Goldfinger; Tricia Golinski; Damon Hooton; Claire Hudson; Peter  
Macfadyen (Chair); Dickon Moore; Helen Sprawson-White; Helen Starkie; Mel Usher;  
Nick White and  
Cara Honey (Mayor for Young People); Alex Shingler (Deputy Mayor for Young People)

## **AGENDA**

1. Questions, comments and information from the public and county and district Cllrs
2. Apologies for absence, declaration of members' interests and minutes from the last meeting on 17 September 2014 and the most recent committee meeting
3. Outstanding actions and forthcoming items
4. Local Legacy Scheme – FTC's unsuccessful applications
5. Neighbourhood Plan – what it means for Frome
6. Proposal to hold hustings in advance of the General Election in May 2015
7. Proposal to buy the Old Showfield
8. Progress report on the old Social Services Building project

Yours sincerely



Paul Wynne, Town Clerk  
Frome Town Council, 5 Palmer Street, Frome. BA11 1DS  
29 October 2014

# FROME TOWN COUNCIL

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## AGENDA

1. Questions, comments and information from the public and county and district Cllrs
2.
  - a. Any apologies for absence?
  - b. Cllrs to declare any interests on the agenda
  - c. To consider and approve the minutes of the last meeting held on 17 September 2014
  - d. To receive for information the minutes of the last Internal Affairs Committee meeting
3. Outstanding actions and forthcoming items – see Appendix 1
4. **For information: Unsuccessful applications to Mendip’s Local Legacy Fund**  
Author: Town Clerk / Energy and Recycling Officer

### *Summary*

This fund comprises a percentage of the New Homes Bonus income received by Mendip over the previous year. Frome is the largest town and accommodates now, and in the future, the largest number of new houses in Mendip. Frome, therefore, generates a large proportion of NHB in Mendip this is the second year Mendip has run the Local Legacy Scheme with some of the income from NHB. Last year, FTC received a £20,000 towards the footpath linking Henley Way with Welshmill Lane. Other successful applications from Frome last year included support for the Missing Link cycle path and for furniture for the Cheese and Grain. This year, we submitted three applications to the Mendip Local Legacy Fund on 27 July 2014. The Legacy Fund Officer came to Frome Town Council offices in May to discuss the fund, our proposed applications and to confirm that Frome Town Council could also submit multiple applications. We were asked for extra information on the submitted applications in August and September.

We were informed on the 27 October that our applications were not successful because “the panel came to the decision **last week** (my emphasis) not to fund any organisation which had received Local Legacy funding in the previous financial year.” This means that our applications and those of any other previously successful applicants were discarded three months after submission.

Combined, our three applications took about 20 days of officer time to prepare, involving as they did a significant amount of community engagement and planning. The applications could easily have been submitted under the name of the partner organisations given that they were jointly produced.

Finally, there is below a list of the successful applications and the members of Grant’s panel.

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The panel consisted of:

Council Leader – Harvey Siggs

Deputy Leader – Tom Killen

Portfolio Holder for Policy and Performance – Philip Ham

Finance and other Cllr representation: Graham Noel, Danny Unwin, Nick Cottle

Community Representative (CAB) Laura Miller.

Description	Organisation name	Amount
Three new tennis courts in central Frome to replace current deteriorating courts	Frome Selwood Tennis Club	10,000
Installing new windows in final phase of building improvements for community activities venue	Frome St John the Baptist PCC	5,000
Accessible lifts to enable wider participation at this community and business hub	Red Brick Building Centre, Glastonbury	15,000
Almshouses renovation - renovation of 8 properties for vulnerable elderly residents	United Charities Shepton Mallet	25,000
Installing an All Weather Multi-Use Sports Surface at the community playing field	Robert Glanville Playing Field, Westbury-s-M	20,000
Sports storage pavillion and cricket nets at this recreation ground	Church Mead Rec Ground Management Com	22,000
Extensive village Hall improvements - replacing roof, windows and doors	Hornblotton Village Hall	13,765
Provision of new playground equipment by the Parish Council	Witham Friary Parish Council	22,000
Tools, equipment and materials for a range of projects supporting mental wellbeing	Heads Up, South Horrington	6,150
Provision of a new playground by the Trudoxhill committee	Trudoxhill Organising a Playground	5,000
A new spectator stand with solar panels to be installed by a local social enterprise (subject to planning permission)	Frome Football Club	28,000
Provision of a new playground by the Parish Council	Coleford Parish Council	27,000
		<b>198,915</b>

## 5. For Information: Frome Neighbourhood Plan Presentation

Author: Planning and Development Officer

### *Summary*

This agenda item and the following presentation attached at appendix 2 are intended to bring Councillors up to speed on the following:

- Neighbourhood Plans - Where did the idea come from?
- The Neighbourhood Plan concept - What do we hope to achieve?
- What approach have other councils taken?
- How did we decide what to include and what to exclude?
- Significance of the Mendip District Local Plan
- Timescales

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The slides will be presented at the meeting and not shown in the format of the attachment.

### **6. For decision: Frome 2015 hustings**

Authors: Cllr Macfadyen

#### *Summary*

This report proposes to hold a "Democracy Day", under the Participate Frome brand in advance of next May's elections at which Prospective Parliamentary Candidates and candidates standing in the town and district elections will be invited to attend.

#### *Discussion*

In May 2015 Frome electors have the opportunity to vote for new Town and District councillors and our Member of Parliament. There have already been public suggestions that hustings take place and it is proposed that the Town Council takes responsibility for organising these.

In keeping with this Council's aim of expanding participation and engagement, it is proposed that a Democracy Day is held probably on the afternoon of Sunday 12 April 2015. The intention is to capture popular interest and cover the full range of options open to electors. It is not proposed that this day will substitute for, but rather complement, other campaigning planned by candidates in the run up to the elections. The Town Clerk will be charged by Council to organise the event to ensure political neutrality. The proposed format of the day is as follows:

1. A "traditional" Question Time style hustings is held to which all Prospective Parliamentary Candidates are invited (currently Conservative; Green; Labour; Liberal Democrats; and UKIP). The public would have a well-advertised opportunity to ask pre-prepared questions, unseen by the candidates, with additional follow up questions as time allows. Questions would be selected to choose greatest relevance to issues faced by the people of Frome. The hustings would be chaired by the Mayor of Frome. The PPCs will be invited once Council agrees to this proposal.
2. For up to an hour before and after the hustings, candidates standing for the town and district elections would be invited to literally "set out their stall". This would create an opportunity for members of the public to meet them, to discuss issues and become better informed of their choices.
3. The Town Council will organise refreshments during the "set out your stall" periods and, after the event has closed, some entertainment.

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4. The Town Council would provide clear information on the voting choices electors have – i.e. Town, District and General, with information on what decisions are (and are not) made at each of these levels – including those made at a County level even though there is no election for this tier in 2015.
5. Previously, but especially on the day, the District Council would be asked to provide information and assistance with voter registration (over 5m people have yet to transfer to the new system).
6. Costs for promotion, the hire of the Cheese and Grain and refreshments are likely to be in the order of £500.

### *Recommendation*

The Town Clerk to organise a Democracy Day in advance of the May elections in 2015.

## **7. For decision: Freehold purchase of the Old Showfield**

Author: Town Clerk

### *Summary*

This report informs Cllrs of discussions that I have been having with Frome Selwood Agricultural Society over the sale of the Old Showfield. It confirms that negotiations have now ended and proposes to purchase the freehold for £125,000.

### *Background*

At the Council meeting in 21 May 2014, I had an action to “explore freehold acquisition with the Agricultural Society and if it is possible, in principle, explore how much this might cost and where funding could be sourced.”

I have been in informal discussions with the Agricultural Society over the summer following their confirmation that they would be prepared to consider a sale. I commissioned an independent valuation which revealed a value of the site as £125,000. This price was acceptable to the Agricultural Society.

The site that is proposed to buy is the red area on the map at the end of this report. The blue land is on a 99 year lease with a six month notice period. The Agricultural Society has confirmed that they have no intention of selling the leased land but want to protect its potential value, hence the leasing arrangement.

Currently, the Old Showfield (both the red and blue parts) is owned by the Agricultural Society and leased to Mendip on a long lease with a pepper corn rent. The red area includes the Collegians football pitch and excludes the Cricket Field, pavilion and car park area.

The Old Showfield is a popular area for young people, dog walkers, cricketers and footballers and provides an important green lung on the north side of town. This is especially important now that Rodden Lake Stream Meadows has been closed to the public.

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The local community has been concerned that Mendip's management (as leaseholder) of the Old Showfield has been poor in recent years. The grass is left long for much of the year, litter and dog poo are a problem, seating is scarce and the play area unfenced. In addition, the hedges are overgrown and drainage ditches neglected, causing minor flooding in wet weather. Mendip has allocated a limited budget to grounds maintenance and The Landscape Group – Mendip's ground care contractor – struggle to do anything other than the absolute minimum. As far as I can tell, there is no capital budget for hedging, ditching, new benches, bins, play equipment or fencing.

We also remain concerned that a S106 budget for improvements to the Old Showfield linked to the development of the Medical Practice is in danger of being returned to the developer as Mendip had not yet spent it on improvements to the site.

FTC has an open spaces strategy which identifies the Old Showfield as a priority area for improved protection and management. Knowing there was a S106 budget held by Mendip and an indication from them that they would transfer the lease, we carried out a public consultation two years ago asking the local community what was its priority for the area and what capital items were top of that list. A map was produced identifying the type and location of investment wanted. Items included, fencing the play park, keeping a much larger area of grass mown short, more bins, seating and tree planting. In addition, a mini football pitch was very popular. Simon Woollen got quotes for all the works and FTC allocated an additional sum of £20,000 in this year's budget to complement the S106 to cover the cost of the works. This was all on the understanding that the leases would be transferred.

For various reasons related to a Village Green Application, the Agricultural Society and Mendip felt they could not agree to transferring the lease and Mendip also decided it was inappropriate to spend the S106 budget on many of the capital items.

By FTC offering to acquire the freehold of the site and protect it for the community, this stalemate has been removed.

### *Advantages of owning the Old Showfield*

1. *It will be as safe as possible from future development.*  
Following legal advice from our solicitor on how best to protect the site for as long into the future as possible and if Cllrs agree to acquire the site, I propose to transfer it as soon as possible to the Theodora Ann Le Gross Trust for Open Spaces. This trust can then ask the Government's Official Custodian for Charities hold the title on its behalf. I understand that this means that if a future Town Council wanted to sell the site it would need to persuade the Charity Commission that the charitable objectives of the trust need to be suspended. This is evidently extremely difficult.

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2. *It will enable the community to be engaged with the management of the site.*  
One of the problems with Mendip's approach to the management of open spaces is that it does not engage or consult local people over how it is done. This is also true of Weylands and Welshmill Park in the past and of the Dippy and the old Showfield now. If the Town Council managed the Showfield it would work with local people to create a place that people wanted and were engaged in. Creating a sense of community ownership.
3. *It will be managed to a higher standard.*  
If the Town Council was responsible for the old Showfield it would allocate sufficient resources and work with local people to raise external funding for extra investment, as we have done for Welshmill. These resources would mean that the site would be managed to a high standard.
4. *It is a crucial open space in the Frome urban area that needs linking with other sites.*  
The Showfield is the most important open space on the north side of Frome. Coupled with the Dippy and Victoria Park these three sites provide the backbone for open spaces in the town. In the near future, we should explore managing these sites and the smaller sites and corridors linking them as one; creating an exciting interlinked network of open spaces rich in biodiversity and of high public amenity value. I hope that the newly advertised Environment Manager post will take this initiative forward.

*What would happen if we did not acquire the Showfield for the community?*

In short, the management of the site would remain as it is at moment and the impasse between the Agricultural Society and Mendip would continue. The community would lose out and the risk of losing the £39,000 S106 budget would increase. The sense of ownership the community would establish under Town Council management would remain low and the complaints about poor management would continue.

### *Sources of funding*

If Cllrs agree to the proposal to acquire the freehold, we have three ways of purchasing it.

1. We could take out a public works loan board loan over 25 years for £125k with repayments of approximately £7.6k per annum.
2. We could buy the site from our current reserves and budgets (see the table below for the detail)
3. We could take out a public works loan board loan for, say, half the amount - £62.5k - over the same 25 year period with repayments of £3.8k per annum and use reserves for the remainder.

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It is possible to take out other amounts over different periods and if anyone would like to know any of the calculations please contact Jackie Wheeler (RFO).

### *Recommendations*

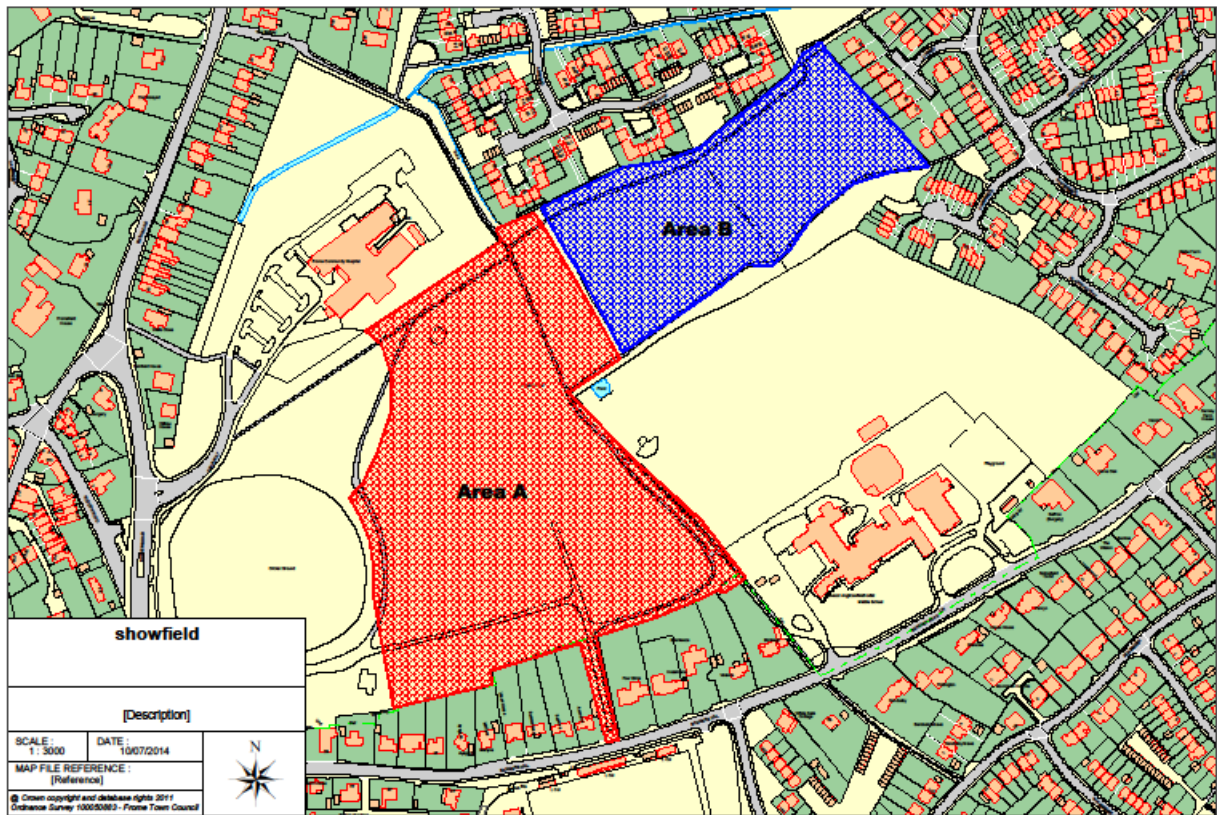
1. Acquire the land shaded in red on the map from the Frome Selwood Agricultural Society for a price of £125,000. Both parties to pay their own legal fees.
2. Choose one of the three funding options listed below:
  - i. Take out a public works loan board loan over 25 years for £125k with repayments of approximately £7.6k per annum
  - ii. Utilise current reserves and budgets
  - iii. Take out a public works loan board loan over 25 years for £62.5k with repayments of £3.8k per annum and use reserves for the remainder.
3. Transfer the ownership of this land to the Theodora Ann Le Gross Trust for Open Spaces as soon as possible and for the trust to ask the Official Custodian for Charities to hold the title on its behalf.
4. To take on the existing lease (approx. 85 years remaining) of the land, shaded in blue on the map, from the Frome Selwood Agricultural Society on a pepper corn rent. Note that this lease is on a six month notice period.
5. Review the current unimplemented management plan for the site (following public consultation two years ago) to confirm community views remain unchanged.
6. Implement the plan with community with the help of the £39,000 S106 budget currently held by Mendip.

<b>Proposed changes to EMRs relating to funding option ii. above</b>					
		At 31 Oct 14	Proposed at 5 Nov 14	Balance at 5 Nov 14	
		£	£	£	
9004	Market Regeneration	7,250	0	7,250	Market regeneration other than the Supermarket
9010	Play Equipment	35,449	13,000	22,449	Play Equipment & match funding MUGA (£13k)
9015	CCTV	5,000	0	5,000	CCTV equipment
9021	The Dippy	17,000	0	17,000	Enhancement once ownership transferred from MDC
	General Reserves	231,976	180,000	51,976	
Current budget for maintenance of open spaces		33,430	12,105	21,325	
<b>Total for purchase of Showfield</b>				<b>125,000</b>	



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## 8. For information: Update on progress on the old Social Services Building on Christchurch Street West.

Authors: Town Clerk and Community Projects Officer (Kate Hellard)

### *Summary*

This report updates Cllrs on progress on this project since the last meeting in September and is divided into four parts.

1. The options for establishing a trust to own the building
2. Update on the public engagement to name the building
3. Un update on the progress of drafting the architects/design brief
4. Sale of Palmer Street office

At this stage the freehold transfer is moving slowly ahead. It now seems unlikely though that we will exchange contracts in November. This will not have any impact on the project timetable below.

### 1) *Options over a trust to own the building*

Some form of trust would create an opportunity for safeguarding the future of the building for community use, enable more fundraising opportunities and increased future

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finance options for capital and revenue costs in order to develop and provide community services for residents in Frome.

There are four options for the charitable status of an organisation which could own the building and these are summarised below:

- a) A **CIO (Charitable Incorporated Organisation)** is regulated by the Charity Commission only, carries limited liabilities for its trustees and is suitable for a charity that will:
  - i) own land in its own name
  - ii) control substantial funds or assets
  - iii) enter into contracts, for example by employing staff, or
  - iv) engage in charitable activities involving financial risks
  
- b) An **Unincorporated Association** is regulated by the Charity Commission. Trustees are liable and the association is governed by a constitution or set of rules. It is appropriate to establish an unincorporated association where the organisation:
  - i) is to be relatively small in terms of assets;
  - ii) has a membership;
  - iii) is to be run by charity trustees who will be elected by members or appointed to hold office for fixed terms;
  - iv) wants to take account of the views of local residents and organisations through membership or as users;
  - v) wishes to carry out its work wholly or partly through the voluntary effort and contributions of its members.
  
- c) A **Charitable Company** is regulated by Companies House and the Charity Commission, where the trustees have limited liabilities. The governing documents are both Memorandum and Articles of Association. It is appropriate to establish a company where some or all of the following apply:
  - i) the organisation is to be quite large;
  - ii) it will have employees;
  - iii) it will deliver charitable services under contractual agreements;
  - iv) it will regularly enter into commercial contracts; and
  - v) it will be a substantial owner of freehold or leasehold land or other property.
  
- d) A **Charitable Trust** is a simple structure which is regulated by the Charity Commission. The trustees are liable and it is governed by a constitution. A trust is appropriate where the charity:

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- i) will not have a membership; and
- ii) is unlikely to employ a significant number of staff or carry on any kind of business.

These charitable structures will need to be assessed in more detail against the options for managing the building. We have yet to explore the full implications these options and at this stage are just providing them to Cllrs for information.

## 2) *Naming the building-the Building with no name*

As agreed at the last meeting, during December we will launch a ‘competition’ to name the building. Suggested names will be shortlisted at the next Council meeting and three names will then be put to a public vote. This will form part of the public engagement in the design process for the building. In the meantime we will be using the Participate Frome branding to identify the building with a participative engagement process.

## 3) *Design Process*

The pre design phase will draw together ideas, practicalities and requirements of prospective tenants, hirer’s, occasional users along with ideas from local residents and service users to create a architect / design brief, which will go out to tender. The process will be open, participative and inclusive and aim to engage all interested parties.

We are working towards a timeline which includes meetings with individual tenants and group meetings. We had planned that this would be formally started with an open day at the building planned for Saturday 18 October but this was cancelled because of concerns raised by staff currently working in the building. As a result, the timeline has now been amended in order to ensure that prospective tenants and members of the public are able to get a sense of the building.

Kate Hellard will lead on this stage of the project and is working with Common Sense Media and two local architecture students who have made a model of the building to help the participative approach. They will also collate the findings and draft the architect / design brief.

<b>Date</b>	<b>Event</b>
November	Make a film of building to replace open day.
End November	Public meeting to show film and scale model.
December	Name nominations
December	Individual meetings with potential tenants
7 <sup>th</sup> January	Council meeting – Shortlist 3 names, view scale model,
January	3 possible names to go to public vote

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January	Group meetings, to explore possible space options with a scale model of the building
January	Residents / users/ locals meeting
February	Draft architect / design brief complete
	Feedback to tenants meeting
	Final brief drafted
11 <sup>th</sup> March	Council Report sent out
18 <sup>th</sup> March	Architect / design brief to Full FTC
19 <sup>th</sup> March	Architect / design brief out to tender
April	Vacant possession of building
May – July	Work on site
July	Move in

#### 4) *Sale of Palmer Street*

Now that the project to acquire the freehold of the old social services building is progressing well, it seems the right time to enquire with local estate agents as to possible sale price for the Palmer Street Offices. I shall bring this information back to the next meeting so that Cllrs can consider the best course of action.

9. The next meeting will be at 7pm on Wednesday 7 January 2015, probably at Frome Football Club (tbc).