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All other recipients for information only.

07 November 2023

Dear Councillor

Summons

You are summoned to the Recreation, Amenities & Environment Committee (RAE) of Shepton Mallet Town Council for the transaction of the business shown on the agenda below. To be held at 7 pm on **Tuesday, 14 November 2023** in the Committee room, Somerset Council, BA4 5BT. Members of the public and non-committee members may join via computer, mobile app or room device. [Click here to join the meeting](#), Meeting ID: 337 287 871 534, Passcode: ee2b92

Public Participation

Members of the public and press are entitled to be at the following meeting in accordance with the Public Bodies (Admission to Meeting) Act 1960 Section 1 extended by the Local Government Act 1972 Section 100 unless precluded by the Town Council by resolution during the whole or part of the proceedings. Such entitlement does not however include the right to speak on any matter except at the beginning of the meeting providing that prior notice has been given by noon on the day of the meeting on: info@sheptonmallet-tc.gov.uk or 01749 343984.

Any issues raised during the public session should relate to the remit of the committee. No resolution for action can be taken unless already identified on the agenda. A record of public participation shall not be included in the Minutes, but as an appendix note to the Minutes of the meeting.

The public question time shall not exceed 30 minutes unless by resolution to suspend standing orders or at the discretion of the chairman. If a member of public wishes to share a document with council, these documents must be submitted to Info@sheptonmallet-tc.gov.uk by noon on the day of the meeting.

The 7 principles of public life

Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership. Members are reminded of their duty under the Code of Conduct.

Yours sincerely

Claire Commons BA (Hons), Fellow SLCC, Town Clerk

Encs

RECREATION, AMENITIES & ENVIRONMENT COMMITTEE

Agenda

| | | |
|----------|--|-----------|
| RAE4.1 | APOLOGIES..... | 3 |
| (7.00pm) | To receive and consider for acceptance, apologies for absence <i>(Local Government Act, 1972 s.85)</i> | (1 min) |
| RAE4.2 | DECLARATIONS OF INTEREST | 4 |
| (7.01pm) | To declare interests relating to the business of the meeting and receive dispensation requests from the Clerk. <i>(Shepton Mallet Town Council Code of Conduct, 2019) (Shepton Mallet Town Council Code of Conduct 2022)</i> | (2 min) |
| RAE4.3 | MINUTES | 5 |
| (7.03pm) | To receive the minutes of the previous meeting of the Recreation, Amenities & Environment Committee..... <i>(Local Government Act 1972 Sch 12)</i> | (2 min) |
| RAE4.4 | RECREATION, AMENITIES & ENVIRONMENT COMMITTEE BUDGET | 6 |
| (7.05pm) | To consider the committee’s budget requirements for 2024-25 | (15 mins) |
| | <i>(Local Government Act 1972 Sch 12)</i> | |
| RAE4.5 | FIXING TABLES – COLLETT PARK CAFE..... | 8 |
| (7.20pm) | To consider a request from the Collett Park Café to fix their picnic tables to the tarmac. <i>(Local Government Act 1972 Sch 12)</i> | (10 min) |
| RAE4.6 | FOOSBALL TABLE ONGOING MAINTENANCE COSTS | 9 |
| (7.35pm) | To decide how to manage the repairs to the foosball table..... | (10 mins) |
| | <i>(Local Government Act 1972 Sch 12)</i> | |
| RAE4.7 | CANNARDS GRAVE ARCHWAY | 11 |
| (7.40pm) | To agree the design for the archway at the Cannards Grave entrance to Collett Park..... <i>(Local Government Act 1972 Sch 12)</i> | (20 mins) |
| RAE4.8 | MEMBERS MOTION 23-015 – BUILDING MOUNTED FLAGPOLES | 15 |
| (8.00pm) | To consider replacing existing flag poles on buildings in Town Street, Market Place and High Street..... <i>(Local Government Act 1972 Sch 12)</i> | (20 mins) |
| RAE4.9 | ALLOTMENT ENCROACHMENT..... | 18 |
| (8.20pm) | To consider solutions to encroachment of land at Hitchen Lane allotments. <i>(Local Government Act 1972 Sch 12)</i> | (20 mins) |
| RAE4.10 | IMPROVEMENTS TO WEST SHEPTON..... | 20 |
| (8.40pm) | To consider proposal from Work Experience Student re West Shepton..... <i>(Local Government (Miscellaneous Provisions) Act 1976 s.19(3))</i> | (15 mins) |
| RAE4.11 | OFFICER REPORT TO THE COMMITTEE | 22 |
| (8.55pm) | To receive reports pertaining to the Recreation, Amenities & Environment Committee. <i>(Local Government Act 1972 Sch 12)</i> | (5 min) |

Anticipated meeting end time 9:00 pm

Date of next meeting: 30 January 2024

RAE4.1 Apologies

(7.00pm) To receive and consider for acceptance, apologies for absence

(1 min)

(Local Government Act, 1972 s.85)

Report Author: Town Clerk

RAE4.1.1 Background

- a 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.
- b Councillors are holders of public office and summoned to the meetings of the Council and its committees.

RAE4.1.2 Apologies received and reason

- a None received at the date of issue

RAE4.1.3 Recommendation

- a That the meeting accepts or rejects each of the apologies presented. A press release is not required for this decision.

RAE4.1.4 Reason for Recommendation

- a Accepting apologies resets the six-month absence rule.

(End)

RAE4.2 Declarations of Interest

(7.01pm) To declare interests relating to the business of the meeting and receive dispensation requests from the Clerk. (2 min)

(Shepton Mallet Town Council Code of Conduct, 2019) (Shepton Mallet Town Council Code of Conduct 2022)

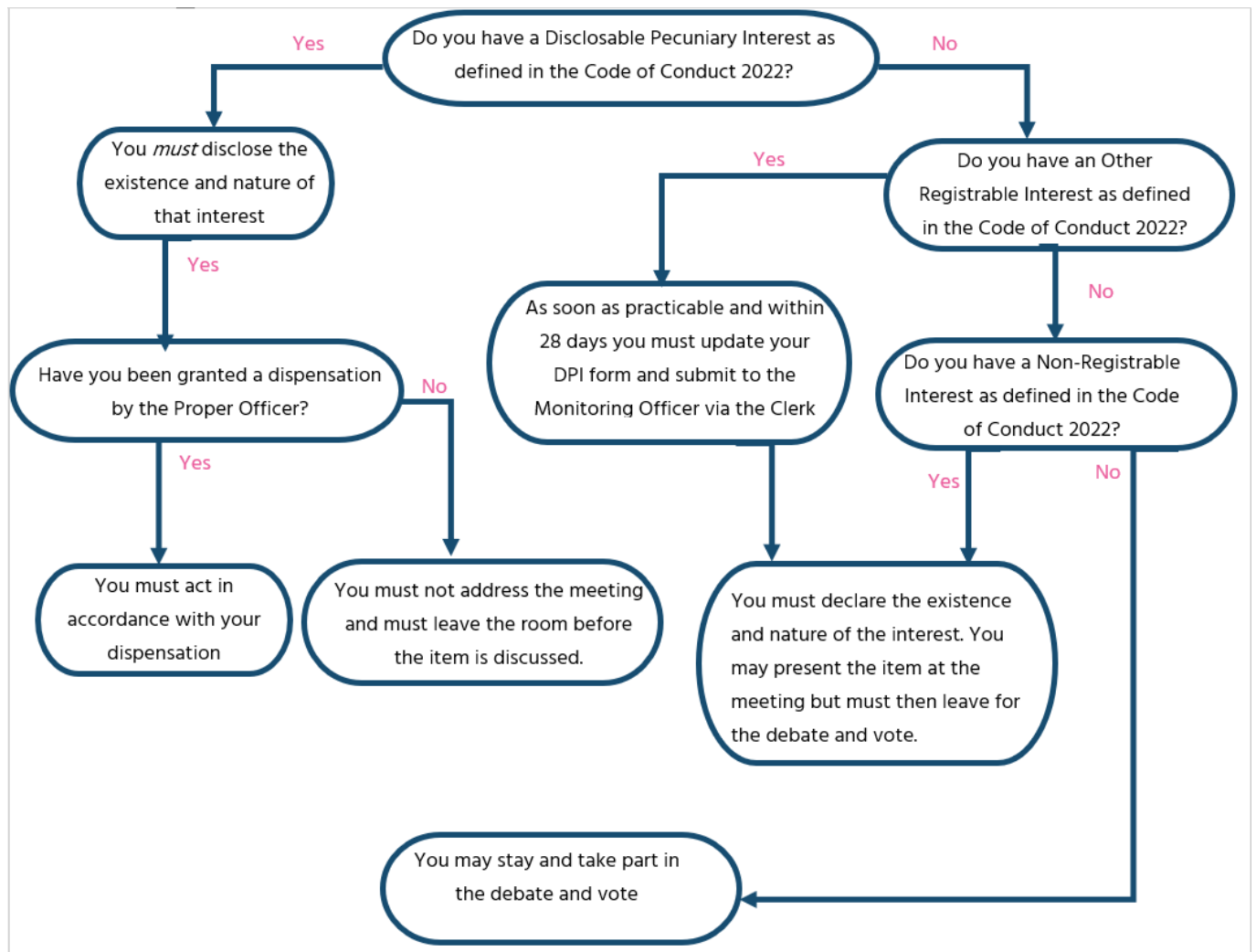
Report Author: Town Clerk

RAE4.2.1 Background

- a Members and Officers are reminded of their obligations to declare interests in accordance with the Code of Conduct 2019. The Clerk will report any dispensation requests received.
- b 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. (Shepton Mallet Town Council Code of Conduct, 2019)

RAE4.2.2 Recommendation

- a To note the declarations made during the meeting.



RAE4.3 Minutes

(7.03pm) To receive the minutes of the previous meeting of the Recreation, Amenities & Environment Committee.(2 min)

(Local Government Act 1972 Sch 12)

Report Author Town Clerk:

RAE4.3.1 Background

- a 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.
- b If it is necessary for the draft minutes of the previous meeting to be corrected because of inaccuracies then the amendments to the draft minutes must be approved by resolution. (Tharmarajah, 2013, p. 154).

RAE4.3.2 Recommendation

- a That the minutes of [26th September 2023](#) be approved for signing as a true record of the decisions taken. Completion of this resolution to be no later than Tuesday, 21 November 2023. A press release is not required for this decision.

(End)

RAE4.4 Recreation, Amenities & Environment Committee Budget

(7.05pm) To consider the committee's budget requirements for 2024-25

(15 mins)

(Local Government Act 1972 Sch 12)

Report Author: Town Clerk

RAE4.4.1 Summary and Background information

- a The Council must set its budget and precept each year by the end of January.
- b To ensure that the budget is appropriate to the needs of Shepton Mallet, each committee is asked to consider its work for at least the coming financial year and make budget recommendations to Full Council.
- c Officers have started this process with known areas of expenditure provided below. The Clerk will take the committee through each line to understand the projects that sit behind the requested sums.
- d Councillors may have additional projects they would like the committee to undertake and these estimates should be incorporated at this stage.

RAE4.4.2 Scheme of Delegation

- a The committee is required to consider and make recommendations to the Town Council and / or Policy & Resources Committee on budget estimates to be prepared no later than November each year.

RAE4.4.3 Financial Implication

- a The table below shows last year, current year and first draft proposed budget for next year.

RAE4.4.4 Recommendation

- a Recommend to the Policy and Resources Committee meeting on the 28th November the budget requirements for the Recreation, Amenities and Environment Committee..

RAE4.4.5 Reason for Recommendation

- a The committee must be confident that the budget meets its requirements for work identified for undertaking in 2024-25, Policy and Resources Committee will review the budget in it's entirety and make the final recommendation to the Full Council meeting of 8th November.

Recreation, Amenities & Environment Committee meeting, **Tuesday, 14 November 2023**

| | Last year (2022-2023) | | Current Year (2023-2024) | | | | Next year (2024-2025) | | |
|---|------------------------------|-----------------|---------------------------------|-----------------|-----------|---------------|------------------------------|----------|-----------------|
| | Budget | Actual | Total | Actual YTD | Projected | Committed | Agreed | EMR | Carried Forward |
| 500 Recreation, Amenities & Enviro | | | | | | | | | |
| 4076 Allotment Land Rent & Rates | 1,300 | 855 | 1,000 | 343 | 0 | 0 | 1,000 | 0 | 0 |
| 4080 Ground Care - Town Environs | 22,000 | 19,000 | 25,000 | 1,914 | 0 | 0 | 25,000 | 0 | 0 |
| 4082 Skatepark West Shepton | 0 | 0 | 5,000 | 0 | 0 | 0 | 5,000 | 0 | 0 |
| 4084 Town Repairs & Maintenance | 0 | 165 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4088 Town Improvements | 30,000 | 41,696 | 30,000 | 6,044 | 0 | 6,003 | 30,000 | 0 | 0 |
| 4128 Christmas Lighting | 20,000 | 19,325 | 25,000 | 7,325 | 0 | 0 | 25,000 | 0 | 0 |
| 4161 700 Year Market Charter | 0 | 0 | 0 | 0 | 0 | 0 | 500 | 0 | 0 |
| 4170 Telephone Boxes | 0 | 0 | 0 | 0 | 0 | 0 | 50 | 0 | 0 |
| 4171 Strawberry Line | 0 | 0 | 5,000 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4174 Town Signage | 15,000 | 61,995 | 6,000 | 0 | 0 | 831 | 1,000 | 0 | 0 |
| 4177 Capital Replacement Fund | 25,000 | 0 | 25,000 | 0 | 0 | 0 | 25,000 | 0 | 0 |
| 4227 Bunting | 5,000 | 4,704 | 6,000 | 7,417 | 0 | 0 | 8,000 | 0 | 0 |
| Overhead Expenditure | 118,300 | 147,739 | 128,000 | 23,043 | 0 | 6,834 | 120,550 | 0 | 0 |
| 6000 plus Transfer from EMR | 0 | 89,788 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Movement to/(from) Gen Reserve | (118,300) | (57,951) | (128,000) | (23,043) | 0 | | (120,550) | | |
| Total Budget Income | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Expenditure | 118,300 | 147,739 | 128,000 | 23,043 | 0 | 6,834 | 120,550 | 0 | 0 |
| Net Income over Expenditure | -118,300 | -147,739 | -128,000 | -23,043 | 0 | -6,834 | -120,550 | 0 | 0 |
| plus Transfer from EMR | 0 | 89,788 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Movement to/(from) Gen Reserve | (118,300) | (57,951) | (128,000) | (23,043) | 0 | | (120,550) | | |

(End)

RAE4.5 Fixing Tables – Collett Park Cafe

(7.20pm) To consider a request from the Collett Park Café to fix their picnic tables to the tarmac. (10 min)

(Local Government Act 1972 Sch 12)

Report Author: Assistant Town Clerk (Planning & Amenities)

RAE4.5.1 Summary and Background

- a The council has been approached by the owner of the Collett Park Café to request permission to fix the cafes picnic tables to the tarmac.
- b The tables keep being moved when the café is not open, and the owner is concerned that if this keeps happening, that owing to their age they will be damaged.
- c Previous to the new park installation, benches were chained to the railings surrounding the park. This is not possible with the new play area location and layout.

RAE4.5.2 Scheme of Delegation

- a The committee is responsible for activities in Collett Park.

RAE4.5.3 Legal Authority and Implication.

- a There are no legal implications for this activity.

RAE4.5.4 Town Plan Reference

- a Protected Environment: Protectg and improve Collett Park and its Green Flag status

RAE4.5.5 Financial Implication.

- a There are no financial implications for the council.

RAE4.5.6 Impact Assessment.

- a Equalities – None.
- b Environmental – None.
- c Crime and Disorder – To prevent damage to the tables caused by ASB.
- d Resources – None.
- e Economic – the tables encourage customers to stay near the café.
- f Risk Management – The café would need to ensure that if the tables were removed to another location that the fixings would not cause a trip hazard to members of public.

RAE4.5.7 Recommendation.

- a There is no officer recommendation. The Committee is required to consider future developments in the park as well as current customers of the café.

[End]

RAE4.6 Foosball table ongoing maintenance costs

(7.35pm) To decide how to manage the repairs to the foosball table

(10 mins)

(Local Government Act 1972 Sch 12)

Report Author: Project Officer

RAE4.6.1 Summary and Background information

- a Since being installed in March of this year, the foosball table has been vandalised on repeated occasions. The first time this happened, the supplier kindly sent over some replacement pieces free of charge. The following time, the office ordered a full set of replacement pieces at a cost of £350 under delegated authority from the Collett Park Management – Other Expenditure cost centre. This kit has so far allowed several repairs to be made but the number of pieces left is now very limited and the likelihood is that there will not be sufficient pieces to make any further repairs. No further replacement kit has been ordered so far.
- b The committee is being asked to decide how it would like the office to manage repairs moving forward so that an appropriate budget can be included for 2024/2025.
- c The committee could choose to budget for one replacement kit per year for example, at a cost of £350. This would then be ordered in advance of the pieces being needed such that we always had an available stock of replacement parts. This allows for repairs to take place quickly.
- d The committee should also decide whether it wishes to order another replacement kit between now and April 2024.

RAE4.6.2 Scheme of Delegation

- a Equipment and street furniture (new or replacement) within the area of its responsibilities and not under the control of any other committee
- b To actively strive to achieve and maintain Green Flag Status for the park

RAE4.6.3 Legal Authority and Implication

- a (Public Health Act, 1875 s.164)
- b (Local Government Act, 1972 sch14 para.27)
- c (Public Health Acts Amendment Act , 1890 s.44)
- d (Open Spaces Act, 1906 s.9)
- e (Open Spaces Act , 1906 s.10)

RAE4.6.4 Town Plan Reference

- a Play: Continue to improve the parks and play areas and open spaces
- b Protected Environment: Protect and improve Collett Park and its Green Flag status

RAE4.6.5 Financial Implication

- a A full set of all poles, handles, buffers and players costs £350

RAE4.6.6 Impact Assessment

- a Equalities – None
- b Environmental – None
- c Crime and Disorder – There is an ongoing issue with vandalism in the park and town currently.
- d Resources – The replacement works have so far been carried out by benevolent councillors.
- e Economic – There is a risk that the cost of maintaining the equipment exceeds the perceived benefit of it being present in the park.

f Risk Management – None

RAE4.6.7 Recommendation

a To agree to budget for one full replacement kit for 2024/2025 and subsequent financial years until otherwise specified. Delegate to the Town Clerk all details in discharging this decision. Completion of this resolution to be no later than Sunday, 31 March 2024. A press release is not required for this decision.

RAE4.6.8 Reason for Recommendation

a The office would like to get a steer from the committee in terms of what it believes is an appropriate yearly spend to maintain this piece of equipment. It is reasonable to allow for some repairs to happen within any given year and one full replacement kit seems sensible to the project officer.

(End)

RAE4.7 Cannards Grave Archway

(7.40pm) To agree the design for the archway at the Cannards Grave entrance to Collett Park

(20 mins)

(Local Government Act 1972 Sch 12)

Report Author: Project Officer

RAE4.7.1 Summary and Background Information

- a The committee previously resolved to fund an archway to mark the new entrance to Collett Park on Cannards Grave road. The design proposal was due to be presented to the committee for them to agree.
- b The contractor leading on the works at the site, Greenways and Cyclerooutes, has commissioned an artist to design the archway and the following images have been shared for consideration:





The artist has shared the following comments for consideration alongside the design:

“The Arch is supported by the trunk of a felled tree at 3.4m high on one side and a heavy stone boulder at 0.7m high on the other side. The span of the Arch is 3.0m. The Arch is made up of around X15 sections no more than 1.0m x 0.40m laser cut from 6mm steel plate.

Each section is designed as a cluster of outsized strawberry plants with leaves and ripe strawberries with a lattice work of cut-out spaces between. The sections will be welded together into V-shapes. The V-shapes will be welded together to create the arch and cross members will be added to form a ridged triangulated 3D whole.

Each end of the Arch will be welded onto a circular plate with x3 holes to take heavy bolts, they will be bolted and resin fixed onto the tree and boulder. The finished Arch will be galvanised in silver grey aluminium dip to stop any rusting.

Some strawberries will be picked out in strawberry red external steel paint with life expectancy of 20 years. The sign for Collett Park will be laser cut at around 2.3m high. It will be galvanised and fixed vertically to the trunk facing the road side as one enters the cycle/pedestrian space. The font and final dimensions to be agreed.

The engineering details, dimensions, welded structure and installation of both the Arch and sign will be overseen by Greenways and Cyclerroutes engineer, John Grimshaw.

RAE4.7.2 Scheme of Delegation

- a Administration, maintenance and use of the Collett Park in its entirety

RAE4.7.3 Legal Authority and Implication

- a Administration, maintenance and use of the Collett Park in its entirety

The archway will be located on Somerset Council land and a memorandum of understanding will need to be agreed between Somerset Council and Shepton Mallet Town Council to cover responsibility of the archway and its maintenance as lying with the Town Council.

RAE4.7.4 Town Plan Reference

- a Protected Environment: Protect and improve Collett Park and its Green Flag status

RAE4.7.5 Financial Implication

- a An additional £3,200 was agreed from general reserves to cover the costs of the archway. John Grimshaw has confirmed that the archway can be delivered within this budget.

Extract from income and expenditure report for relevant budget line(s):

RAE4.7.6 Impact Assessment

- a Equalities – The archway is part of a scheme to enhance accessibility to the park at this entrance.
- b Environmental – None
- c Crime and Disorder – None
- d Resources – None additionally
- e Economic – The archway will enhance visibility of the park and encourage footfall
- f Risk Management – None

RAE4.7.7 Recommendation

- a To agree to the design as is or to provide feedback for amendments and delegate it to the office to oversee the final design is in line with the feedback. Delegate to the Town Clerk all details in discharging this decision. Completion of this resolution to be no later than Sunday, 31 March 2024. A press release is not required for this decision.

RAE4.7.8 Reason for Recommendation

- a The archway design needs to be agreed prior to the works being ordered and the works should be completed at the soonest possible date given that they have already begun.

(End)

RAE4.8 Members Motion 23-015 – Building Mounted Flagpoles

(8.00pm) To consider replacing existing flag poles on buildings in Town Street, Market Place and High Street(20 mins)

(Local Government Act 1972 Sch 12)

Proposer: Cllr Matt Harrison Seconded: Cllr Martin Berkeley

Other than where indicated in pink writing, all information in this report has been provided by the councillors named as the proposer and seconder.

RAE4.8.1 Summary and Background information

- a The Shepton Snowdrop Festival Team have been looking at the possibility of hanging decorative festival flags to enhance the town centre during the week of the 2024 Snowdrop Festival. The flags would be designed and made by volunteers from the community of Shepton Mallet, and also neighbouring villages would be invited to create flags to help connect their communities to the town. The festival would cover the costs of making the festival flags, which would be reused in future years.
- b Shepton Snowdrops has recently undertaken a survey of the existing holders, and there are more than 60 of varying sizes and states of repair, which were installed some years ago. It is not clear how many of them would be suitable or safe for flags, as any flagpoles that might have been there are long gone, and some were installed for mounting Christmas trees, which are not large enough or strong enough to support flagpoles.
- c The existing flagpoles/holders are not Town Council assets. It is reasonable to deduce that they were either installed by the Chamber of Commerce or by private enterprise.
- d We would suggest replacing half of the holders with 30 new holders and flagpoles, and then assess after a year if replacing the remaining 30 might be a good option. Reinstating the use of flags in Town Street, the Market Place and High Street would be another step in bringing colour and an attraction to the town, and the poles could then be used by other events, festivals and markets as a signal that something is going on in the town centre, to attract residents and tourists alike into the heart of Shepton Mallet.
- e The Council would need to consider the cost and legal implications of obtaining licences/wayleaves for each of the properties on which a holder and flagpole is to be mounted. Maintenance of these fixtures would need to be accommodated into the annual council budget.
- f The motion does not specify how the flags are to be put up and down by the relevant groups or by the town council and the associated cost.
- g A policy would need to be drawn up which would determine which groups were eligible to use the Council's flagpoles, the information they would need to provide, risk assessment and public liability insurance and whether or not a charge would be made to contribute towards the maintenance of the fixtures. The policy would need to cover what flags or organisations would be permitted (ie non-political) and how the Council would manage potentially divisive flags (such as pride, black lives matter, and extinction rebellion). The method of enforcement of this policy would need to be agreed.
- h Planning considerations would need to be explored due to being in a conservation area and whether or not any of the affected buildings are listed.
- i Weight and size specifications for the flags that are appropriate to the size of pole and fixtures would be required to ensure no damage due to excess weight.
- j Storage arrangements would need to be made for the poles and any flags owned by the council while they are not in use.

RAE4.8.2 Scheme of Delegation

- a The Committee should delegate to interested councillors and the Project Officer to design and implement a detailed proposal within a defined budget.

RAE4.8.3 Legal Authority and Implication

- a There are no legal implications for this activity
- b A licence or legal agreement will be required for each building that a fixture is placed, this agreement will need to cover maintenance and may incur a wayleave fee.
- c Consideration is needed regarding the viability of the proposal if some premises refuse permission to ensure a uniform look.
- d Economic benefit is identified in the impact assessment. Evidence to support this assertion should be researched if used as rationale for implementation and a method of measuring the impact devised.

RAE4.8.4 Town Plan Reference

- a Promotion: Promote and encourage tourism

RAE4.8.5 Financial Implication

- a It is thought that a budget of **£4,800** (ex VAT) is needed to deliver the activity described in the proposal.
- b The most cost effective option for wall mounted flag is 2.0m long Aluminium, within a 45 degree wall bracket. The external diameter of the pole is 50mm, and the bracket required to hold these poles is substantial, made of galvanized steel construction, with three mounting points for large bolts. 30 x 2.0m aluminium flag poles (including halyard and white truck heads) with 45 degree wall brackets: £105 + VAT each **£3,105** + VAT Carriage **£440** +VAT
- c Day 1 – Supply Truck Mounted Cherrypicker with 2 x IPAF trained drivers to install flag holders and poles where access by ladder is unsafe.
- d Day 2 – As above but with use of ladders. Total cost **£1,255** +VAT
- e The quotes above are from House of Flags and Morclad Access (who have recently been working in the Town Centre)
- f No budget line has been identified for this proposal. As it is anticipated that there will be a long lead time required to obtain the various permissions, it is recommended that this is included as a budget line for 2024-2025.
- g Shepton Snowdrops are already in receipt of a Service Level Agreement with Shepton Mallet Town Council at a value of £6,000 per year. This should be considered if, as indicated in the recommendation, the primary beneficiary of this motion is to be Shepton Snowdrops.

RAE4.8.6 Impact Assessment

- a Equalities – No impact
- b Environmental – No impact
- c Crime and Disorder – n/a
- d Resources – Councillor & Project Officer time, £4,800 budget needed. Annual maintenance cost and staff time managing.
- e Economic – Improve tourist experience which should result in enhanced economic regeneration.
- f Risk Management – No impact

RAE4.8.7 Recommendation

- a The RAE committee to assign a budget of £5,000 and decide on a group of councillors to work with Shepton Snowdrops and interested councillors to design and deliver the project.
- b Officer Recommendation is to carry out further research in the first instance and if proceeding, to work with all interested parties rather than one specific group.

RAE4.8.8 Reason for Recommendation

- a To increase visitor numbers to Shepton Mallet, enhance the visitor experience and drive economic regeneration.

(End)

RAE4.9 Allotment Encroachment

(8.20pm) To consider solutions to encroachment of land at Hitchen Lane allotments.

(20 mins)

(Local Government Act 1972 Sch 12)

Report Author: Assistant Town Clerk (Planning and Amenities)

RAE4.9.1 Summary and Background information

- a Hitchen Lane allotment site has been leased from the Duchy of Cornwall (DOC) since 1946.
- b The DOC alerted the council to the fact that part of the site had been integrated into the garden of a property in Southfield Road which adjoins the allotments site.
- c A map showing the location is provided separately to committee members to ensure no breach of data protection for the resident concerned. [RAE 4.3.docx](#)
- d The council has written to the owner of the property to request that the fencing around the area of encroachment be removed back to the boundary of their property. The owner's daughter has Power of Attorney acting on their behalf and has made enquiries as to whether this piece of land was purchased, as was believed, but this is not the case.
- e As the owner is elderly and not in the best of health, the POA has expressed concerns that if the return of the land is pursued at the present time, it will cause considerable emotional strain on them. They have requested that the land be returned at the time of the owners passing and/or when the property is sold.
- f The Town Clerk has passed this information on to the DOC, and they have offered two solutions which the council is being asked to consider:
 - 1. The DOC grant the owner an annual licence (FOC) on the provision that the land is handed back to the TC on the event of the owner moving out or selling the property or on their passing, or
 - 2. An exchange of letters between the town council and the owner's solicitor confirming the position and stating that the land will be returned to the TC and all fences removed and replaced in the correct location following their passing/sale of property.

RAE4.9.2 Scheme of Delegation

- a Provision, administration, maintenance and use of Allotments and the setting of the fees for the Allotment sites

RAE4.9.3 Legal Authority and Implication

- a The Town Council is responsible for allotments.
- b The Town Council has an obligation to fulfil terms of lease agreements.

RAE4.9.4 Town Plan Reference

- a Protected Environment: Allotments

RAE4.9.5 Financial Implication

- a There may be costs involved if solicitors' letters are required.

RAE4.9.6 Impact Assessment

- a Equalities – None
- b Environmental – None
- c Crime and Disorder – None
- d Resources – None
- e Economic – None

f Risk Management – None

RAE4.9.7 Recommendation

a Proceed with option 2, exchange of letters, ensuring the land is returned to allotment use on the sale or passing of the current resident. Delegate to the Town Clerk all details in discharging this decision.

RAE4.9.8 Reason for Recommendation

a To ensure that the allotment site returns to its original purpose in its entirety.

(End)

RAE4.10 Improvements to West Shepton

(8.40pm) To consider proposal from Work Experience Student re West Shepton.

(15 mins)

(Local Government (Miscellaneous Provisions) Act 1976 s.19(3))

Report Author: Student of Whitstone School

RAE4.10.1 Summary and Background information

- a Throughout the years I have seen the East side of Shepton improve and grow compared to West Shepton, which has had improvements but the majority has been left untouched for many years. It is important to rectify this because currently the West side of Shepton is lacking in facilities and opportunities compared to East Shepton. For example, in Barrington Place there is a play park which has not been updated for over a decade and a half, the play park might be smaller however over the years the size has decreased as things have been removed from the park making it even less of a play park than it already is. An example of an improvement that was beneficial to West Shepton was what was done with the skate park. Another idea that could be done to improve West Shepton is better use of Barrington green, it could be used as a dog park (as most people use it as a space for their dogs already) or as another group of allotments which would help to reduce waiting lists and make them easier to access if the renter lived in West Shepton. What is needed is for that side of Shepton to be renovated and for more opportunities to take place and having these improvements will lift the area and draw more people and more attention to it.
- b Barrington Place play area is currently owned by Somerset Council, this paper includes a request to transfer to the Town Council. Should the request be unsuccessful, the Council may consider providing funds to Somerset Council to allow the refurbishment to take place.
- c This report was conceived due to a lack of facilities and opportunities in West Shepton compared to East Shepton.
- d If the plans above were to happen a further improvement may even be a possible corner shop which would be beneficial to people who are unable to travel to other shops due to multiple reasons such as age or disability.
- e There are multiple things that are still unknown such as overall price for the renovations and what will be done specifically to Barrington Green. The Council should carry out public consultation and further research to fine tune this proposal.
- f The renovations and updates will be beneficial to West Shepton as the updates that have been done around the entire town have had an overall positive reaction and high praise from the community. For example, when the skate park was updated, it caused a large increase in the amount of people who used it as it was extremely popular with the community. Another, more popular renovation that has recently taken place is the update to Collett Park.
- g Another piece of research that has been done towards the topic is on the Dog Parks, the Barrington Green is mostly used by dog owners as a place for their dogs to run about which is why a dog park would be a beneficial option. Also dog parks are popular and extremely common but the ones that are most popular tend to be those run privately. Council run dog parks are not so common.

RAE4.10.2 Legal Authority and Implication

- a The Council has the power to provide recreational facilities (LG(MP)A 1976 s.19.3)

RAE4.10.3 Town Plan Reference

- a Play: Continue to improve the parks and play areas and open spaces.

RAE4.10.4 Financial Implication

- a Approximately £80,000 to re-equip play area and create Dog Park or Allotments.

RAE4.10.5 Impact Assessment

- a Equalities – Play equipment should be all inclusive
- b Environmental – Equipment should be sustainable and environmentally friendly
- c Crime and Disorder – The Council should liaise with the local police to ensure the design does not create additional crime and disorder
- d Resources – Officer time for original creation and installation plus ongoing administration and maintenance
- e Economic – None
- f Risk Management – A full risk assessment should be undertaken before proceeding.

RAE4.10.6 Recommendation

- a Request transfer of the land at Barrington Place, replace play equipment and creat allotments or dog park depending on the outcome of public consultation and research. Delegate to the Town Clerk all details in discharging this decision. Completion date of this resolution to be determined. A press release to be prepared by the Communications Officer and authority to provide quotes and media interviews delegated to a nominated Councillor.

RAE4.10.7 Reason for Recommendation

- a Over the last few years, the East of Shepton has grown and been updated by a considerable amount whereas the West of Shepton aside from one or two updates has been left in the past. I believe that it is important to bring West Shepton to the same point as East Shepton and the best way to do this is updating and renovating parts that are used by the community to make them even more loved and used.

RAE4.11 Officer Report to the Committee

(8.55pm) To receive reports pertaining to the Recreation, Amenities & Environment Committee.

(5 min)

(Local Government Act 1972 Sch 12)

Report Author: Assistant Town Clerk (Planning and Amenities)

RAE4.11.1 Summary

- a Reports provided within this item are to be received, they provide updates on decisions already taken by the Committee and actions taken under the Scheme of Delegation (where not previously reported).

RAE4.11.2 Updates and Actions from 26/09/2023

- a Town Clock – MOU has been drawn up. Awaiting SMLHG to sign.
- b Tree works – instructions have been given to contractor.
- c Water fountain – currently confirming whether listed building consent is required.
- d Spring/Summer Planting – in hand some details pending outcome of grounds contract discussion in January.
- e Snowdrops – complete.

RAE4.11.3 Updates and Actions from previous meetings

- a New shelter – The working party have reviewed the ideas submitted through the call for ideas. One of the respondents has been contacted and asked to amend their design based on feedback from the group. Once a final design has been viewed by the working party and costed, the committee will be asked to approve it.
- b Sandpit – Complete.
- c Replacement bins – Complete.

RAE4.11.4 Allotment Update

- a Annual billing has completed with two payments still outstanding. Reminders have been sent.
- b There are currently 7 plots available – 2 at Hitchen Lane and 5 at Whitstone Road. New applicants on the waiting list are being offered .

RAE4.11.5 Collett Park

- a As part of the Green Flag judging for 2023-2024, Collett Park received a “Mystery Shop” which confirmed the award. The final comments of the judge were:

A lovely park with a good range of facilities for all including a well-stocked café.

The range of play equipment suited all age groups and a lovely bandstand for music and event lovers.

I enjoyed my visit, despite the bad weather and would visit again on a drier day.

RAE4.11.6 Financial Update

See next 2 pages

RAE4.11.7 Recommendation

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

RAE4.11.8 Reason for Recommendation

- a To keep members updated on committee actions and information.

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Shepton Mallet Town Council 2023/2024

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12:33

Detailed Income & Expenditure by Budget Heading 01/10/2023

Month No: 7

Committee Report

| | Actual Year To Date | Current Annual Bud | Variance Annual Total | Committed Expenditure | Funds Available | % Spent |
|--|------------------------|-----------------------|--------------------------|--------------------------|--------------------|--------------|
| Recreation, Amenities & Enviro | | | | | | |
| 500 RAE Projects & Reserves | | | | | | |
| 4076 Allotment Land Rent & Rates | (0) | 0 | 0 | | 0 | 0.0% |
| 4080 Ground Care - Town Environs | (0) | 0 | 0 | | 0 | 0.0% |
| 4088 Town Improvements | (0) | 0 | 0 | 5,775 | (5,775) | 0.0% |
| 4174 Town Signage | 0 | 0 | 0 | 831 | (831) | 0.0% |
| 4227 Bunting | 0 | 0 | (0) | | (0) | 0.0% |
| RAE Projects & Reserves :- Indirect Expenditure | (1) | 0 | 1 | 6,606 | (6,606) | |
| Net Expenditure | 1 | 0 | (1) | | | |
| 6000 plus Transfer from EMR | 760 | | | | | |
| Movement to/(from) Gen Reserve | 761 | | | | | |
| 501 Allotments | | | | | | |
| 1000 Rent Income | 33 | 3,289 | 3,256 | | | 1.0% |
| Allotments :- Income | 33 | 3,289 | 3,256 | | | 1.0% |
| 4076 Allotment Land Rent & Rates | 403 | 1,000 | 597 | | 597 | 40.3% |
| Allotments :- Indirect Expenditure | 403 | 1,000 | 597 | 0 | 597 | 40.3% |
| Net Income over Expenditure | (370) | 2,289 | 2,659 | | | |
| 502 Recreation | | | | | | |
| 4082 Skatepark West Shepton | 0 | 5,000 | 5,000 | | 5,000 | 0.0% |
| 4171 Multi-User Paths | 0 | 5,000 | 5,000 | | 5,000 | 0.0% |
| 4177 Capital Replacement Fund | 0 | 25,000 | 25,000 | | 25,000 | 0.0% |
| Recreation :- Indirect Expenditure | 0 | 35,000 | 35,000 | 0 | 35,000 | 0.0% |
| Net Expenditure | 0 | (35,000) | (35,000) | | | |
| 503 Town & Environment | | | | | | |
| 4080 Ground Care - Town Environs | 0 | 25,000 | 25,000 | | 25,000 | 0.0% |
| 4087 Repairs & Maintenance | 1,914 | 0 | (1,914) | | (1,914) | 0.0% |
| 4088 Town Improvements | 6,418 | 30,000 | 23,582 | | 23,582 | 21.4% |
| 4128 Christmas Lighting | 7,325 | 25,000 | 17,675 | 400 | 17,275 | 30.9% |
| 4174 Town Signage | 760 | 6,000 | 5,240 | | 5,240 | 12.7% |
| 4227 Bunting | 7,417 | 6,000 | (1,417) | 5,750 | (7,167) | 219.4% |
| Town & Environment :- Indirect Expenditure | 23,834 | 92,000 | 68,166 | 6,150 | 62,016 | 32.6% |
| Net Expenditure | (23,834) | (92,000) | (68,166) | | | |

Continued over page

| 07/11/2023 | | Shepton Mallet Town Council 2023/2024 | | | | | Page 2 |
|--|------------------------|--|--------------------------|--------------------------|--------------------|---------------|--------|
| 12:33 | | Detailed Income & Expenditure by Budget Heading 01/10/2023 | | | | | |
| Month No: 7 | Committee Report | | | | | | |
| | Actual Year To Date | Current Annual Bud | Variance Annual Total | Committed Expenditure | Funds Available | % Spent | |
| 600 Collett Park | | | | | | | |
| 1016 Other Income | 6,363 | 0 | (6,363) | | | 0.0% | |
| Collett Park :- Income | | | | | | | |
| | <u>6,363</u> | <u>0</u> | <u>(6,363)</u> | | | | |
| 4081 Ground Care - Collett Park | 2,767 | 40,000 | 37,233 | | 37,233 | 6.9% | |
| 4202 Other Expenditure | 10,065 | 30,000 | 19,935 | 20,660 | (725) | 102.4% | |
| 4203 Collett Park Zone 2 | 300 | 0 | (300) | | (300) | 0.0% | |
| 4210 Park Depot & Toilet Rates | 444 | 1,200 | 756 | | 756 | 37.0% | |
| 4220 Trees & habitat | 0 | 6,000 | 6,000 | 5,743 | 257 | 95.7% | |
| 4221 New Infrastructure | 55,000 | 15,000 | (40,000) | | (40,000) | 366.7% | |
| 4222 Capital Replacement | 0 | 25,000 | 25,000 | | 25,000 | 0.0% | |
| Collett Park :- Indirect Expenditure | | | | | | | |
| | <u>68,576</u> | <u>117,200</u> | <u>48,624</u> | <u>26,403</u> | <u>22,221</u> | <u>81.0%</u> | |
| Net Income over Expenditure | | | | | | | |
| | <u>(62,213)</u> | <u>(117,200)</u> | <u>(54,987)</u> | | | | |
| Recreation, Amenities & Enviro :- Income | | | | | | | |
| | <u>6,396</u> | <u>3,289</u> | <u>(3,107)</u> | | | <u>194.5%</u> | |
| Expenditure | | | | | | | |
| | <u>92,812</u> | <u>245,200</u> | <u>152,388</u> | <u>39,159</u> | <u>113,228</u> | <u>53.8%</u> | |
| Net Income over Expenditure | | | | | | | |
| | <u>(86,416)</u> | <u>(241,911)</u> | <u>(155,495)</u> | | | | |
| plus Transfer from EMR | | | | | | | |
| | <u>760</u> | | | | | | |
| Movement to/(from) Gen Reserve | | | | | | | |
| | <u>(85,656)</u> | | | | | | |
| Grand Totals:- Income | | | | | | | |
| | <u>6,396</u> | <u>3,289</u> | <u>(3,107)</u> | | | <u>194.5%</u> | |
| Expenditure | | | | | | | |
| | <u>92,812</u> | <u>245,200</u> | <u>152,388</u> | <u>39,159</u> | <u>113,228</u> | <u>53.8%</u> | |
| Net Income over Expenditure | | | | | | | |
| | <u>(86,416)</u> | <u>(241,911)</u> | <u>(155,495)</u> | | | | |
| plus Transfer from EMR | | | | | | | |
| | <u>760</u> | | | | | | |
| Movement to/(from) Gen Reserve | | | | | | | |
| | <u>(85,656)</u> | | | | | | |

(End)