



GILLINGHAM TOWN COUNCIL

The Town Hall

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EXTRA-ORDINARY FULL COUNCIL

The minutes of the **Extra-ordinary Full Council** meeting convened on, **Thursday, 25th June 2020** at 7.30pm. The meeting was held remotely using appropriate technology in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the 2020 Regulations") which came in to force on 4 April 2020.

Present

Cllr Barry von Clemens, Mayor	Cllr Mick Hill
Cllr Paul Harris, Deputy Mayor	Cllr John Kilcourse
Cllr Fiona Cullen	Cllr Graham Poulter
Cllr Sharon Cullingford	Cllr Val Potheary
Cllr Alan Frith	Cllr John Robinson
Cllr Alison Gale	Cllr Donna Teye
Cllr Dennis Griffin	Cllr Keith Wareham
	Cllr Roger Weeks

In Attendance

Town Clerk: Julie Hawkins

Deputy Town Clerk: Clare Ratcliffe

Responsible Financial Officer: Debra Edwards

Press and Public

Press: Michael Streeter, Gillingham and Shaftesbury News

Press: Benjamin Paessler, Vale Newspaper

Public: None.

Minute no.

279.	Public Participation. Please note: a period up to a maximum of fifteen minutes will be allowed for public comments and questions restricted to items listed on the following agenda.
	There was no public participation.
280.	To receive apologies for absence.
	It was agreed and RESOLVED to accept the apologies for absence from Cllr Rupert Evill and Cllr Mike Gould for personal reasons.
281.	To receive declarations of interest. Please note: members are required to comply with the requirements of the Localism Act 2011, section 27 disclosable pecuniary interests.
	There were no declarations of disclosable pecuniary interests.

282.	To receive and consider a report from the Future Workshop Provision Task and Finish Group:
	A report was circulated prior to the meeting. Please refer to Appendix A .
	a) To consider and agree the purchase of the site known as Roman Business Centre, Gillingham, to be used as a town council workshop, for the sum of £385,000
	It was agreed and RESOLVED that Gillingham Town Council purchase the site known as Roman Business Centre to be used as a GTC workshop for the sum of £385,000.
	b) To consider and agree to seek the approval of the Secretary of State for Housing, Communities & Local Government to apply for a PWLB loan of £345,000 over the borrowing term of over 23 but not over 23.5 years for the purpose of purchasing Roman Business Centre, Gillingham, to be used as a workshop site for the Town Council. The annual loan repayments will come to around £19,211. It is not intended to increase the council tax precept for the purpose of the loan repayments.
	It was agreed and RESOLVED to seek the approval of the Secretary of State for Housing, Communities and Local Government to apply for a Public Works Loan Board (PWLB) loan of £345,000 over the borrowing term of over 23 but not over 23.5 years for the purpose of purchasing Roman Business Centre, Gillingham to be used as a workshop site for the Town Council. The annual loan repayments will come to around £19,211. It is not intended to increase the council tax precept for the purpose of the loan repayments
	c) To consider and agree to publicise the agreement using the following statement in an immediate press release: “At the Gillingham Town Council meeting of 25 June 2020 it was RESOLVED to seek the approval of the Secretary of State for Housing, Communities and Local Government to apply for a Public Works Loan Board (PWLB) loan of £345,000 over the borrowing term of over 23 but not over 23.5 years for the purpose of purchasing Roman Business Centre, Gillingham to be used as a workshop site for the Town Council.” The annual loan repayments will come to around £19,211. It is not intended to increase the council tax precept for the purpose of the loan repayments”.
	It was agreed and RESOLVED to publicise the agreement using the following statement in an immediate press release: “At the Gillingham Town Council meeting of 25 June 2020 it was agreed and RESOLVED to seek the approval of the Secretary of State for Housing, Communities and Local Government to apply for a Public Works Loan Board (PWLB) loan of £345,000 over the borrowing term of over 23 but not over 23.5 years for the purpose of purchasing Roman Business Centre, Gillingham to be used as a workshop site for the Town Council.” The annual loan repayments will come to around £19,211. It is not intended to increase the council tax precept for the purpose of the loan repayments
	d) To consider and agree to release the £180,000 earmarked funds in the council’s financial reserves, Budget No. 7201, for the purposes laid out in the workshop purchasing budget, as presented.
	It was agreed and RESOLVED to release the £180,000 earmarked in the Town Council’s financial reserves for the purposes laid out in the workshop purchasing budget.
	e) To consider and agree that an application should be submitted by the Responsible Financial Officer on behalf of Gillingham Town Council for a loan

	<p>to be repayable in the manner stated with interest at the appropriate rate determined by HM Treasury.</p> <p>It was agreed and RESOLVED that the Responsible Financial Officer is tasked to make the Public Works Loan Board (PWLB) application on behalf of the Town Council.</p> <p>f) To consider and agree a solicitor to act on behalf of Gillingham Town Council for the purchase of Roman Business Centre.</p> <p>A report was circulated prior to the meeting. Please refer to Appendix B. It was agreed and RESOLVED that Company C is appointed to act on behalf of Gillingham Town Council for the purchase of Roman Business Centre.</p>
283.	<p>To receive and consider a report on the purchase of new play equipment at Marlott Road.</p> <p>A report was circulated prior to the meeting. Please refer to Appendix C. It was agreed and RESOLVED that the Town Council's Financial Regulations are suspended as per section 17.2 to allow the purchase of play equipment at Marlott Road as specified in this report for the following reasons:</p> <ul style="list-style-type: none"> • the original play area has been decommissioned; • three competitive quotations have been sourced for similar equipment; • the equipment has been used in other play areas in the town and is a high standard of manufacture; • the company can install the equipment within the timescale of the project; • the design of the equipment suits the location. <p>It was agreed and RESOLVED that Company B is chosen as the preferred supplier of play equipment at Marlott Road and that the purchase of play equipment for the sum of £52,330 ex VAT is made from monies earmarked specifically for this project.</p> <p>Prior to closing the meeting, Cllr von Clemens thanked the Future Workshop Provision project team including the Town Clerk and the Responsible Financial Officer for all their hard work with the compiling a very comprehensive report.</p>
There being no other business on the agenda, the meeting closed at 7.54pm.	
<p>Signed: _____ Date: 27th July 2020</p> <p>Cllr Barry von Clemens, Mayor of Gillingham</p>	

Gillingham Town Council

Workshop Task & Finish Group

Lead: Deputy Mayor

Report to Council

1. The current workshop facilities used by Gillingham Town Council (GTC) are held under a 12 year lease ending 23 July 2021. The Council has already determined it requires additional space at least equivalent to one more Unit of the size currently rented. There are three options for the future: renegotiate the current lease to include another Unit (if available) which will likely include a substantial uplift in rent, based on figures from an enquiry in 2018; find a new location of appropriate size to rent; purchase a suitable site. There is no “do nothing” option as workshop facilities have to be secured from 24 July 2021 to continue working.
2. GTC are conscious of the financial impact on residents of increases in the Precept. It wishes to ameliorate the cost impact of requiring additional facilities and the inevitable consequences of a rent uplift at lease renewal in mid-2021 (Precept FY 21/22); balancing this with the need to prepare for the expansion of the town as 2000+ new houses and the consequent 100 acres of open space and play areas in the southern extension come to fruition.
3. GTC have been researching additional premises since 2018; considering a new build, continued renting or purchase of an available site. Sites that are within the Councils budget rarely come to the market in Gillingham. GTC has limited funds with £180K currently in earmarked reserves plus potential access to a loan from the Public Works Loan Board (PWLb). A PWLB loan is limited to a maximum of £500K repayable over a period of 1 to 50 years.
4. GTC became aware of a suitable site for sale in February 2020. It set up a Task & Finish Group (T&F Gp) to investigate the option. Council has received T&F Gp reports on progress since March, authorising additional work, and expenditure as necessary. There has been regular contact with the vendor; site visits; a valuation; building and drainage surveys of the property. The T&F Gp have produced numerous versions of a project programme, purchase and refurbishment budget and draft 5 year precept projections. These have developed as further information becomes available, and restrictions because of the current pandemic have been applied.
5. GTC authorised Cllrs Poulter and Kilcourse, based on their professional experience as solicitor and building maintenance engineer respectively, to negotiate a price on behalf of the Council. The negotiated price is **£385,000**.
6. The purchase, refurbishment and costs not in the precept total £122,684 which can be covered from earmarked funds. GTC will contribute **£40,000** to the purchase price from the remaining earmarked funds, and it is recommended to retain at least **1.5%**, or **£2,700** of those funds for unforeseen issues. The current budget has a reserve of £2,981.

7. The Public Works loan required by the Council is **£345,000**. The Council laid down a key principle at Part 2 paragraph 1b to be used throughout this process. It intends that the cost of annual loan repayments in the Precept will be less than the annual rental payment for the current workshop Units as shown in the current (FY20/21) Precept. This means that the loan will be taken out for a term of over 23 but not over 23.5 years at an annual cost of **£19,211** compared to the current annual rental cost of workshop units in the precept of £19,425. This is an immediate annual saving for a site that is 2.32 times the current workshop and 1.54 times the size of our minimum requirement which is the current workshop plus an additional unit. The total repayment over 23.5 years is £451,447.22. Therefore interest paid over the loan term is £106,447.22.

Recommendations:

- a. That GTC **agree** to purchase the site known as Roman Business Centre to be used as a GTC workshop for the sum of £385,000.
- b. That GTC **agree** to seek the approval of the Secretary of State for Housing, Communities & Local Government to apply for a PWLB loan of £345,000 over the borrowing term of over 23 but not over 23.5 years for the purpose of purchasing Roman Business Centre, Gillingham to be used as a workshop site for the Town Council. The annual loan repayments will come to around £19,211.
It is not intended to increase the council tax precept for the purpose of the loan repayments.
- c. That GTC **agree** to publicise the agreement using the following statement in an immediate press release:
"At the Gillingham Town Council meeting of 25 June 2020 it was RESOLVED to seek the approval of the Secretary of State for Housing, Communities & Local Government to apply for a PWLB loan of £345,000 over the borrowing term of over 23 but not over 23.5 years for the purpose of purchasing Roman Business Centre, Gillingham to be used as a workshop site for the Town Council. The annual loan repayments will come to around £19,211.
It is not intended to increase the council tax precept for the purpose of the loan repayments.
- d. That GTC **agree** to release the £180,000 earmarked in the Councils financial reserves for the purposes laid out in the workshop purchasing budget.
- e. That GTC **task** the RFO to make the PWLB application on behalf of the Council.

Gillingham Town Council

Appointment of Conveyancing Solicitor

Author: Julie Hawkins, Town Clerk

1 Introduction

To consider and agree a solicitor to act on behalf of Gillingham Town Council for the purchase of Roman Business Centre.

Company	Location	Comments	Cost
Company A	Gillingham	Currently working to capacity and unable to take on additional work.	---
Company B	Gillingham	Unable to deal with commercial property matters.	---
Company C	North Dorset	Introductory fixed fee of £900 plus searches.	Total cost £900 plus searches
Company D	Dorset <i>Within 15 miles of Gillingham</i>	Estimates are based on the following assumptions: <ul style="list-style-type: none"> • That the matter is relatively straightforward; • That the Property benefits from direct access from the highway; • The title to the Property is registered within one title; and • The contract is prepared by the Seller's solicitor (with sensible drafting). 	Total cost In the region of £2,900 and £3,400. Hourly rate: £200 plus VAT

Company D	Surrey	Our fees on the purchase would be £825 plus VAT and disbursements.	Total cost in the region of £825 plus VAT
Company E	Somerset	£250 per hour, suggested cost in the region of £2,500 plus search fees at £600 plus fees for land registry and stamp duty.	Total cost in the region of £3,100 Hourly rate £250 plus VAT

2 Conclusion

In accordance with the council's Financial Regulations Para. 10.3, quotations have been sourced for the services of a solicitor to act on behalf of Gillingham Town Council for the purchase of Roman Business Centre.

Company C is based in Shaftesbury and has offered an introductory fixed fee of £900 which offers good value for money for the council. The solicitor who would be dealing with the matter has 16 years' experience in the areas of Housing and Property, Commercial Property, Company and Commercial, Regulations, Agriculture, Wills, Trusts and Probate working as a solicitor.

3 Recommendation

That Company C is instructed to act on behalf of Gillingham Town Council for the purchase of Roman Business Centre at a fixed fee of £900 plus searches.

Minute no. 283

Gillingham Town Council

Purchase of Play Equipment

Marlott Road Play Area

Author: Deputy Town Clerk

1. INTRODUCTION

The Estate Management and Properties sub-committee tasked a subgroup to lead with the refurbishment of the Marlott Road play area, as follows: Cllr Barry von Clemens, the Works Manager, Deputy Works Manager and the Deputy Town Clerk.

Marlott Road play area sits on the edge of a large housing estate on the north side of Gillingham. Many children live on the adjacent housing estate and there is a children's nursery nearby. This play area is viewed as a 'destination' play area for those children living in the north of the town and is a popular playing space.



Photo: May 2019



Photo: May 2020

The play area at Marlott Road was transferred into town council ownership around 2010 from a housing developer. It ceased to become viable for major repairs in 2017/18 and was decommissioned in early 2020. The timber framed play equipment was about fifteen to twenty years old and had reached the end of its natural life. The wet pour safer surface was damaged and becoming unsafe.

The play area is located on a very wet site, and access is limited during the winter months. Drainage works to help alleviate surface flooding have been agreed and will be undertaken in July prior to new play equipment being installed.

The wooden fence is beyond repair and quotations for metal bow top railing fencing that will require little maintenance will be sourced in July and will be reported on for approval in due course.

2. PROPOSAL

The refurbishment project will provide a new play area that is suitable for toddlers and children to enjoy up to the age of 12 years and will be in keeping with its natural surroundings.

Despite the site being wet, timber framed equipment was preferred in this environment because of its location next to a large attractive open space. Timber frames are installed above ground using steel shoe fixings to prevent rot.

It is important that the equipment can be accessed by all children including those who are disabled. A design should include the ten basic play activities:

- Swinging
- Rocking
- Rotating
- Climbing/Crawling
- Balancing
- Sliding
- Pretending/Role Playing
- Training
- Experimenting
- Gathering

Initially four companies were informally approached for a design and the companies who submitted the best designs were asked to supply a more comprehensive quotation based on the specification below:

Old Equipment	Proposed New Equipment Spec
1 x Picnic Bench	Toddler multi play
1 x Bin	Junior multi play
Junior multi play	Timber-framed swing with two cradle seats
Toddler multi play	Timber-framed swing with two flat seats and two inclusive seats
Themed 'Bird' Springer	Timber-framed basket/team swing
Themed 'Horse' Springer	A Rotator
Double cradle swing	Toddler themed see-saw
Activity trail	Junior see-saw
	Cone climber
	Junior rope climb
	Junior spinner

3. QUOTATIONS

The three companies chosen to supply a formal quotation have previously supplied play equipment to the town council; they are well-known and respected companies within the industry and work to high standards.

The specification supplied to each contactor was based on discussions held by Cllr von Clemens in consultation with the Works Manager, Deputy Works Manager and Deputy Town Clerk. The specification asked for the cost of each piece of equipment, installation and safer surface costs. The idea was to obtain comparison costs; however, this is not possible for all pieces of equipment, especially as there are numerous designs for rotators and see-saws and other equipment.

The design and information submitted by each company is available on request. All companies could be on site by September and the work would take around 2 to 3 weeks to complete. This timescale works well with the overall project.

Company A	Installation of 11 no. pieces of equipment including safer surface	55,665.00	
	Welfare, fencing, storage, removal of rubbish, etc	1,230.00	
	TOTAL - Company A		£ 56,895.00
Company B	Installation of 11 no. pieces of equipment including safer surface	50,263.00	
	Welfare, fencing, storage, removal of rubbish, etc	2,070.00	
	TOTAL - Company B		£ 52,333.00
Company C	Installation of 11 no. pieces of equipment including safer surface	60,483.00	
	Welfare, fencing, storage, removal of rubbish, etc	1,886.00	
	TOTAL - Company C		£ 62,369.00

3.1 Health and Safety

All companies were able to provide evidence Health and Safety and insurance requirements specified.

All play equipment has been independently tested and complies is BS EN 1177 and BS 7188.

Safer surfacing meets the requirements of BS EN 1176 and BS EN 1177.

3.2 Guarantees

All companies have extensive guarantees, but they are not all the same.

The guarantees on the structure of the equipment are easier to compare. For example:

Company B can offer the best guarantee of twenty years when structural timbers are installed with steel ground fixing brackets. The timber is protected against rot and infestation and requires no maintenance.

All companies offer 25-year guarantee on structural steel work.

3.3 On-going Maintenance

The Works Manager has experience of repairing play equipment and spare parts can easily be supplied by the Company A, B and C.

The Works Manager has experience of the performance of timbers used by Company B; very little if any splitting occurs which could cause a finger entrapment.

4. PREFERRED CHOICE

The project team preferred choice for Contractor B for the following reasons:

- Design and overall appeal
- Type of materials used
- Value for money
- Knowledge of equipment
- Timber/steel guarantee

4 FINANCIAL IMPLICATIONS

Under the Town Council's Financial Regulations, Contractors, section 11.1 (b) there is a requirement for contracts over £25,000 to comply with The Public Contracts Regulations 2015. However, the thresholds under the Public Contracts Regulations are considerably higher (currently £164,176 for services and £4,104,394 works).

Under the Town Council's Financial Regulations, Suspension and Revision of Financial Regulations, section 17.2, the council can resolve to suspend Financial Regulations if reasons for suspension are recorded and that an assessment of the risk arising has been presented in advance to Full Council.

The budget allocated for the play area totals £92,000.

The cost of the preferred equipment totals £52,330 ex VAT

Drainage works costing £10,600 and decommissioning costs of £1,750 have already been agreed.

Fencing costs have yet to be ascertained but estimated in the region of £14,000.

Seating and bins will need to be provided and estimated at £3,000.

5 CONCLUSIONS

The preferred company has an excellent reputation and has supplied play equipment to the town council in 2014 and 2019.

The equipment is competitively priced and on-going maintenance will be minimal.

The design incorporates the ten basic play activities required and is an improvement on the original installation.

The design is in-keeping with the natural environment.

The equipment is made in the UK.

5. RECOMMENDATIONS

That the Town Council's Financial Regulations are suspended as per section 17.2 to allow the purchase of play equipment at Marlott Road as specified in this report for the following reasons:

- **the original play area has been decommissioned;**
- **three competitive quotations have been sourced for similar equipment;**
- **the equipment has been used in other play areas in the town and is a high standard of manufacture;**
- **the company can install the equipment within the timescale of the project;**
- **the design of the equipment suits the location.**

That Company B is chosen as the preferred supplier of play equipment at Marlott Road and that the purchase of play equipment for the sum of £52,330 ex VAT is made from monies earmarked specifically for this project.