



GILLINGHAM TOWN COUNCIL

FULL COUNCIL

The Town Hall, School Road, Gillingham, Dorset SP8 4QR
Tel: 01747 823588 Email: GTC@gillinghamdorset-tc.gov.uk

Minutes of the Full Town Council meeting held on **Tuesday, 23rd April 2019** in the Jubilee Room at the Town Hall, School Road, Gillingham commencing at 7.30pm.

Present: Cllr Mrs S Hunt (Mayor)
Cllr B Von Clemens (Deputy Mayor)
Cllr R Evill, Cllr A Frith, Cllr M Gould
Cllr P Harris, Cllr M Hill,
Cllr Mrs V Potheary, Cllr Miss N Purkis,
Cllr Mrs B Ridout, Cllr Mrs D Toye and Cllr D Walsh.

Members of the Public There were five members of the public present.

Members of the Press: There was one member of the Press present.

In attendance: Deputy Town Clerk, Mrs C Ratcliffe

674. To receive apologies for absence.

Apologies were received from Cllr Mrs Beckley, Cllr Mrs Cullingford, Cllr Poulter and Cllr Robinson. The Chairman informed the meeting of the reasons for the apologies. The reasons were duly recorded in the attendance register.

Cllr Frith proposed that **“the apologies received from Cllr Mrs Beckley, Cllr Mrs Cullingford, Cllr Poulter and Cllr Robinson were accepted”**. Cllr Evill seconded, and the vote was unanimous. **RESOLVED.**

675. To approve the minutes of the Full Council meeting held on Monday, 25th March 2019.

Cllr Frith proposed that **“the minutes of the Full Council meeting held on Monday, 25th March 2019 are approved as a correct record of the meeting”**. Cllr Mrs Ridout seconded, and the vote was unanimous. **RESOLVED.**

676. Questions. There were no questions.

677. Declarations of Interest: 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.

Full Council Meeting – Tuesday, 23rd April 2019 (continued):

678. To receive and consider reports from the Schools Councils if available.

Cllr Von Clemens had nothing to report this month.

679. To approve and authorise payments for the second half of April 2019.

Cllr Gould proposed that “**payments numbers 11 to 21 to the gross value of £4,131.23 are approved and authorised for payment**”. Cllr Hill seconded, and the vote was unanimous. **RESOLVED.**

680. To receive written reports from outside bodies, if available, for consideration and approval:

a) Three Rivers Partnership (3RP) and Three Rivers Community Partnership Board of Trustees, the Gillingham Community Leisure Trust (GCLT)

Cllr Von Clemens reported that a 3RP Board Meeting had taken place on 26th March 2019. The meeting dealt with the usual day to day business; there was nothing specific to report.

b) Town Meadow Group

Cllr Mrs Cullingford was absent from the meeting and there was no report.

c) Gillingham Chamber of Commerce and Industry

Cllr Von Clemens reported that the Chamber's AGM will be held at the Town Hall on Wednesday, 1st May 2019 at 7.30pm. All welcome. The Chamber is waiting to hear whether it will be possible to affiliate with the Dorset Chamber of Commerce and the British Chamber of Commerce.

d) DAPTC (Larger Towns: Cllr Mrs S Hunt/Cllr Von Clemens, Northern Area: Vacant)

Cllr Mrs Hunt reported that no meeting had taken place this month.

e) Transport Forum

Cllr Mrs Ridout reported that she and the Deputy Town Clerk had attended a Board Meeting of the Blackmore Vale Community Rail Partnership (BVCRP) on Tuesday, 16th April at the RiversMeet Leisure Centre. A presentation was made by Mark Youngerman, from South Western Railway (SWR), about the Customer and Communities Improvement Fund (CCIF) to support projects that benefit communities or address an area of social need across the SWR network. The fund is valued at £5.2m over two years and any type of organisation can apply. Applications are invited from June/July 2019 with assessment being made by SWR from August to December prior to projects being approved by the Department of Transport. Finalisation of project plans and successful applications will be contacted in January/March 2020 so that projects can start in April 2020.

The BVCRP already has an Action Plan with a list of improvements identified for each station from Tisbury to Crewkerne. An application to the CCIF for some of this work will be made and individual friends' groups may also decide to put forward their own projects. It is possible for the Town Council, working in partnership with others, to apply for the costs of signage at the station to promote the town, its open spaces and walking routes. For more information about this project, please contact Cllr Mrs Ridout or the Deputy Town Clerk or refer to **Appendix A**.

f) Gillingham Town Team

Cllr Gould reported that representatives of the Town Team attended a Local Enterprise Partnership (LEP) meeting. This proved very informative and of potential benefit for Gillingham. The Town Team has invited the chairman of the LEP on a fact finding visit to the town in May and has discussed the opportunities to regenerate the town centre including the ongoing negotiations with a cinema operator and a landowner.

Full Council Meeting – Tuesday, 23rd April 2019 (continued):

680. To receive written reports from outside bodies, if available, for consideration (continued):

The Town Team plan to meet the Business Improvement District (BID) organisers for Wimborne, with a view to encouraging a BID in North Dorset.

The start date for the survey of Lower Station Road has yet to be confirmed but assurances have been given that this will be carried out shortly.

681. To receive the following Committee reports for consideration and adoption:

a) General Purposes Committee held on Monday, 1st April 2019

Cllr Mrs Ridout proposed that **“the report of the General Purposes Committee held on Monday, 1st April 2019, is agreed and adopted”**. Cllr Von Clemens seconded, and the vote was unanimous. **RESOLVED.**

b) Planning Committee interim meeting held on Monday, 25th March 2019 and the Planning Committee meeting on Monday, 8th April 2019

Cllr Walsh proposed that **“the report of the Planning Committee interim meeting held on Monday, 25th March and the Planning Committee meeting held on Monday, 8th April 2019 are agreed and adopted”**. Cllr Mrs Potheary seconded, and the vote was unanimous. **RESOLVED.**

c) Staff and Salaries Committee meeting held on Monday, 15th April 2019

Cllr Frith proposed that **“the report of the Staff and Salaries Committee meeting held on Monday, 15th April 2019 is agreed and adopted”**. Cllr Harris seconded, and the vote was unanimous. **RESOLVED.**

d) Policy and Resources Committee meeting held on Monday, 15th April 2019.

Cllr Mrs Hunt proposed that **“the report of the Policy and Resources Committee meeting held on Monday, 15th April 2019 is agreed and adopted”**. Cllr Harris seconded, and the vote was unanimous. **RESOLVED.**

682. To receive the following MOTION moved by Cllr Harris, Cllr Poulter and Cllr Von Clemens:

"In accordance with Standing Order No. 7(a) Gillingham Town Council reconsider the resolution made at Full Council on 25th February 2019, Minute number 645, (to agree and adopt the current Standing Orders) in order to consider and agree a revised committee structure".

Written notice from the above named three (3) councillors has been received by the Proper Officer in accordance with Standing Order No. 9.

Cllr Harris proposed that **“the MOTION moved by Cllr Harris, Cllr Poulter and Cllr Von Clemens is received and agreed”**. Cllr Von Clemens seconded, and the vote was unanimous. **RESOLVED.**

683. To receive and consider a report - 'Streamlining Gillingham Town Council Standing Committees'.

Cllr Harris referred to a report that was circulated via email prior to the meeting. Please refer to **Appendix B**.

Cllr Harris proposed that:

- 1. Gillingham Town Council agrees to implement paragraphs 7a and 9a of its standing orders (as at 25 Feb 19) to make a change to its orders within the six-month rule as follows:**

Full Council Meeting – Tuesday, 23rd April 2019 (continued):

683. 'Streamlining Gillingham Town Council Standing Committees' (continued):

- a. Gillingham Town Council agrees to streamline its standing committees from the beginning of the new council period 2019 to three committees, each of twelve members, and their appropriate sub committees and task and finish groups.
- b. The three standing committees should be known as:
 - i. General Purpose committee
 - ii. Planning Committee
 - iii. Finance Committee
- c. The Finance Committee should have a standing subcommittee (whose membership should be the Mayor, Deputy Mayor, Chair and Deputy Chair of the Finance Committee, Chair of General Purpose Committee supported by the Town Clerk and the RFO) to deal with staff salaries, staff issues and the financial aspects of the precept preparation.
- d. Gillingham Town Council delegates the drafting of the revised terms of reference (including rebalancing responsibilities) for the new committees to a task and finish group comprising the Mayor, Mayor Elect, Deputy Mayor Elect, Chairs of the current General Purpose and Staff and Salaries committees and the Town Clerk.
- e. The Mayor should not also be the Chair or Deputy Chair of any of the GTC standing committees.
- f. The draft Terms of Reference to be presented to the first meeting of the new council on 13th May 2019 for approval ahead of the Full Council election for the standing committee chairmanships.

Cllr Von Clemens seconded, majority were in favour. Cllr Frith abstained. **RESOLVED.**

684. To receive the following MOTION moved by Cllr Harris, Cllr Poulter and Cllr Von Clemens:

"In accordance with Standing Order No. 7(a) Gillingham Town Council reconsider the resolution made at Full Council on 28th January 2019, Minute number 626, (to agree and adopt the current Financial Regulations) in order to amend budgetary controls and authority to spend in relation to business compliance and efficiency."

Written notice from the above named three (3) councillors has been received by the Proper Officer in accordance with Standing Order No. 9.

Cllr Von Clemens proposed that **"the MOTION moved by Cllr Harris, Cllr Poulter and Cllr Von Clemens was received and agreed"**. Cllr Mrs Ridout seconded, and the vote was unanimous. **RESOLVED.**

685. To amend the Financial Regulations for the purposes of evaluating budgetary controls and authority to spend in relation to business compliance and efficiency as recommended by the Policy and Resources Committee on 15th April 2019 Minute No. 494.

The amendments to the Financial Regulations were circulated prior to the meeting. Please refer to **Appendix C.**

Cllr Von Clemens proposed that the **"Financial Regulations, as amended, are agreed and adopted"**. Cllr Harris seconded, and the vote was unanimous. **RESOLVED.**

686. To receive and consider the following draft policies recommended for adoption at the Policy and Resources Committee meeting held on 15th April 2019:

a) Complaints, Comments and Compliments Policy

A Complaints, Comments and Compliments Policy was circulated prior to the meeting. Please refer to **Appendix D.**

Full Council Meeting – Tuesday, 23rd April 2019 (continued):

686. To receive and consider the following draft policies recommended for adoption at the Policy and Resources Committee meeting held on 15th April 2019 (continued):

Cllr Mrs Toye proposed that the **“Complaints, Comments and Compliments Policy is agreed and adopted”**. Cllr Frith seconded, and the vote was unanimous. **RESOLVED.**

b) Dealing with Abusive, Persistent or Vexatious Complaints and Complainants Policy.

An Abusive, Persistent or Vexatious Complaints and Complainants Policy was circulated prior to the meeting. Please refer to **Appendix E.**

Cllr Frith proposed that **“the Dealing with Abusive, Persistent or Vexatious Complaints and Complainants Policy is agreed and adopted”**. Cllr Hill seconded, and the vote was unanimous. **RESOLVED.**

687. To receive and consider the following items, deferred from the Policy and Resources Committee meeting held on Monday 15th April 2019:

a) Allotments Policy

Cllr Mrs Toye referred to the Allotments Policy that had been deferred from the Policy and Resources Committee. Please refer to **Appendix F.**

Cllr Mrs Toye proposed that **“the Allotments Policy, as amended, is agreed and adopted”**. Cllr Frith seconded, and the vote was unanimous. **RESOLVED.**

Cllr Mrs Potheary declared a personal interest at this point as she is an allotment holder at Cemetery Road allotment gardens and did not take part in any discussions regarding items (b) and (c) below.

b) Revised Allotment Tenancy Agreement

Cllr Mrs Toye explained that the Allotment Tenancy Agreement has been revised to accommodate the new Allotments Policy. Please refer to **Appendix G.**

Cllr Mrs Toye proposed that **“the revised Allotment Tenancy Agreement, as circulated, was agreed and adopted”**. Cllr Gould seconded, and the vote was unanimous. **RESOLVED.**

c) Letter to allotment holders

Cllr Mrs Toye requested that members considered two letters: one pertaining to the allotment holders at Cemetery Road allotment gardens and the other to the allotment holders at Park Farm allotment gardens. The letter refers to recent changes to the allotment tenancy agreement. A copy of each letter had been circulated to members prior to the meeting. Please refer to **Appendix H.**

Cllr Mrs Toye proposed that **“the letter pertaining to allotment tenants at Cemetery Road allotment gardens and the letter pertaining to the tenants at Park Farm allotment gardens, both of which concern recent changes to the Allotment Tenancy Agreements, are approved for circulation”**. Cllr Mrs Ridout seconded, and the vote was unanimous. **RESOLVED.**

688. To receive and consider a report on the Litter Free Dorset Project.

A report was tabled at the meeting. The report contained one recommendation. Please refer to **Appendix I.**

Cllr Harris proposed that **“the Mayor Elect and the Deputy Town Clerk, working in consultation with the Works Manager and the Gillingham Litterpickers, are delegated to make a formal bid to Litter Free Dorset”**. Cllr Mrs Ridout seconded, and the vote was unanimous. **RESOLVED.**

Full Council Meeting – Tuesday, 23rd April 2019 (continued):

689. To receive and consider a specification and tender documents for the Weekend Town Orderly Contract.

The Deputy Town Clerk referred to a draft tender document for the weekend town orderly contract that had been circulated to members prior to the meeting. Please refer to appendix J. The document contained highlighted sections for amendment.

Cllr Walsh approved that **“the draft tender documentation for the weekend town orderly contract, as amended, is adopted and approved for circulation”**. Cllr Mrs Potheary seconded, and the vote was unanimous. **RESOLVED.**

690. To receive correspondence from Gillingham Carnival Club notifying the Town Council about the road closures that will be in operation on Saturday, 5th October for the Annual Children’s Carnival, Parade of Bands and the evening illuminated carnival procession.

Cllr Mrs Hunt referred to the usual courtesy letter received from the Gillingham Carnival Club informing the Town Council of the road closures required for this year’s carnival on Saturday, 5th October 2019.

691. To receive a report on the Mayor’s and Deputy Mayor’s civic activities.

The Mayor, Cllr Mrs Hunt, presented her final list of mayoral actives for the last few weeks. Please refer to **Appendix K.**

Cllr Mrs Hunt informed members that prior to the meeting she had attended a St George’s Day Service at the new Scout HQ where she was able to present certificates to the Beaver Scouts and Scouts who attended the community litter pick in earlier in March.

692. In Confidence. Under the Public Bodies (Admissions to Meetings) Act 1960, the press and public shall be excluded during the discussion of the following items:

a) To receive and consider a confidential report on the sports facility at Woodwater Lane.

Cllr Mrs Hunt advised members that if they wished to asked questions about the confidential report that had been tabled, then it would be pertinent for members of the public to be excluded from the meeting at this point.

There were no questions and therefore there was no need to exclude members of the public at this point.

Cllr Harris proposed that **“the recommendation contained within the confidential report tabled at the meeting is agreed”**. Cllr Walsh seconded, and the vote was unanimous. **RESOLVED.**

693. To receive in writing matters pertinent to this meeting.

The Deputy Clerk informed members that the Town Clerk would be emailing pertinent diary dates regarding the forthcoming elections and council meetings very shortly.

The Mayor, Cllr Mrs Hunt, thank members for bestowing her the honour of mayor for the fourth time. It had been a wonderful year. The Deputy Mayor, Cllr Von Clemens, replied that it had been a great pleasure working alongside Cllr Mrs Hunt and asked members to join him in a round of applause.

The meeting closed at 8.10 pm

1. County Councillors’ Reports and District Councillors’ Reports

There were no county councillors’ or district councillors’ reports; the new unitary authority – Dorset Council - came into existence on 1st April. There was no report from the Shadow Council.

3. Public Questions. There were no public questions.

Gillingham Town Council

Transport Report

**South Western Railway
Customer and Communities Improvement Fund (CCIF)**

Author: Cllr Mrs Belinda Ridout

Following a Blackmore Vale Community Rail Partnership meeting with Mark Youngman, CCIF Manager, SWR, (email: mark.youngman@swrailway.com), details of the CCIF fund below:

What is CCIF?

- Supports projects that benefit communities or address an area of social need across the SWR network.
- Intended to support projects which wouldn't normally meet usual commercial criteria.
- Two funds (per year in 2-year tranches – (2020-22 and 2022-24)
 - Isle of Wight - £50,000 per year
 - Mainland - £2.6m per year (£5.2m over 2 years). Underspend can be rolled over.

Any type of organisation can apply: community, charity, local authority – except Network Rail. No limit on number of applications submitted. Smaller projects do not need to be match-funded.

What type of projects? Ideas, projects and schemes which have identified a need within a community or social need.

- Educational, history and heritage
- Outreach projects helping to open rail travel to more communities, e.g. bus route to farmers market
- Marketing and promotion
- Research
- Integrated transport projects (improving access to stations by better walking, cycling and public transport)
- Station enhancement and refurbishment of disused rooms/buildings

A good bid will demonstrate clear identification of the need, evidence of community engagement and benefit and strong evidence of deliverability.

Timescales:

- **June/July 2019 – applications open**
- **August to December 2019 – assessment by SWT, then Approval by DfT**
- **January 2020 to March 2020 – finalisation of project plans, confirmation of contracts with successful applicants**
- **April 2020 – Schemes start – delivered over 2 years.**

Minute no. 683

Gillingham Town Council

Streamlining Gillingham Town Council Standing Committees

Authors: Cllr Von Clemens and Cllr P Harris

Reference: GTC Standing Orders 2019 Section 4d.

Issue

Gillingham Town Council (GTC) continues to review and streamline its activities and processes to encourage efficiency and effectiveness and to ensure that responsibility, authority and accountability is maintained.

Council business is currently conducted using four standing committees supported by a series of working groups.

Committees meet on successive Monday evenings:

1 st Monday in month	General Purpose
2 nd	Planning
3 rd	Staff and Salaries and Policy and Resources
4 th	Full Council and interim Planning

On occasions there are five Mondays in a month allowing a week's respite from Monday evening commitments.

GTC is 17 strong; three standing committees¹ have 11 members, one standing committee² has seven members with the Mayor and Deputy Mayor being full members of each committee and included in the committee member numbers.

Committee seats available to councillors are therefore:

(3x11) + 7 =	40 seats
less 2 x 4 =	8 seats (Mayor and Deputy Mayor on each committee)
Total	32 seats

Councillor commitment to standing committees is 32 seats for 15 councillors; therefore, some councillors are expected to be members of three committees per month. This is in addition to all councillors attending Full Council and all councillors attending meetings of working groups. Every Monday night is committed to council committees less the odd month with five Mondays.

Staff commitment to Monday evening committee work varies from Town Clerk; Town Clerk and Deputy Town Clerk or Town Clerk and RFO or another staff combination. This significant staff commitment takes up valuable working hours for which staff members are entitled to take time off in lieu during the working week. This puts pressure on staff to conduct evening work and in turn reduces available customer face to face time during the normal working day. Pre-committee preparation and post committee minute writing for each of the four committee meetings can take a significant amount of time.

¹ General Purpose, Planning, Policy and Resources

² Staff and Salaries

Proposal

GTC requires effective and efficient working practices with responsibility, authority and accountability suitably delegated. Valuable volunteer councillor time needs to be directed to deliver outputs. Standing committees need to continue to act as decision forums with standing sub-committees and/or time limited working groups conducting supporting work and providing reports, with recommendations, for consideration and approval. Standing sub-committees have terms of reference with specified responsibilities, authority and accountability, and provide regular outputs to their standing committee. Working groups should be renamed task and finish groups in line with the new Dorset County terminology and also have terms of reference with specified responsibilities, authority and accountability and provide outputs as directed. Task and finish groups are time limited whereas standing sub-committees are not.

Streamlining council activity within three standing committees will increase efficiency leading to increased effectiveness whilst reducing staff and councillor committed time. The pre-committee preparation and post committee minute writing will be reduced from 4 monthly committees meetings to 3, with a subsequent reduction in staff time dedicated to these tasks.

The **Planning committee** sits twice per month as planning applications have to be considered within 14 days of submission. The second planning committee meeting of the month takes place after the full council meeting. No change is being considered for this committee.

The **General Purpose (GP) committee** is the “workhorse” of the council. It deals with the majority of activities of the council through its standing sub-committees and task and finish groups. It is proposed that this committee subsumes the one existing working group (cycle link), as a task and finish group, from the Policy and Resources (P&R) committee. It is also proposed that risk assessments and training are moved from the P&R and Staff and Salaries (S&S) committees respectively and subsumed by the health and safety sub-committee. No other change is being considered for this standing committee.

Policy, in its development, approval and implementation, is the responsibility of Full Council. The one working party (cycle link) of the P&R committee can transfer, as a task and finish group, to the GP committee. The P&R financial responsibilities for precept, grant application review, financial statements, audits, banking, insurance, project funding, land transfers and section 106 agreements more appropriately lie with a Finance committee. Risk assessments are conducted under a standing sub-committee of the GP committee. The P&R committee therefore becomes redundant.

GTC finance is currently split between the S&S and P&R committees. The S&S committees' monthly responsibilities are generally restricted to authorising salary payments and training requests, with the committee generally sitting for a very short time. In general terms the monthly finance content of the current P&R committee is small, generally authorising payments for services provides to GTC, some passed to it from the GP committee. It is logical therefore all finance and staffing resources to be brought together to become the responsibility of a single **Finance committee**. It is also logical that staff and councillor training moves to the GP committee.

The **Finance** committee should have a standing sub-committee dealing with staff financial matters associated with salaries³, staffing issues (including recruiting) and for determining the financial aspects of the Precept for review by the Finance committee prior to Full Council review. The current S&S committee is 7 strong. As the standing sub-committee deals with staff finances and precept preparation it should only be as large as necessary to carry out its task. Therefore its composition should include those key areas where funding is spent. The sub-committee should be Mayor and Deputy Mayor, Finance committee chair and deputy chair, GP committee chairman. It should be supported by the Town Clerk and the RFO.

³ Specifically salary spine progression as NALC negotiations set annual cost of living increases

A change to three standing committees will require an increase of each committee membership from 7 or 11 to 12 members per committee.

It is convention that the Mayor and Deputy Mayor sit on each committee. In order that the Mayor is not placed in conflict when sitting in and voting at Full Council, they should not be the Chair of any of the GTC standing committees. In the absence of a chair or deputy chair at a meeting then the Mayor shall chair the meeting.

Committee seats that become available to councillors are therefore:

12 x 3 =	36 seats
less 2 x 3 =	6 seats (Mayor & Deputy Mayor)
Total	30 seats for 15 councillors or 2 committee seats per councillor.

In this way each councillor will have a commitment to two committees plus full council per month; plus any subcommittee or Task and Finish group commitments as is current. Council relations with external organisations will be in accordance with the appended diagrams.

Committees should meet on Monday evenings as follows:

1 st Monday in month	General Purpose @ 7.30pm
2 nd	Planning @ 7.30pm
3 rd	Finance @ 7.30pm
4 th	Full Council @ 7.30pm and interim Planning following Full Council

Changed working practises in accordance with the revised standing orders, particularly over financial authorities, will streamline and reduce the work of committees. In general terms this will lead to a reduction in committee time required to conducted business. Council standing orders will require amending where necessary within the six month rule to reflect changes authorised.

Recommendation

- 1. Gillingham Town Council agrees to implement paragraphs 7a and 9a of it standing orders (as at 25 Feb 19) to make a change to its orders within the six month rule as follows:**
 - a. Gillingham Town Council agrees to streamline its standing committees from the beginning of the new council period 2019 to three committees, each of twelve members, and their appropriate sub committees and task and finish groups.**
 - b. The three standing committees should be known as:**
 - i. General Purpose committee**
 - ii. Planning Committee**
 - iii. Finance Committee**
 - c. The Finance Committee should have a standing subcommittee (whose membership should be the Mayor, Deputy Mayor, Chair and Deputy Chair of the Finance Committee, Chair of General Purpose Committee supported by the Town Clerk and the RFO) to deal with staff salaries, staff issues and the financial aspects of the precept preparation.**
 - d. Gillingham Town Council delegates the drafting of the revised terms of reference (including rebalancing responsibilities) for the new committees to a task and finish group comprising the Mayor, Mayor Elect, Deputy Mayor Elect, Chairs of the current General Purpose and Staff and Salaries committees and the Town Clerk.**
 - e. The Mayor should not also be the Chair or Deputy Chair of any of the GTC standing committees.**
 - f. The draft Terms of Reference to be presented to the first meeting of the new council on 13th May 2019 for approval ahead of the Full Council election for the standing committee chairmanships.**

GILLINGHAM TOWN COUNCIL FINANCIAL REGULATIONS



GILLINGHAM TOWN COUNCIL
THE TOWN HALL, SCHOOL ROAD, GILLINGHAM, DORSET SP8 4QR
TEL: 01747 823588 EMAIL: GTC@GILLINGHAMDORSET-TC.GOV.UK

Document Control

Document Title:	Financial Regulations
Publication Date	24.04.19
Policy Owner	Full Council
Date of Committee Approval	23rd April 2019
Minute Number	685
Related Legislation / Applicable Section of Legislation	<ul style="list-style-type: none"> • Localism Act 2011 • Section 27 of the Audit Commission Act 1998 • Late Payment of Commercial Debts (Interest) Act 1998 • Freedom of Information Act 2000 • VAT Act 1994 section 33 • The Public Contracts Regulations 2015
Policy Author	<p>Julie Hawkins, Town Clerk, Gillingham Town Council.</p> <p>Based on the model Financial Regulations produced by The National Association of Local Councils (NALC)</p>
Applies to	All council members and officers
Version Number	2
Next Review Date	October 2019
Notes	Please refer to guidance issued in 'Governance and Accountability for Local Councils - a Practitioners' Guide (England)'

INDEX

1. GENERAL	4
2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)	6
3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING	8
4. BUDGETARY CONTROL AND AUTHORITY TO SPEND	8
5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS	9
6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS	11
7. PAYMENT OF SALARIES	13
8. LOANS AND INVESTMENTS	14
9. INCOME	15
10. ORDERS FOR WORK, GOODS AND SERVICES	15
11. CONTRACTS	16
12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS	17
13. STORES AND EQUIPMENT	18
14. ASSETS, PROPERTIES AND ESTATES	18
15. INSURANCE	19
16. RISK MANAGEMENT	19
17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS	19

These Financial Regulations were adopted by Gillingham Town Council at its Meeting of Full Council held on **23rd April 2019**

1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders¹ and any individual financial regulations relating to contracts.
- 1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.3. The council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud; and
 - identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council.
- 1.9. The RFO;
 - acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;

¹ Model standing orders for councils are available in Local Councils Explained © 2013 National Association of Local Councils

- determines on behalf of the council its accounting records and accounting control systems;
 - ensures the accounting control systems are observed;
 - maintains the accounting records of the council up to date in accordance with proper practices;
 - assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
 - produces financial management information as required by the council.
- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.
- 1.11. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the council; and
 - wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
 - measures to ensure that risk is properly managed.
- 1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

- setting the final budget or the precept (council tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors,

shall be a matter for the full council only.

1.14. In addition, the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of £10,000; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.15. In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners' Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

- 2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman [or a cheque signatory] shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Appropriate Committee.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in

proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.

- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
 - be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - have no involvement in the financial decision making, management or control of the council.
- 2.7. Internal or external auditors may not under any circumstances:
 - perform any operational duties for the council;
 - initiate or approve accounting transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 3.1. Each committee shall review its three year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of November each year including any proposals for revising the forecast.
- 3.2. The RFO must each year, by no later than December, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Full Council.
- 3.3. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
 - 4.1.1. Full Council - £10,000 and over
 - 4.1.2. Committees - £5,000 to £9,999
 - 4.1.3. Committee Chairman and Town Clerk - £2,500 to £4,999
 - 4.1.4. Town Clerk – up to £2,500
 - 4.1.5. Deputy Town Clerk – up to £1,000
 - 4.1.6. Works Manager – up to £1,000
 - 4.1.7. Responsible Financial Officer (RFO) – up to £500
 - 4.1.8. Deputy Works Manager - up to £500

Such authority is to be evidenced by a minute or an authorisation slip duly signed by the Town Clerk, and where necessary, also by the appropriate Chairman. Expenditure must be evidenced by a purchase order and relevant receipt. Items of expenditure must not be grouped together, except under emergency situations when retrospective approval of such items of expenditure must be obtained at the next relevant meeting. Contracts may not be disaggregated to avoid controls imposed by these regulations.

- 4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council,

or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

- 4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 4.4. The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
- 4.5. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, where there is any budgetary provision for the expenditure, subject to a limit of £2,500, otherwise the Clerks limit in paragraph 4.1.4 applies. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.8. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of £100 or 15% of the budget.
- 4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the appropriate Committee meeting or Full Council meeting and, together with the relevant invoices, present the schedule to the appropriate Committee or Full Council. The council / appropriate Committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by

resolution. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

- 5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available appropriate Committee or Full Council meeting.
- 5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
 - a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next meeting of the appropriate Committee or Full Council;
 - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next meeting of the appropriate Committee or Full Council; or
 - c) fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next meeting of the appropriate Committee or Full Council.
- 5.6. For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council, or a duly authorised committee, may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next meeting of the appropriate Committee or Full Council.
- 5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by

council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.

- 5.9. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.10. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be effected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of the appropriate Committee or Full Council.
- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council, and countersigned by the Clerk, in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.
- 6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the appropriate Committee or Full Council at the next convenient meeting.
- 6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.
- 6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported

to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.

- 6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 6.10. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
- 6.12. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.14. The Town Clerk, RFO, Council Staff and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 6.15. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by

hard copy authority for change signed by the Clerk or the RFO plus a member. A programme of regular checks of standing data with suppliers will be followed.

- 6.18. Any Debit Card issued for use will be specifically restricted to the Clerk and the RFO and will also be restricted to a single transaction maximum value of £500 unless authorised by council or finance committee in writing before any order is placed.
- 6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the appropriate Committee. Transactions and purchases made will be reported to the appropriate Committee or Full Council and authority for topping-up shall be at the discretion of the appropriate Committee.
- 6.20. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk, RFO and Works Manager save that any fuel card issued to an employee may be used by that employee solely for the purpose of his employment and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.21 The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
 - a) The RFO shall maintain a petty cash float of £150 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
 - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
 - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.

7. PAYMENT OF SALARIES

- 7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Staff and Salaries Committee.

- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record. This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8. Before employing interim staff the council must consider a full business case.

8. LOANS AND INVESTMENTS

- 8.1. All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.
- 8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3. The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Clerk or RFO.
- 8.4. All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.
- 8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 8.6. All investments of money under the control of the council shall be in the name of the council.

- 8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.8. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. INCOME

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 9.3. The council will review all fees and charges at least annually, following a report of the Clerk.
- 9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 9.5. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 9.6. The origin of each receipt shall be entered on the paying-in slip.
- 9.7. Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. Order books shall be controlled by the RFO.
- 10.3. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by

obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11.1 below.

- 10.4. A member may not issue an official order or make any contract on behalf of the council.
- 10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

11. CONTRACTS

11.1. Procedures as to contracts are laid down as follows:

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
 - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
 - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations².
- c. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations

² The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

set by the Public Contracts Directive 2014/24/EU (which may change from time to time)³.

- d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- g. Any invitation to tender issued under this regulation shall be subject to Gillingham Town Council Standing Orders and shall refer to the terms of the Bribery Act 2010.
- h. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £100 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.
- i. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j. Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)

³ Thresholds currently applicable are:

- a. For public supply and public service contracts 209,000 Euros (£164,176)
- b. For public works contracts 5,225,000 Euros (£4,104,394)

- 12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.
- 12.3. Any variation to a contract or addition to or omission from a contract must be approved by the council and Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

13. STORES AND EQUIPMENT

- 13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.

14. ASSETS, PROPERTIES AND ESTATES

- 14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including

matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

- 14.5. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.
- 14.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. INSURANCE

- 15.1. Following the annual risk assessment (per Regulation 16), the Deputy Clerk shall effect all insurances and negotiate all claims on the council's insurers in consultation with the Clerk.
- 15.2. The Clerk shall give prompt notification to the Deputy Clerk of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3. The Deputy Clerk shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.4. The Deputy Clerk shall be notified of any loss liability or damage or of any event likely to lead to a claim and shall report these to council at the next available meeting.
- 15.5. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

16. RISK MANAGEMENT

- 16.1. The council is responsible for putting in place arrangements for the management of risk. The Clerk with the Deputy Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 16.2. When considering any new activity, the Clerk with the Deputy Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 17.1. It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.
- 17.2. The council may, by resolution of the council, duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

* * *

Signed by
The Mayor of Gillingham: _____ Date: _____

GILLINGHAM TOWN COUNCIL COMPLAINTS, COMMENTS AND COMPLIMENTS POLICY



GILLINGHAM TOWN COUNCIL
THE TOWN HALL, SCHOOL ROAD, GILLINGHAM, DORSET SP8 4QR
TEL: 01747 823588 EMAIL: GTC@GILLINGHAMDORSET-TC.GOV.UK

Document Control

Publication Date	April 2019
Policy Owner	Full Council
Date of Review and Adoption	23 rd April 2019
Minute Number	685
Related Legislation / Applicable Section of Legislation	Data Protection Act 1998 Equality Act 2010 Employment Rights Act 1996 The Human Rights Act 1998
Policy Author	Town Clerk
Applies to	Members of the public, Councillors and Officers of Gillingham Town Council
Version Number	1
Next Review Date	April 2021
Notes	

1 Introduction

As the layer of local government closest to the communities we represent Gillingham Town Council wants to make sure that the services we provide meet your needs and reflect your views wherever possible.

We believe in constantly improving our services, so if you have a comment, compliment or a complaint we would like you to tell us.

Any comment, good or bad, helps us to understand what people do and don't like about our services, and the things we need to do better in the future. We receive letters of appreciation and suggestions as well as complaints. Don't wait until you have a complaint to get in touch – if you can suggest how we can do things better, please contact us.

Our contact details are:

Town Hall, School Road, Gillingham SP8 4QR

Tel: 01747 823588

Email: GTC@gillinghamdorset-tc.gov.uk

Website: www.gillinghamdorset-tc.gov.uk

The best way is to talk to people who provide the service. It is helpful if you can write down your suggestions – if you wish, a member of staff can help you to do this. If you prefer, you can ask a friend or relative to speak on your behalf, or ask another organisation, such as your local Citizens Advice Bureau to assist you.

2 Making a Compliment

If you wish to compliment Gillingham Town Council just call in to the Town Hall reception or ring, email or write a letter addressed to the Town Clerk or Mayor who will ensure that your compliments are recorded and passed on. Compliments are very important to us and we very much appreciate being informed by residents and visitors alike that we are doing things right. We would like the opportunity to thank you for your compliments and encourage you to include a contact address so that we can send you an acknowledgement.

3 Making a Complaint

If something does go wrong, we need to be able to put it right quickly and take action to ensure that it doesn't happen again. It is helpful if you can say what solution you are looking for. Our staff will listen carefully to what you say and try to settle your complaint in a fair, prompt and polite way.

Please note that Town/Parish councils as corporate bodies are not subject to the jurisdiction of the Local Government Ombudsman and there are no provisions for another body to which complaints can be referred.

Gillingham Town Council will do its utmost to settle complaints and satisfy complainants in the interest of the good reputation of the Council, and to ensure that the complainant feels their grievance has been fully considered, taken seriously and acted upon accordingly.

4 Information for the Complainant

4.1 When Can a Complaint be Made?

It is far easier to find out what happened and put things right if a complaint is received close to the time the dissatisfaction with the service occurred. As time passes it becomes more difficult to investigate events fully and fairly. Therefore, the council will normally only accept complaints made within three months of the incident or circumstances that led to the complaint being made.

4.2 What is not a complaint?

- The first request for action or a service
 - A Freedom of Information request
 - A claim or a contractual dispute with the council
 - Complaints relating to the services of another Council or organisation
 - Complaints about Councillors; these are referred to the Monitoring Officer
 - Dissatisfaction of a decision of the Council
 - Matters relating to formal consultation exercises such as planning and licensing applications and local plans.
 - Concerns regarding matters which are the responsibility of another body
- a. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed.
 - b. This complaints procedure is not a means of redress for its elected members or staff. Members and staff are expected to work together professionally even if they hold differences of opinion and views.
 - c. If an employee has a complaint about the workplace, they may raise this in accordance with the procedures set out in the staff handbook.
 - d. Members are free to raise matters of concern in respect of council business by the submission of motion(s) on the agenda for relevant meeting(s) where the issue can be formally considered and resolved. Alternatively if a member has concerns about the conduct of a member of staff, he should notify the Town Clerk or Chairman of the Staffing Committee who are responsible for deciding whether the member's concerns raise disciplinary issues to be dealt with in accordance with the council's disciplinary procedure.

4.3 When is a local council's complaints procedure not appropriate?

- a. Other bodies have responsibility for certain types of complaint. These are summarised below.

Type of conduct	Refer to
Alleged financial irregularity	Local electors have a statutory right to object to a Council's audit of accounts (s. 16 Audit Commission Act 1998).
Alleged criminal activity	The police.
Members' conduct alleged to breach the code of conduct adopted by the council.	Dorset Council is responsible for handling complaints that relate to a member's failure to comply with the council's code of conduct.

4.4 Confidentiality: Data protection - Recording of Complaints

- a. Your complaint and details will be treated confidentially.
- b. The provisions of the Data Protection Act 1998 as well as the Freedom of Information Act 2000 must be borne in mind in dealing with all complaints.
- c. The council will not disclose the identity, contact details or other personal data about an individual complainant unless they consent or disclosure is otherwise fair and lawful e.g. for the purpose of discharging the council's functions, or for the performance of contractual obligations.
- d. The meeting of a relevant committee, sub-committee or panel considering the complaint or inviting you to make representations will need to exclude the public. This does not preclude the committee or subcommittee from inviting you as the complainant to speak at a meeting or requesting the attendance of the town clerk (or other nominated officer) to represent the position of the council.

4.5 Complaints about elected members

- a. For complaints about Councillors, the complainant is welcome and encouraged to contact the Town Clerk or the Mayor as Chairman of the Council to discuss matters informally prior to deciding whether to officially register a complaint. All Councillors are required to observe and act within the parameters of the Members Code of Conduct.
- b. If following informal discussion you are still unhappy about the way a town councillor - or 'elected member'- has behaved you can complain to the Dorset Council Standards Committee via the Monitoring Officer. The Standards Committee can deal only with complaints about the behaviour of an elected member. It will not deal with complaints about things that are not covered by the Members' Code of Conduct. If you make a complaint to the Committee it must be about why you think a member has not followed the Code of Conduct. Your complaint must be in writing, which includes e-mail, fax or on paper. If a disability prevents you from making your complaint in writing you may contact Dorset Council customer services team for assistance.

Complaints regarding Town Councillors should be sent to:

The Monitoring Officer County Hall, Colliton Park, Dorchester, Dorset DT1 1XJ

4.6 Complaints about a Council employee

- a. Council officers are responsible in law for advising the council and taking action on the decisions of the council. Officers have no part in the decision making process.
- b. A complaint against the council that involves a complaint about the conduct of its employees will be handled in accordance with our complaints procedure. If, following the outcome of the complaint, the council decides that there may be a need to take disciplinary action this will be in accordance with our procedures set out in Section 5 of the Staff Handbook.

5 Complaints Procedure

- a. This is a three-stage procedure, and it can be used for most concerns you wish to raise.
- b. All complaints will be deemed to be 'Informal Complaints' unless a written complaint expressly states 'Formal Complaint'.
- c. If you want someone else, for example a friend, relative or representative, to complain to us on your behalf, we will work with them to resolve your complaint. However, we will always need to have evidence that you have given your permission for someone else to complain on your behalf.

NOTE:

- d. Where the complaint is about the Town Clerk, the complaint should be notified to the Chairman of Council who will undertake the same procedures as specified in this document. (In this case, the Chairman of Council could seek external consultant's advice at their own discretion).

5.1 Stage 1 - Informal Complaints

- a. During the course of daily business, minor complaints may be made to officers about the services we provide. These will usually be dealt with by the relevant officer as appropriate. It is not appropriate for every comment to be treated as a formal complaint. Every effort should be made to deal with these problems immediately, either by providing information, instigating the appropriate action or explaining a decision.
- b. If you would like to talk through your issue, then please contact the Town Clerk by visiting our office in the Town Hall, email, write or telephone.
- c. If this does not resolve your issue and you would like to make a formal complaint, see Stage 2 below for how to do this.

5.2 Stage 2 – Formal Complaint

- a. If after receiving the response at Stage 1, you are still not satisfied, or wish to make a formal complaint directly you can escalate the matter to Stage 2 - Formal Complaint.
- b. A Formal Complaint with the Council should be submitted in writing (letter or e-mail) to the Town Clerk. Where the complaint is about the Town Clerk, the complaint should be notified to the Chairman of Council.
- c. If you prefer, you can ask a friend or relative to write on your behalf.

- d. The letter or e-mail must state that a Formal Complaint is being made and include the following information:
 - Name, address, and telephone number of the complainant
 - Who is the complaint about or the full nature of what the complaint is about
 - How the issue has affected the complainant
 - Copies of any relevant documents
 - Details of third parties and their involvement
 - What action the complainant believes might resolve the complaint
- e. v. The timescale for responding to Stage 2 is 30 working days. If the Town Clerk or other delegated investigating officer requires more time, you will be contacted and advised of when you can expect a response and the reasons for the delay.
- f. vi. We understand that you want your complaint resolved and we want to ensure you get a response as soon as possible. However, to ensure all elements of your complaint are considered, we have to ensure that a thorough investigation is undertaken, that all information has been provided to us and that any legal requirement has been looked at. Only then can we produce a comprehensive and considered report for you.
- g. vii. In the event of a seemingly serial facetious, vexatious or malicious complaint from a member of the public, the Council will consider taking legal advice before writing any letters to the complainant.
- h. viii. The Town Clerk will determine the complaint and if upheld will authorise any relevant remedial action needed, including any change to procedure, or reject the complaint completely.

5.3 Stage 3 Appeal to Complaints Panel

- a. If you remain unhappy with the council's response at the end of Stage 2, you can request in writing that the Town Council's Complaints Panel is convened and consider the complaint.
- b. On receipt of the request for referral of the complaint to the Complaints Panel, the Town Clerk will acknowledge the letter and advise that the Complaints Panel will call a meeting to discuss the complaint within 21 days of receipt of the letter.
- c. The Complaints Panel is appointed by Full Council. Staff or members previously involved in the original decision will not participate in the determination of an appeal.
- d. The complainant will be notified of the date of the meeting and asked for their comments, evidence and documentation in writing prior to the meeting. They or their representative will be able to address the Panel however must leave the room whilst the Panel considers the complaint and its decision and response. The Panel must establish at its meeting whether there is a factual basis to the complaint and, if so, what action should then be taken.
- e. Once a decision has been made the complainant will be advised of the recommendations of the Panel in writing within 7 days.
- f. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The complainant will be advised in writing of this delay.

6 Appeals

- a. No appeal will be considered in relation to the operation of this Protocol and there is no further appeal about the complaint once dealt with by the Complaints Panel to any other Panel, Sub Committee or Committee, or to the Town Council. Any rights or protection under statute are not affected by this.

7 Unreasonable and Vexatious Complaints

- a. There will be circumstances when a complainant persists in wishing to pursue a complaint when it clearly has no reasonable basis, or when the Council has already taken reasonable action in response, or where some other process, whether through the courts or some other recognised procedure, should or has been taken.
- b. These matters should be referred to the Town Clerk with a summary of the issues and of the attempts made to resolve the complaint. The Clerk may, in such circumstances, decide that no further action can usefully be taken in response to the complainant, and inform the complainant so, making it clear that only new and substantive issues will merit a response.

8 Resolution and Remedies

- a. The aim in dealing with all complaints is to reach a resolution or remedy that satisfies the complainant, whether it is the remedy they were originally seeking or not.
- b. Where a complaint is found to be at all justified, consideration may need to be given to the question of an appropriate remedy. Any remedy or compensation is made without prejudice and should not be taken as admission of legal liability.

9 Equality and diversity complaints (including complaints relating to allegations of discrimination or discriminatory behaviour)

- a. If in receiving a service from us, you feel you have experienced any form of unlawful discrimination or unfair treatment on the grounds of your race, gender, disability, sexuality, faith/belief or age you can make a complaint using the corporate complaints procedure, unless it is a complaint that should be dealt with through a statutory procedure.

In these cases, we will put your complaint straight through to
Stage 2 of the corporate complaints procedure.

- b. If the complaint relates to staff conduct and behaviour the Town Clerk will consider the details of the complaint and decide what the most appropriate way to investigate the complaint.

10. Accessibility

Please let us know if you need this information in a different format or language.

* * *

Signed by
The Mayor of Gillingham: _____ Date: _____

**GILLINGHAM TOWN COUNCIL
DEALING WITH ABUSIVE,
PERSISTENT OR VEXATIOUS
COMPLAINTS AND COMPLAINANTS
POLICY**



GILLINGHAM TOWN COUNCIL
THE TOWN HALL, SCHOOL ROAD, GILLINGHAM, DORSET SP8 4QR
TEL: 01747 823588 EMAIL: GTC@GILLINGHAMDORSET-TC.GOV.UK

Document Control

Publication Date	April 2019
Policy Owner	Full Council
Date of Review and Adoption	23 rd April 2019
Minute Number	686
Related Legislation / Applicable Section of Legislation	Data Protection Act 1998 Equality Act 2010 Employment Rights Act 1996 The Human Rights Act 1998
Policy Author	Town Clerk
Applies to	Members of the public, Councillors and Officers of Gillingham Town Council
Version Number	1
Next Review Date	April 2021
Notes	

DEALING WITH ABUSIVE, PERSISTENT OR VEXATIOUS COMPLAINTS AND COMPLAINANTS

1. Introduction

1.1 Gillingham Town Council is committed to dealing with all correspondence and complaints equitably, comprehensively, and in a timely manner. In general the Council will not normally limit contact that individuals have with us. There are however occasions when the behaviour of the individual inhibits dealing with their particular concern or where dealing with their concerns may have significant resource issues which are not justified by the nature of the concern.

1.2 This policy is intended to deal with those individuals who persist in making unreasonable, habitual or vexatious demands either by way of correspondence or complaints and ways of responding to these situations. It does NOT cover dealing with potentially vexatious requests under the Freedom of Information Act (FOIA). The Information Commissioner's Office (ICO) guidance on this can be found on their website.

1.3 In this policy the term habitual means 'done repeatedly or as a habit'. The term vexatious is recognised in law and means 'denoting an action or the bringer of an action that is brought without sufficient grounds for winning, purely to cause annoyance to the defendant'. This policy intends to assist in identifying and managing persons who seek to be disruptive to the Council through pursuing an unreasonable course of conduct.

1.4 It is however important to note that for the Council complaints purposes, it is the complaint which must be vexatious and not the individual making the complaint.

1.5 It is important to distinguish between people who make a number of complaints because they really think things have gone wrong, and people who are simply being difficult. It must be recognised that complainants may sometimes act out of character at times of anxiety or distress and reasonable allowances should be made for this.

1.6 Habitual or vexatious complainants can be a problem for Council staff and members. The difficulty in handling such complainants is that they are time consuming and wasteful of resources in terms of Officer and Member time. While the Council endeavours to respond with patience and sympathy to the needs of all complainants there are times when there is nothing further which can reasonably be done to assist or to rectify a real or perceived problem.

1.7 Raising of legitimate queries or criticisms of a complaints procedure as it progresses, for example if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent complainant. Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it once, or more than once, should not necessarily cause him or her to be labelled vexatious or unreasonably persistent.

1.8 The aim of this policy is to contribute to the overall aim of dealing with all complainants in ways which are demonstrably consistent, fair and reasonable.

2. Habitual or Vexatious Complainants

2.1 For the purpose of this policy the following definition of habitual or vexatious complainants will be used:

The repeated and/or obsessive pursuit of:-

(1) unreasonable complaints and/or unrealistic outcomes; and or

(2) reasonable complaints in an unreasonable manner

2.2 Prior to considering its implementation the Council will send a copy of this policy to the complainant to give them prior notification of its possible implementation.

2.3 Where complaints continue and have been identified as habitual or vexatious in accordance with the criteria set out in Section 3, the Clerk will convene a panel of three members to include the Mayor (or Deputy Mayor) the Chairman (or Vice Chairman) of the Staff and Salaries Committee and one other member to seek agreement to treat the complainant as a habitual or vexatious complainant and for the appropriate course of action to be taken.

Section 4 details the options available for dealing with habitual or vexatious complaints.

2.4 The Clerk on behalf of the Town Council will notify complainants, in writing, of the reasons why their complaint has been treated as habitual or vexatious and the action that will be taken. *The Dorset Councillor for that area will also be informed that a constituent has been designated as an habitual or vexatious complainant.*

2.5 The status of the complainant will be kept under review. If a complainant subsequently demonstrates a more reasonable approach, then their status will be reviewed.

3. Definitions

3.1 Gillingham Town Council define unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of their contacts with the Council, hinder the Council's consideration of their or other people's complaints. The description 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

3.2 Examples include the way in which, or frequency with which, complainants raise their complaint with staff or how complainants respond when informed of the Council's decision about the complaint.

3.3 Features of an unreasonably persistent and/or vexatious complainant include the following (the list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category):

An unreasonably persistent and/or vexatious complainant may:

- Have insufficient or no grounds for their complaint and be making the complaint only to annoy (or for reasons that they do not admit or make obvious)
- Refuse to specify the grounds of a complaint despite offers of assistance
- Refuse to co-operate with the complaints investigation process while still wishing their complaint to be resolved
- Refuse to accept that issues are not within the remit of the complaints policy and procedure despite having been provided with information about the scope of the policy and procedure
- Refuse to accept that issues are not within the power of the Council to investigate, change or influence.
- Insist on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice (e.g. insisting that there must not be any written record of the complaint)
- Make what appear to be groundless complaints about the staff dealing with the complaints, and seek to have them dismissed or replaced
- Make an unreasonable number of contacts with the Council, by any means in relation to a specific complaint or complaints
- Make persistent and unreasonable demands or expectations of staff and/or the complaints process after the unreasonableness has been explained to the complainant (an example of this could be a complainant who insists on immediate

responses to questions, frequent and/or complex letters, faxes, telephone calls or emails)

- Harass or verbally abuse or otherwise seek to intimidate staff dealing with their complaint, in relation to their complaint by use of foul or inappropriate language or by the use of offensive and racist language
- Raise subsidiary or new issues whilst a complaint is being addressed that were not part of the complaint at the start of the complaint process
- Introduce trivial or irrelevant new information whilst the complaint is being investigated and expect this to be taken into account and commented on
- Change the substance or basis of the complaint without reasonable justification whilst the complaint is being addressed
- Deny statements he or she made at an earlier stage in the complaint process
- Electronically record meetings and conversations without the prior knowledge and consent of the other person(s) involved
- Adopts an excessively 'scattergun' approach, for instance, pursuing a complaint or complaints not only with the Council, but at the same time with, for example, a Member of Parliament, other Councils, elected Councillors of this and other Councils, the Council's Independent Auditor, the Information Commissioner, the Police or solicitors.
- Refuse to accept the outcome of the complaint process after its conclusion, repeatedly arguing the point, complaining about the outcome, and/or denying that an adequate response has been given
- Make the same complaint repeatedly, perhaps with minor differences, after the complaints procedure has been concluded and insist that the minor differences make these 'new' complaints which should be put through the full complaints procedure
- Persistently approach the Council through different routes about the same issue
- Persist in seeking an outcome which Council has explained is unrealistic for legal or policy (or other valid) reasons
- Refuse to accept documented evidence as factual
- Complain about or challenge an issue based on an historic and/or an irreversible decision or incident
- Combine some or all of these features

4. Imposing Restrictions

4.1 The Town Council will ensure that the complaint is being, or has been, investigated properly according to the adopted complaints procedure.

4.2 In the first instance the Clerk will consult with the Mayor (or Deputy Mayor) and Chairman (or Vice Chairman) of the Staff and Salaries Committee prior to issuing a warning to the complainant. The Clerk will contact the complainant in writing, or by email, to explain why their behaviour is causing concern and ask them to change their behaviour and outline the actions that the council may take if they do not comply.

4.3 If the disruptive behaviour continues, the Clerk will issue a reminder letter to the complainant advising them that the way in which they will be allowed to contact the Town Council in future will be restricted. This decision will be made following the Clerk consulting with a panel of three members to include usually the Mayor (or Deputy Mayor) and Chairman (or Vice-Chairman) of the Staff and Salaries Committee. This letter will inform the complainant in writing of what procedures have been put in place and for what period.

4.4 Any restriction that is imposed on the complainant's contact with the Council will be appropriate and proportionate and the complainant will be advised of the period of time that the restriction will be in place for. In most cases restrictions will apply for between 3- 6 months, but in exceptional cases this may be extended. In such cases the restrictions would be reviewed on a quarterly basis.

4.5 Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:

- Banning the complainant from making contact by telephone except through a third party e.g. a solicitor, a Councillor or a friend acting on their behalf
- Banning the complainant from sending emails to individual and/or all Council Officers and insisting they only correspond by letter
- Requiring contact to take place with one named member of staff only
- Restricting telephone calls to specified days and/or times and/or duration
- Requiring any personal contact to take place in the presence of an appropriate witness
- Letting the complainant know that the Town Council will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated member of staff will be identified who will read future correspondence)

4.6 When the decision has been taken to apply this policy to a complainant, the Clerk will contact the complainant in writing to explain:-

- Why the decision has been taken
- What action is being taken
- The duration of that action

4.7 The Clerk will enclose a copy of this policy in the letter to the complainant.

4.8 Where a complainant continues to behave in a way that is unacceptable, the Clerk, in consultation with a panel of three Members to include the Mayor (or Deputy Mayor) and Chairman (or Vice Chairman) of the Staff and Salaries Committee may decide to refuse all contact with the complainant and stop any investigation into his or her complaint.

4.9 Where the behaviour is so extreme or it threatens the immediate safety and welfare of staff, other options will be considered, e.g. the reporting of the matter to the police or taking legal action. In such cases, the complainant may not be given prior warning of that action.

5. New complaints from complainants who are treated as abusive, vexatious or persistent

5.1 New complaints from people who have come under this policy will be treated on their merits. The Clerk, in consultation with a panel of three Members to include the Mayor (or Deputy Mayor) and Chairman (or Vice Chairman) of the Staff and Salaries Committee will decide whether any restrictions that have been applied before are still appropriate and necessary in relation to the new complaint. A blanket policy is neither supported, nor ignoring genuine service requests or complaints where they are founded.

5.2 The fact that a complainant is judged to be unreasonably persistent or vexatious and any restrictions imposed on Council's contact with him or her, will be recorded and notified to those who need to know within the Council.

6. Review

6.1 The status of a complainant judged to be unreasonably persistent or vexatious will be reviewed by a panel of three members to include the Mayor (or Deputy Mayor) and the Chairman (or Vice Chairman) of the Staff and Salaries Committee, after three months, and at the end of every subsequent three months within the period during which the policy is to apply.

6.2 The complainant will be informed of the result of this review if the decision to apply this policy has been changed or extended.

7. Record Keeping

7.1 The Clerk will retain adequate records of the details of the case and the action that has been taken. Records will be kept of:

- The name and address of each member of the public who is treated as abusive, vexatious or persistent
- When the restriction came into force and ends
- What the restrictions are
- When the person and Council were advised

7.2 The Staff and Salaries Committee will be provided with an annual report giving information about members of the public who have been treated as vexatious/persistent as per this policy.

* * *

Signed by
The Mayor of Gillingham: _____ Date: _____

GILLINGHAM TOWN COUNCIL

ALLOTMENTS POLICY



GILLINGHAM TOWN COUNCIL
THE TOWN HALL, SCHOOL ROAD, GILLINGHAM, DORSET SP8 4QR
TEL: 01747 823588 EMAIL: GTC@GILLINGHAMDORSET-TC.GOV.UK

Document Control

Document Title:	Allotments Policy
Publication Date	
Policy Owner	Policy and Resources Committee
Date of Committee Approval	15 th April 2019
Minute Number	Minute no.
Related Legislation / Applicable Section of Legislation	
Policy Author(s)	
Version Number	1
Next Review Date	April 2020
Note	

ALLOTMENTS POLICY

Definitions

"The Council" means Gillingham Town Council, and includes any committee of the Council, or any person authorised to act on behalf of the Council.

"The Allotments Association" means the Gillingham Allotments Association.

"Allotment Site" means an area of land set aside by the Council, for the purposes of growing vegetables, flowers and fruit.

"Allotment Garden" means an area of land, which may vary in size, within each allotment site, that is available to rent for an annual sum.

1 Introduction

- 1.1 This document sets out:
 - The eligibility criteria for renting an allotment garden
 - Procedures for allocation of allotment gardens
 - Allotments administration
 - The relationship between the Council and the Allotments Association
- 1.2 The Council reviews this allotment policy annually, and makes any changes known by publishing the revised policy on its website.
- 1.3 The legal relationship between Gillingham Town Council (The Council) as landlord and allotment holders as tenants, is defined within tenancy agreements.

2 Eligibility criteria for renting allotments

- 2.1 To be eligible to rent a statutory allotment a person must be 18 years or older and resident within the defined Parish of Gillingham. The Council maintains a town-wide waiting list for eligible persons only across all Council owned sites. The Council reserves the right not to accept applications for allotments

3 Allocation of Plots

- 3.1 The Council supplies information regarding vacant plots as they become available, to the person or persons at the top of the waiting list, to allow applicants to visit and inspect the plot, before making a decision to confirm their tenancy. In making such offers the Council endeavours to take into account applicants' stated preferences for site and size of plot.
- 3.2 Where, more than one plot becomes available at the same time, the Council contacts the appropriate number of people at the top of the list regarding the vacant plots and these are allocated on a "first come first served basis".
- 3.3 Applicants at the top of the list are given first refusal for the tenancy/tenancies and four weeks to respond in writing to the offer. If no response is received within this time, their name is removed from the waiting list. If they do not wish to or cannot take an offered plot, applicants may defer twice and retain their place in the list until another plot becomes available. If applicants wish to defer a third time, their names will be moved to the bottom of the list. If the plot is not taken by the person at the top of the list it is offered to the next person on the list.
- 3.4 When an applicant confirms their wish to commence a new tenancy, having identified the vacant plot and clarified that they are eligible, they are required, within ten working days, to sign a tenancy agreement, and to pay appropriate charges and fees before being allowed to start work on the plot.

- 3.5 All allotment plots are let on an as seen basis. The Council is not able to carry out improvement or clearance works for new tenants, beyond making the plots safe. The Council may at its discretion carry out appropriate actions to tidy any vacant overgrown plots. The Council reserves the right to divide or amalgamate plots as they become vacant at its discretion.
- 3.6 Each allotment tenancy is leased in the name of one person only, even if more than one person works on the plot. There is no automatic right of inheritance. However, the other person can make a representation to the Council, before the tenant vacates the plot, seeking the Council's agreement to take over the tenancy. The Council considers such representations on a case-by-case basis.
- 3.7 Plot allocation is restricted to one plot per tenant. Tenants cannot go back on the waiting list for additional plots. If a tenant wishes to rent a plot on a different Council owned site, they must join the bottom of the waiting list. On acceptance of another site the tenant must terminate their tenancy and vacate the current plot. Tenants may ask for their plot size to be reduced. The granting or refusal of any such requests is entirely at the discretion of the Council.

4 Administration

- 4.1 The Council provides and maintains computerised allotment waiting list and tenancy records in accordance with the Data Protection Act 1998. Tenants may visit the council offices and contact staff by telephone during its current published office hours or via the Council's website. Any queries about this policy should be referred to the Council.
- 4.2 The Council promotes 'best practice' on its allotment sites and encourages sustainable environmental management. It seeks to make sites as accessible and useable for all allotment tenants as possible and considers requests for improvements where required for disability accessibility.
- 4.3 The Council may or may not provide a water supply at specific sites at its discretion, depending on local circumstances. Where a water supply is provided it is turned off during the winter months (between the beginning of November and late March each year) to protect against burst pipes. Tenants are not permitted to tamper with the main stopcock.
- 4.4 The Council assists security at its allotment site(s) by providing boundary fences and/or hedges, with lockable access gates. Whilst the Council maintains third party insurance concerning its allotment sites, tenants shall maintain public liability insurance concerning their own allotment gardens. The Council accepts no liability for any loss, damage or injury to tenants or their belongings occurring on their allotment gardens.
- 4.5 Details of the Council's complaints procedure may be obtained from the Council offices and via the Council website.
- 4.6 The Tenant shall keep their Allotment Garden free from weeds and maintain it in a good state of cultivation and keep the allotment in a clean and tidy state.

From the start of the tenancy agreement the tenant will have a two-month period in which enforcement for non-cultivation is not applicable. The Council will inspect the plots between the months of April – October. In the case of non-cultivation there is only one warning given. If a plot is not brought up to an acceptable condition within the timeframe set out in the warning, then The Council will serve a repossession for which there is no appeal.

If a plot is brought up to an acceptable standard but then left to fall into non-cultivation again, the Council will serve another warning. The Council will only serve two warnings in a five-year period before repossessing the plot.

5 Transgression of Tenancy

- 5.1 Following a transgression of tenancy, a tenancy agreement will be terminated either with immediate effect or at the end of the current tenancy depending on the outcome of an investigation by the Town Council and subsequent decision of the General Purposes Committee.

6 Disputes

- 6.1 Disputes between tenants shall in the first instance be referred to the Town Clerk. If the dispute cannot be resolved, then the matter will be referred to the General Purposes Committee and the subsequent decisions of the committee are binding on all concerned.

7. Bees

- 7.1 Bee keeping requests will be considered. The applicant must comply with the following requirements:
- Be a member of a local beekeeping association operating under the British Bee Keeping Association
 - Prove they have undertaken training with a local bee keeping association.
 - Provide public liability insurance in respect of your bee keeping activities.
 - Registered the hive with the National Bee Unit.
 - Inspect the bees regularly during the swarming season and advise other allotment tenants about this procedure.
 - Ensure someone qualified will look after the bees in your absence.
 - A notice must be placed on the plot with the bee keepers name and contact details in case of emergencies.
 - Bee keepers must be able to demonstrate that they have alternative site arrangements in place if they are asked, by the Council, to remove the bee hives from their plot.
 - Use 50% of the plot solely for keeping bees and not to plant on any part of the allocated bee keeping area.
 - Provide a plan of the site showing the position of the hive.
 - Hives must be positioned to avoid bees flying towards paths or roads. Screening must be provided around the hives to direct the bees' flight path above head height
 - Provide an annual risk assessment.

* * *

Signed by

The Mayor of Gillingham: _____ Date: _____

Gillingham Town Council
 Town Hall, School Road, Gillingham, Dorset SP8 4QR
 Telephone: 01747 823588 Email: GTC@gillinghamdorset-tc.gov.uk

Cemetery Road Allotments

AN AGREEMENT BETWEEN GILLINGHAM TOWN COUNCIL (hereinafter called "the Council") of the one part and «TITLE» «INITIALS» «SURNAME» of «ADDRESS_1» «ADDRESS_2» «ADDRESS_3» «TOWN» «POSTCODE» (hereinafter "The Tenant") of the other part whereby the Council agrees to let, and the Tenant agrees to hire from the **1st January 2019 until 31st December 2019** the Allotment Garden numbered «PF_or_CR»«PLOT_No» in the Register of Allotment Gardens provided by the Council (which Register includes both Allotment Gardens provided under the power conferred on the Council by the Allotments Acts 1908 - 1950 and gardens situated on land which is held by the Council for Statutory purposes other than those of the said Act and is for the time being used as Allotment Gardens) The tenancy is subject to the following rules made by the Council and to the Allotments Acts 1908 - 1950, so far as the provisions of the latter are applicable thereto.

Gillingham Town Council will pay the Rates in respect of the Allotment Gardens.

Any notices to be served by the Council on the Tenant under this Agreement shall be deemed to be sufficiently served if posted to the Tenant at his last address known to the Council by ordinary pre-paid letter post and shall be conclusively deemed to have reached the Tenant in the ordinary course of such post.

NOW IT IS AGREED as follows:

The Council agrees to let and the Tenant agrees to take the Allotment Garden specified in the First Schedule hereto which shall be held by the Tenant on a annual tenancy at a rent of £35.00 per annum (£20.00 for half a plot) payable on or before the 1st January in each succeeding year to Gillingham Town Council subject to the following rules.

1. The Tenant shall keep their Allotment Garden free from weeds, maintain it in a good state of cultivation and keep the allotment in a clean and tidy state. From the start of your tenancy agreement you have a two-month period in which enforcement for non-cultivation is not applicable.
2. The Tenant shall not under-let or assign or part with possession of the Allotment Garden or any part thereof without the permission of the Town Clerk.
3. The tenancy agreement can only be held in one name. The Tenant may share a plot with family and friends. In these cases, the named plot holder must be present on site at least 50% of the time and will need to make sure that the Council has the contact details of whoever is sharing. There is maximum of four named helpers. The person sharing must be a Gillingham resident. Helpers are co-responsible for the condition of the plot and must abide by these rules. The Tenant takes responsibility that these rules are adhered to by all helpers.
4. The Tenant shall not erect on the Allotment Garden any building or structure whatsoever exceeding six feet by four feet in area and six feet six inches to the eaves; external surfaces are to be dark in colour and maintained in good condition by the Tenant to the satisfaction of the Council. Upon vacating the Allotment Garden the Tenant is responsible for clearing any building structure there from and the cost of any work carried out by the Council due to the Tenant's failure in this respect be charged to the out-going Tenant. Upon vacating the allotment garden the tenant may leave the structure in place subject to permission from the Town Clerk and only if the structure is in a good sound condition.

5. The Tenant shall not cause, permit or suffer any nuisance, bullying, harassment, threat or annoyance to the occupier of any other Allotment Garden. People differ in the way they manage and maintain their allotment plots. All tenants and helpers must have respect for their neighbouring tenants and tolerate the different approaches to allotment holding.
6. Paths **must be kept at least 2ft wide** and must be cut, clear and tidy and in good order, including adjoining pathways to allotment gardens. Tenancy can be terminated by the council if this is not adhered to.
7. The Tenant shall not erect a fence or barbed wire adjoining any path provided for use of the occupiers of the allotment gardens.
8. The use of glass objects that could result in broken glass to the ground, such as jam jars, is not permitted.
9. The Council would like all allotment holders to garden organically in line with the Council's Pollinator Pledge. The use of chemical weed killer, which can be purchased over the counter, may be allowed on request, at the discretion of the Town Clerk, and in accordance with The Control of Pesticides Regulations (amended) (1997) which places responsibility on anyone who uses or stores pesticides to ensure all reasonable precautions to protect the health of humans, creatures and plants, safeguard the environment and avoid the pollution of water. This includes the use of fungicides, pesticides and insecticides.
10. The Tenant shall not deposit any rubbish or decaying matter in any other part of the allotment garden except the designated areas provided by the Allotment Association, or on their own compost heap.
11. The Tenant shall not deposit, bring or use on the Allotment Garden any offal, decayed fish or other offensive matter.
12. A Tenant may take his or her dog to the allotment gardens, as long as the dog is under control, kept on a lead at all times and not allowed to walk on any plots other than the tenant's. All dog faeces must be removed and properly disposed of. Note that if a dog is aggressive, then this might constitute a nuisance to others and you may be in breach of Rule No. 4.
12. The Tenant shall not pilfer, trespass upon or injure the crops on any other Allotment Garden. Any such offence shall result in the termination of this agreement. The Council by their Agents or Servants without notice may re-enter and re-possess the Allotment Garden herein referred to.
13. Bonfires are permitted subject to the following restrictions:
 - Bonfires will be permitted between 1st October and 30th April only.
 - Bonfires must not be started before 10am and must be extinguished, if not burnt out before the tenant leaves the site.
 - Bonfires must be contained in an approved incinerator which has been inspected approved and registered with Gillingham Town Council.
 - Fires should NOT be left unattended and must not be left to smoulder.
 - No material other than that produced on the plot is to be burnt on site. It is an offence to bring waste from another site and burn it.
 - Only burn when suitable weather conditions permit to avoid causing a nuisance to local residents.

- Only organic matter such as wood, prunings and dry vegetable matter to be burnt. No burning of green or slow-burning vegetation is permitted.
 - Check bonfires prior to lighting and ensure that any animals within can escape.
 - Do not set fire to large piles of material, it is better to start the bonfire with a medium stack and then add more material when it is hot.
 - Household rubbish, rubber tyres or anything containing plastic, foam or paint must NOT be burnt as these can cause harmful emissions.
 - Flammable liquid including engine oil, meth or petrol must NOT be used to light or encourage the fire.
 - Tenants must only burn waste on their own plot and must NOT light fires for others.
 - In the event of a reasonable complaint to the plot holder from another tenant, or a member of the public, with regard to a nuisance being caused the bonfire must be extinguished immediately.
 - During the summer, in extreme conditions, applications (via telephone) for bonfires may be made to Gillingham Town Council with full justification, e.g. blight'.
14. The tenant shall not keep animals or livestock of any kind on the allotment.
15. Bee keeping requests will be considered in accordance with section 7 of Gillingham Town Council's Allotment Policy. If we receive complaints, we will ask for the hives to be removed.
15. The Tenant shall not erect any notice or advertisement on the allotment site
16. Water containers must be covered and must be at least 1m high to the top of the container from the ground (including the plinth) to prevent a child from falling in. With effect from 1st April 2016 all structures must have guttering / down pipes and a suitable container for water conservation.
17. The vehicle entrance gate will remain locked. Allotment holders should contact Gillingham Town Council at The Town Hall, School Road, Gillingham, to arrange for the gate to be unlocked for the delivery of manure etc.
18. Insofar as nothing to the contrary is herein expressly contained or implied this Agreement shall be subject to the provision the Allotment Acts 1908 to 1950.
19. This Agreement may be terminated by either party hereto giving to the other notice in writing to quit and expiring on or before this 1st day of January in any year. The Town Council may also terminate the agreement after one month's written notice.
- a. If the Tenant is not duly observing any of the terms or conditions of his tenancy.
 - b. If the Tenant fails to respond to a notice of sub standard cultivation.
20. When a plot becomes vacant the Town Clerk will offer it to the next person on the waiting list. If the person declines the offer, due to the plot not being situated at the applicants preferred location, then it will be offered to the next person on the list. The applicant will remain at the top of the list until a plot becomes vacant at the preferred location.
21. Public Liability Insurance details must be provided by all tenants. Please give details of your allotment association membership or your public liability insurance (this may be included within your home insurance policy).

NB-The Allotment site will be inspected on a regular basis and the Town Council reserves the right to terminate the rental agreement if the standard of cultivation is deemed not to be of an acceptable standard or if of the rules are not abided by.

As witness the hand of the Tenant and the hand of the Town Clerk for and on behalf of Gillingham Town Council.

Signed by the said Town Clerk for and on behalf of Gillingham Town Council:

Attawkins

Date:

«PF_or_CR»«PLOT_No»

Signed by the said tenant Date:

.....

Tenant's Address:

.....

Telephone No:

.....

Email Address:

.....

(Please Print)

Allotment Association Member Yes / No or Home insurance Policy No:

.....

Gillingham Town Council is committed to protecting and respecting the privacy of everyone and ensuring it is fully compliant under the General Data Protection Regulation and the Data Protection Act 2018. We process your personal data in accordance with the law, please see the privacy notice on our website (www.gillinghamdorset-tc.gov/privacy-policy), which provides more details on the processing of data.



Gillingham Town Council
Town Hall, School Road, Gillingham, Dorset SP8 4QR
Telephone: 01747 823588 Email: GTC@gillinghamdorset-tc.gov.uk

Park Farm Allotments

AN AGREEMENT BETWEEN GILLINGHAM TOWN COUNCIL (hereinafter called "the Council") of the one part and xxx of xxx Gillingham SP8 (hereinafter "The Tenant") of the other part whereby the Council agrees to let, and the Tenant agrees to hire as a yearly tenant, from the **1st January 2019 until 31st December 2019** the Allotment Garden numbered **PF xx** in the Register of Allotment Gardens provided by the Council (which Register includes both Allotment Gardens provided under the power conferred on the Council by the Allotments Acts 1908 - 1950 and gardens situated on land which is held by the Council for Statutory purposes other than those of the said Act and is for the time being used as Allotment Gardens). The tenancy is subject to the following rules made by the Council and to the Allotments Acts 1908 - 1950, so far as the provisions of the latter are applicable thereto.

Access to the allotment site is via the Park Farm entrance drive. The access gate will be kept locked but each tenant will be given the code for the lock.

Parking will then be available along the track way between the security fence for the garden centre and the allotment gardens.

Any notices to be served by the Council on the Tenant under this Agreement shall be deemed to be sufficiently served if posted to the Tenant at his last address known to the Council by ordinary pre-paid letter post and shall be conclusively deemed to have reached the Tenant in the ordinary course of such post.

NOW IT IS AGREED as follows:

The Council agrees to let, and the Tenant agrees to take the Allotment Garden specified in the First Schedule hereto which shall be held by the Tenant on a tenancy from 1st January 2019 until 31st December 2019 at a rent of £20.00 per annum payable to Gillingham Town Council subject to the following rules.

1. The Tenant shall keep their Allotment Garden free from weeds, maintain it in a good state of cultivation and keep the allotment in a clean and tidy state. From the start of your tenancy agreement you have a two-month period in which enforcement for non-cultivation is not applicable.
2. The Tenant shall not under-let or assign or part with possession of the Allotment Garden or any part thereof without the permission of the Town Clerk.
3. The tenancy agreement can only be held in one name. The Tenant may share a plot with family and friends. In these cases, the named plot holder must be present on site at least 50% of the time and will need to make sure that the Council has the contact details of whoever is sharing. There is maximum of four named helpers. The person sharing must be a Gillingham resident. Helpers are co-responsible for the condition of the plot and must abide by these rules. The Tenant takes responsibility that these rules are adhered to by all helpers
4. The Tenant shall not erect on the Allotment Garden any building or structure. Small poly tunnels (the size to be agreed by the Town Clerk) may be permitted.

5. The Tenant shall not cause permit or suffer any nuisance, bullying, harassment, threat or annoyance to the occupier of any other Allotment Garden. People differ in the way they manage and maintain their allotment plots. All tenants and helpers must have respect for their neighbouring tenants and tolerate the different approaches to allotment holding.
6. Paths **must be kept at least 2ft wide** and must be cut, clear and tidy and in good order, including adjoining pathways to allotment gardens. Tenancy can be terminated by the council if this is not adhered to.
7. The tenant shall not erect a fence or barbed wire adjoining any path provided for use of the occupiers of the allotment gardens.
8. The use of glass objects that could result in broken glass to the ground, such as jam jars, is not permitted.
9. The Council would like all allotment holders to garden organically, in line with the Council's Pollinator Pledge. The use of chemical weed killer, which can be purchased over the counter, may be allowed on request, at the discretion of the Town Clerk, and in accordance with The Control of Pesticides Regulations (amended) (1997) which places responsibility on anyone who uses or stores pesticides to ensure all reasonable precautions to protect the health of humans, creatures and plants, safeguard the environment and avoid the pollution of water. This includes the use of fungicides, pesticides and insecticides.
10. The Tenant shall not deposit any rubbish or decaying matter in any other part of the allotment garden except in their own compost bin/heap.
11. The Tenant shall not deposit, bring or use on the Allotment Garden any offal, decayed fish or other offensive matter.
12. The Tenant shall not bring or permit to be brought onto the Allotment Gardens any dog.
13. The Tenant shall not pilfer, trespass upon or injure the crops on any other Allotment Garden. Any such offence shall result in the termination of this agreement. The Council by their Agents or Servants without notice may re-enter and re-possess the Allotment Garden herein referred to.
14. The Tenant shall not light bonfires or use incinerators.
15. The tenant shall not keep animals or livestock of any kind on the allotment.
16. Bee keeping requests will be considered in accordance with section 7 of Gillingham Town Council's Allotment Policy. If we receive complaints, we will ask for the hives to be removed.
17. The tenant shall not erect any notice or advertisement on the allotment site.
18. Water containers must be covered and must be at least 1m high to the top of the container from the ground (including the plinth) to prevent a child from falling in.
19. Insofar as nothing to the contrary is herein expressly contained or implied this Agreement shall be subject to the provision the Allotment Acts 1908 to 1950.
20. This Agreement may be terminated by either party hereto giving to the other notice in writing to quit and expiring on or before this 1st day of January in any year. The Town Council may also terminate the agreement after one month's written notice.
 - a. If the Tenant is not duly observing any of the terms or conditions of his tenancy.
 - b. If the Tenant fails to respond to a notice of sub standard cultivation.
21. When a plot becomes vacant the Town Clerk will offer it to the next person on the waiting list. If the person declines the offer, due to the plot not being situated at the applicants preferred

location, then it will be offered to the next person on the list. The applicant will remain at the top of the list until a plot becomes vacant at the preferred location.

22. Public Liability Insurance details must be provided by all tenants. Please give details of your allotment association membership or your public liability insurance (this may be included within your home insurance policy).

NB-The Allotment site will be inspected on a regular basis and the Town Council reserves the right to terminate the rental agreement if the standard of cultivation is deemed not to be of an acceptable standard or if of the rules are not abided by.

As witness the hand of the Tenant and the hand of the Town Clerk for and on behalf of Gillingham Town Council.

Attawkins.

Signed by the said Town Clerk for and on behalf of Gillingham Town Council:

Date:

PFxx

Signed by the said tenant Date:

Tenant's Address:

Tenant's Telephone No:

Email Address:
(Please Print)

Allotment Association Member Yes/ No

or

Home insurance Policy No:

Gillingham Town Council is committed to protecting and respecting the privacy of everyone and ensuring it is fully compliant under the General Data Protection Regulation and the Data Protection Act 2018. We process your personal data in accordance with the law, please see the privacy notice on our website (www.gillinghamdorset-tc.gov/privacy-policy), which provides more details on the processing of data.



GILLINGHAM TOWN COUNCIL

The Town Hall, School Road, Gillingham. Dorset. SP8 4QR
Tel: 01747 823588 Email: GTC@gillinghamdorset-tc.gov.uk

24th April 2019

To all allotment holders at Cemetery Road and Park Farm

Dear Allotment Holder

Bullying and Harassment

Gillingham Town Council has received formal notification of an incident involving two allotment holders at the Cemetery Road Allotment Gardens.

As a result of this incident the council has reviewed and amended the tenancy agreements and an Allotment Policy has been adopted. We would be grateful if you would sign the enclosed revised tenancy agreement and return to Gillingham Town Council by return of post.

- All tenants share in the responsibility to ensure that the allotment gardens are a safe and welcoming environment.
- All tenants are responsible for reporting any instances of bullying, harassment or violence, whether they are the target, or witness an incident.
- All tenants must not cause, permit or suffer any nuisance, bullying or annoyance to the occupier of any other Allotment Garden.
- Dogs must be kept on a lead at all times.

The compost bins are sited on town council property and were only permitted on the condition that they can be used by everyone. If woody and un-compostable waste is allowed to build up, the compost bins will be removed, and allotment holders will be responsible for their own compost on their individual plots.

The sites are regularly monitored to ensure that allotment gardens are cultivated, and the sites are safe and secure. Your co-operation is appreciated.

Yours sincerely

Cllr Mrs Su Hunt
Mayor of Gillingham



GILLINGHAM TOWN COUNCIL

The Town Hall, School Road, Gillingham. Dorset. SP8 4QR
Tel: 01747 823588 Email: GTC@gillinghamdorset-tc.gov.uk

24th April 2019

To all allotment holders at Park Farm

Dear Allotment Holder

Bullying and Harassment

Gillingham Town Council has received formal notification of an incident involving two allotment holders at the Cemetery Road Allotment Gardens.

As a result of this incident the council has reviewed and amended the tenancy agreements and an Allotment Policy has been adopted. We would be grateful if you would sign the enclosed revised tenancy agreement and return to Gillingham Town Council by return of post.

- All tenants share in the responsibility to ensure that the allotment gardens are a safe and welcoming environment.
- All tenants are responsible for reporting any instances of bullying, harassment or violence, whether they are the target, or witness an incident.
- All tenants must not cause, permit or suffer any nuisance, bullying or annoyance to the occupier of any other Allotment Garden.

The sites are regularly monitored to ensure that allotment gardens are cultivated, and the sites are safe and secure.

Your co-operation is appreciated.

Yours sincerely

Cllr Mrs Su Hunt
Mayor of Gillingham

Gillingham Town Council

Litter Free Dorset

Author: Mrs Clare Ratcliffe, Deputy Town Clerk

1. Introduction

The Ministry of Housing Communities and Local Government have announced a £9.75 million fund to enable communities to tidy up their high streets:

Communities Secretary Rt Hon James Brokenshire MP said:

“High streets are at the centre of our communities, and as places that are well loved, they sometimes need a bit of a spruce up to look their very best.”

“That’s why we will be providing councils with £9.75 million to work with community groups who need that extra money to give their local high street a spring clean, making sure their town centres are really spick and span.”

The Litter Free Dorset project has been awarded £12,463 from this fund to clean up high streets in North Dorset. The fund is to be used for litter-free initiatives and to purchase equipment or products. Unfortunately, the fund cannot be used outside the town centre such as grassed verges or laybys. This is a shame for rural towns where the high streets and town centres are small and a lot more rubbish is dispersed in the adjoining countryside, getting caught in hedgerows or dropped from passing traffic.

2. Purpose

Initially, Litter Free Dorset suggested that towns purchased a few ‘A frame – 2 minute litter pick stations’ that can be seen in use along sea fronts and other tourist destinations. The Gillingham Litterpickers and the Estate Management Working Party did not consider this type of initiative would work in Gillingham.

The popular Gillingham Litterpickers group has applied to the fund for approximately £600 to purchase litter picking equipment including gloves and hi-viz jackets, which will be stored at the Town Hall.

Other projects that could also be considered would be pavement cleansing or the purchase of any other equipment used to keep our streets clean such as a pressure washer or street cleaning barrow.

3. Objective

To fully utilise this fund to help keep the High Street clean.

3.1 Pavement Cleansing to remove gum and other detritus.

A map showing the pavements to be cleansed in the High Street has been sent to Litter Free Dorset so that a quotation can be obtained from Dorset Waste Partnership. The pavements have not been cleansed for many years.

3.2 Purchase of Equipment used for keeping the High Street Clean

To improve the capabilities of the existing street cleaning barrow or to finance new street cleaning equipment.

A hand-held petrol pressure washer would be an efficient way help to remove gum from pavements and graffiti from street furniture.

3.2 Advantages of purchasing Equipment over a Service

The advantage of purchasing equipment is that it can be used many times at different locations. Pavement cleansing will only be done once. This work was originally highlighted as part of the Agency Agreement with Dorset County Council for non-essential highway works. The contractor employed to do the work never completed the street cleansing element of the contract.

4. Financial Implications

No match funding is required. It appears that there is about £3,000 available to each of the four towns in North Dorset. At the time of writing it is not known what will happen if the fund is over or under subscribed. The timescale for bids is sometime in May.

The precept for FY 2019/20, line no. 10.17 includes £8,000 towards non-essential highway works which will include pavement cleansing in the High Street. Therefore, it may be preferable to use the litter-free fund to finance equipment rather than a service.

5. Conclusion

That when further costs are known, a bid is made for the maximum funding available.

6. Recommendation

That the Mayor Elect and the Deputy Town Clerk in consultation with the Works Manager and Gillingham Litterpickers are delegated to put together a bid to Litter Free Dorset.

Gillingham Town Council



Provision of Weekend Street Orderly Duties

INVITATION TO TENDER

Gillingham Town Council
School Road, Gillingham, Dorset SP8 4QR
Tel: 01747 823588 Email: gtc@gillinghamdorset-tc.gov.uk

Contents

SECTION 1: Tender Process Instructions

SECTION 2 - Requirements

SECTION 3 - Termination / Notice Period for Non-Compliance of Contract

SECTION 4 - Theft / Breakages and Damages

SECTION 5 - Deductions / Penalty Clause

SECTION 6 - Qualifying Information

SECTION 7 - Specification

SECTION 8 - Map of area to be covered

SECTION 9 - Application form

SECTION 10 - Declaration Statement

Section 1: Tender Process Instructions

1.1 Gillingham Town Council

Gillingham Town Council is the parish authority for Gillingham Town, the most northerly town in Dorset. The population of Gillingham is approximately 12,000.

Further information about the Council can be found www.gillinghamdorset-tc.gov.uk.

Gillingham Town Council wishes to procure a contractor for the following:

- emptying of the litter bins at Hardings Park, Gillingham High Street and surrounding areas;
- cleaning of the public conveniences in the High Street Car Park;
- litter picking Gillingham High Street and surrounding areas as specified in sections 3 and 4 of this document.

This document sets out the requirements, timetable and process for the procurement of the service and details of the information required to be submitted in order to be considered for the contract.

To arrange a site visit please contact Gillingham Town Council on 01747 823588 and ask for Mr Simon Dobie, Works Manager.

1.2 Timescales

The contract will commence on 1st June 2019 and run for a period of 1 year with an option to extend cover for a further 2 years.

1.3 Contract Award

Once the council has reached a decision in respect of the contract award, it will notify all tenderers of its decision as soon as is reasonably practicable.

1.4 Tender Timetable

Completed tenders must be returned along with all supporting documents addressed to The Town Clerk, Gillingham Town Council, Town Hall, School Road, Gillingham, Dorset SP8 4QR to be received no later than **5pm on 15th May 2019**. Tender documents must be sealed in a plain envelope with *Cleaning Contract Tender Response* written clearly on the front. Tenderers should note that this is a timetable that may be subject to change. Any changes will be communicated to all known tenderers as soon as possible.

Activity	Date
Issue of Invitation to Tender	24th April 2019
Receipt of any queries from prospective tenderers	13th May 2019
Submissions of tenders	15th May 2019 (no later than 5pm)
Decision on award of contract by Finance Committee (subject to ratification by Full Council on 28th May)	20th May 2019
Commencement of contract	1st June 2019

1.5 Clarifications

Any queries or requests for clarification relating to this tender must be made by email to GTC@gillinghamdorset-tc.gov.uk no later than **13th May 2019**. The council will endeavour, so far as is practical, to respond to all clarifications as soon as possible.

1.6 Tender Evaluation

Tenders will be evaluated in accordance with the details specified in this document. Gillingham Town Council does not bind itself to accept the lowest or indeed any of the tenders submitted.

1.7 Contract Terms

By submitting a tender, tenderers are agreeing to be bound by the terms of this tender document without further negotiation or amendment.

1.8 Gillingham Town Council reserves the right to:

- Seek clarification or additional documents in respect of any tender submission.
- Disqualify any tender which has been deemed to meet the Town Council's requirements.
- Discount evasive, unclear tenders.
- Withdraw this tender at any time or to re-invite tenders on the same or any alternative basis.
- Choose not to award any contract as a result of the procurement process.
- Make whatever changes it sees fit to the timetable, structure or content of the procurement process depending on approvals, processes or any other reason.

1.9 Warranties and Disclaimers

While the information contained within this tender document is believed to be correct at the time of issue, tenderers should not rely on the information and should carry out their own due diligence checks and verify the accuracy of the information. The council will not accept any liability for its accuracy or completeness, nor with any express or implied warranty given. This exclusion extends to liability in relation to all information including any statement, opinion or conclusion contained in, or any omission from, this tender including its Appendices and in respect of any other written or verbal communication transmitted or made available to any tenderer.

1.10 Costs

The council will not be liable for any bid costs, expenditure work or effort incurred by a tenderer or any third party acting under instructions from them in proceeding with or participating in this procurement, including if the procurement process is terminated or amended by the council.

1.11 Confidentiality of Data

The council will ensure that the information and data provided by the tenderers is kept strictly confidential and only utilised for the assessment of this tender.

SECTION 2 - REQUIREMENTS

2.1 Introduction

This section sets out the requirements of Gillingham Town Council in terms of the delivery of the cleaning contract.

2.2 Safety, Health and Welfare

The contractor will ensure that all activities are carried out in accordance with existing Health and Safety regulations, in particular, but not limited to, the following:

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work 1999
- Provision and Use of Work Equipment Regulations 1998
- Care of Substances Hazardous to Health 2002

The successful contractor will be required to satisfy the council's Health and Safety Sub-Committee as to the knowledge, understanding and compliance with these regulations. Spot checks may be carried out by the Health and Safety Sub-Committee or by an authorised officer while work is being carried out. Machinery should be operated by suitably qualified and experienced workers. Contractor staff should wear the required personal protective equipment (PPE) when required.

The contractor should inform the council of any unsafe feature or any matter of cause of public concern at any location at which the services are being provided.

The Contractor to be responsible for the Health and Safety of their employees and the public liability towards the general public. Evidence of compliant health and safety training including COSHH training must be made available to the town council.

The contractor to keep a record of all risk assessments and COSHH data for all cleaning chemicals used, and to supply a copy to the town council upon request.

2.3 Insurance

The contractor to put in place and maintain its own public liability insurance against its work.

2.4 Standards

The Contractor will supervise their staff appropriately to ensure that the performance standards are met, and to ensure that they perform their duties in a way that reflects positively on the Town Council as commissioning organisation. This may, on occasion necessitate the need for spot checking by a manager or equivalent. Documented evidence of these managerial checks must be provided on request.

The Town Council requires that the contractor ensures that none of its employees smoke in any Town Council facility.

The contractor is to ensure that all staff have the relevant training and ability to carry out the tasks set out on the specification.

The service store is to be kept in a clean, neat and orderly fashion and secured at all times.

2.5 Security of Building

The contractor will be supplied with a key for access to the toilet service store. The contractor shall be responsible for issuing the key to its employees and ensuring that upon termination or other relevant situation the key is returned to the contractor and, upon termination or cessation of the contract, to the council whereupon a receipt will be issued. In the event of loss, the contractor shall, at their own expense, renew the respective locks and provide sufficient keys. These keys shall only be used for the purposes required by this contract.

2.6 Accident Reporting

In the event of an accident, incident, potentially dangerous or dangerous occurrence, the contractor will inform the council within 48 hours of the occurrence.

2.7 Precautions to Prevent Nuisance

The contractor shall take all reasonable precautions to prevent nuisance from water, noise, dust, rubbish, fumes chemicals and other elements during the provision of this service under the contract.

The contractor shall take all reasonable precautions during the carrying out of any service under this contract to prevent damage to property and shall be held responsible for any damage resulting from the services and shall make good such damage at its own expense.

2.8 Tool and Plant

The contractor shall provide all equipment, chemicals, vehicles and machinery necessary for the proper execution of the services and clear away on completion. Equipment and chemicals should at all times be used in the correct manner and for the correct purpose. Any equipment shall be satisfactorily maintained, and records of maintenance shall be made available for inspection.

2.9 Materials

All vehicles, materials, equipment and chemicals to be used in connection with the provision of the service shall be supplied by the contractor and included within its rates. This must include the following:

- Labour
- Equipment
- Cleaning supplies
- materials required to perform the cleaning work

A list of proposed cleaning chemicals should be provided and agreed between the parties to ensure that chemicals of sufficient strength and concentration are being used in the cleaning activity.

2.10 Reinstatement of Damage

The contractor will be liable for any damage to any equipment, property, vehicles etc. damaged at any location because of its operations. Reinstatement of the damage shall be to the satisfaction of the council and entirely at the contractor's expense.

2.11 Provision of Advice

The contractor is required to provide general advice and recommendations to the council based on its expertise and knowledge and to alert the council to any damage done to or found in the properties, leaks, hazards, blocked drains etc. that are identified.

2.12 Pricing

Pricing set out in the tender response shall be final.

SECTION 3. TERMINATION / NOTICE PERIOD FOR NON-COMPLIANCE OF CONTRACT

Should there be cause for termination of the agreements, the contractor acknowledges the binding requirement to continue in the performance of its duties as detailed in this specification throughout the notice period (3 months). Should the contractor choose to terminate the agreement it is acknowledged that they will be contractually bound to continue to provide the cleaning services for a three-month period.

SECTION 4. THEFT / BREAKAGES AND DAMAGES

The contractor will be solely responsible for breakages or theft by the contractor's employees or agents.

SECTION 5. DEDUCTIONS / PENALTY CLAUSE

As the public convenience and their cleaning are a publicly funded service, the town council has an obligation to the tax payer to ensure that contracts are being delivered as specified.

This will, on occasion require spot checks on the cleaning activities to be undertaken. Following an inspection (which will be completed within 1 hour of the concluded cleaning activity (times TBC), should it be established that the prescribed standards are not being maintained, a deduction in the next monthly bill equal to one session's payment will be made until the facilities are brought back up to standard. This will be determined, and deduction period concluded by re-inspection and confirmation by the town council authorised officer.

SECTION 6. QUALIFYING INFORMATION

Tenderers are required to complete the application and provide the following documentation:

- Certificate of Public & Product Liability Insurance of £10m indemnity;
- Method Statement for each aspect of the work;
- Copy of your written Health and Safety Policy;
- Completed Risk Assessment Forms;
- Certificates of competency/training for equipment operators (if applicable);
- Copies of site safety training certificates i.e.: CITB card etc (if applicable);
- Test certificates and insurance policies for vehicles being used;
- Details of hazardous substances being brought onto site;
- The completed contractor declaration (copy supplied);
- Copy of Waist Carriers Licence;
- Any other information relevant to the safe completion of the work.

SECTION 7. SPECIFICATION

7.1 Cleaning of Public Convenience:

- The interior floor must be kept free of loose dirt, debris, spillages and any other soiling. They should be disinfected and dried to reduce potential slip hazards.
- The WC pan and the lid to be disinfected and free of ingrained and loose dust, dirt, grease, smears, deposits, stains or accumulations. All surfaces should be dried after cleaning to reduce the chance of bacterial load.
- The public convenience should be of an acceptable odour.
- All sanitary equipment and the baby changing facility must be disinfected and free of ingrained and loose dust, dirt, grease, smears, deposits, stains or accumulations. All surfaces should be dried after cleaning to reduce the chance of bacterial load.
- Toilet tissue must be replenished to meet daily needs.
- All other surfaces, walls, light fixtures and fittings must be clean and free from dust, dirt, cobwebs, loose particulate and staining.
- Bins and other waste receptacles to be emptied when full.
- The external areas should be cleaned as detailed above - this should necessitate a litter pick of the surrounding area.

7.2 Litter and Refuse

The following areas must be litter picked:

- Hardings Park Recreation Ground and Skate Park (Please allow approximately 90 minutes)
- Hardings Lane
- High Street
- School Road
- The Square
- Buckingham Road
- Station Road
- Chantry Fields Car Park
- High Street Car Park
- Gas Lane Car Park
- Town Meadow

The litter bins in the following areas must be emptied and plastic liners must be replaced:

- Hardings Park Recreation Ground
- Hardings Lane
- High Street
- School Road
- The Square
- Buckingham Road
- Station Road
- Chantry Fields Car Park
- High Street Car Park

9 Application for tender for provision of Weekend Town Orderly Duties

Name of organisation		
Contact name for enquiries about this bid		
Address		
Telephone number		
Email address		
Website address (if applicable)		
Company registration number (if applicable)		
Address of registered company if different from above		
VAT Registration number (if applicable)		
Price Quoted for work as detailed in the specification. Please quote per session i.e.. Saturday morning	Saturday morning duties £ Sunday morning duties £	
Health and Safety / Insurance The following documents will need to be supplied		
Item no.	Document	Enclosed ✓
1	Certificate of Public & Product Liability Insurance of £10m indemnity.	
2	Method Statement for each aspect of the work.	
3	Copy of your written Health and Safety Policy.	
4	Completed Risk Assessment Forms.	
5	Certificates of competency/training for equipment operators.	
6	Copies of site safety training certificates ie: CITB card ect	
7	Test certificates and insurance policies for vehicles being used.	
8	Details of hazardous substances being brought onto site.	
9	The completed contractor declaration (copy supplied).	
10	Copy of Waist Carriers Licence	
11	Any other information relevant to the safe completion of this project.	

Please complete and return this form to Gillingham Town Council

SECTION 10 DECLARATION STATEMENT

- We undertake to provide the following services: Provision of Weekend Town Orderly services to Gillingham Town Council.
- We accept the provisions of the Invitation to Tender and offer to provide services in accordance with the prices, terms and conditions stated herein.
- We have checked our Tender before submission, as amendments to or withdrawals of the Tender submitted, if received by the Council after the time specified for receipt of tender, may not be considered.
- We undertake, and it shall be a condition of any Contract that the following is a 'bona-fide' Tender, intended to be competitive and that we have not fixed or adjusted the amount of the Tender by or under or in accordance with any other person.
- We understand that no variations in, or acceptance of any Invitation to Tender, or Tender shall be binding unless agreed in writing.
- The Tender shall remain open for acceptance for a period of thirty (30) days from the final date for the submission of Tenders.
- Unless and until a formal agreement is executed this Tender, together with your written acceptance thereof, shall constitute a binding agreement between us.
- We undertake that any of our employees, agents or servants providing the services under the Contract, where so required, will enter into and abide by a Confidentiality Agreement in an acceptable form.
- We understand, and it is agreed that the Council shall retain the right to reject any/ and all Tenders, in whole or in part and it is furthermore agreed that the Council shall be under no obligation to select the lowest or any other Tender.
- We understand that the Council reserves the right to alter or cancel any requirement stated in the contract at any time during the period of the contract.
- We have taken all the necessary steps to inform ourselves regarding this requirement and we understand and agree that the Council shall not be liable for any inaccuracy or insufficiency in the information available to us in connection with this Tender.

Name:

Job Title:

Company:

Address:

..... Postcode:

Telephone:

E-mail:

Signed: Dated:.....

Gillingham Town Council**Mayor's Report****19th March – 16th April 2019**

Date	Event	Comments
22 Mar	Gillingham Carnival Committee AGM	An informative evening with officers elected for the coming year. Cheques were presented to St. Mary's Scouts, Gillingham Army Cadets, Gillingham Guides, Templecombe Explorer Scouts, Town Meadow Group, St. Mary the Virgin Church, Dorset Marshals & the CISPP totalling £1000.
30 Mar	Opening of Portland's Community Venue	Samantha, Lorelai & Noah escorted me to Portland. An old school had been converted into community venue. A fantastic facility much used by the community.
3 Apr	Bridport's Civic Day	Edgar and I enjoyed another visit to Bridport – a Rights Respecting Town.
7 Apr	Verwood's Civic Day	Joy and I attended Verwood's Civic Service celebrating the end of Cllr. Sandra Grooves Mayoral year.
11 Apr	C.A.B. Gillingham	I presented a farewell gift to the retiring accountant and certificates to advisors.
12 Apr	Blandford Forum's Civic Day	Ed and I enjoyed an informative visit to Blandford Corn Exchange and the Royal Signals Museum
15 Apr	Walkers are Welcome Footpath Adoption	I enjoyed tea with the Walkers are Welcome Footpath Adoption team and thanked the volunteers for all their good work keeping the footpaths walkable for all.
16 Apr	Bees Needs	The day started with a visit from Ieuan Williams, a past Mayor of Brecon and Prof Jill Atkins and her husband Barry. Prof Jill and her husband edited a book titled "The business of Bees: An Integrated Approach to Bee Decline and Corporate Responsibility", which she presented to Clare for Gillingham Town Council. A wonderful hour spent with them.
16 Apr	Ferndown Civic Day	A super day visiting Caterpillar Marine Power followed by lunch at Dudbury Gold Club and a visit to Ferndown Youth Centre.
16 Apr	Duke of Edinburgh. Open Centre	In the evening, Barry, Sharon and I attended a presentation of a cheque from the Gillingham in Gear to the DofE. Open Centre.