



Shaftesbury Town Council

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To: Members of Shaftesbury Town Council (FC), Councillors Hollingshead (Chair), Chase (Vice Chair), Brown, Cook, Hall, Lewer, Loader, Proctor, Tippins, Welch and Yeo.

You are summoned to a meeting of the Full Council for the transaction of the business shown on the agenda below. To be held at 7.00pm on **Tuesday 09 March 2021** [online at Zoom.us](https://www.zoom.us/j/81495693336).
Meeting ID: 814 9569 3336

All other recipients for information only

Claire Commons FdA (Comm Gov), Fellow SLCC, Town Clerk and Responsible Finance Officer (RFO)

3rd March 2021

Public Participation

Due to the current government coronavirus response, the Town Council will be meeting online. Members of the public are encouraged to submit their questions or comments under 'Public Participation' in advance of the meeting to the Chairman and these will be made available to all Councillors. Members of the public may also link in to observe the meeting using the details above. ([Local Government Act, 1972 s.100](#))

Online Meeting Arrangements

The Chairman will host the meeting, attendees will be muted and councillors invited to speak in turn at each agenda item in line with Standing Orders Rules of Debate, Councillors may raise their hand to indicate that they wish to speak at other times. ([The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations, 2020](#))

The 7 principles of public life

Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership

([Committee on Standards in Public Life, 1995](#))

Agenda

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|----------|--|----------|
| 1 | APOLOGIES | 4 |
| | To receive and consider for acceptance, apologies for absence
(Local Government Act, 1972 s.85) | (1 min) |
| 2 | DECLARATIONS OF INTEREST | 4 |
| | To declare any interests relating to the business of the meeting and receive any dispensation requests from the Clerk.
(Shaftesbury Town Council Code of Conduct, 2019) | (1 min) |
| 3 | MINUTES | 5 |
| | To confirm the minutes of the previous meetings of the Full Council
(Local Government Act, 1972 s.111) | (5 min) |
| 4 | OUTCOME OF CODE OF CONDUCT HEARING - COUNCILLOR TIPPINS | 6 |
| | To receive the findings of the Dorset Council's Audit and Governance (Hearing) Sub-Committee regarding two complaints heard in relation to Councillor Karen Tippins(5 min)
(Committee on Standards in Public Life, 1995) (Shaftesbury Town Council Code of Conduct, 2019) | |

5	OUTCOME OF CODE OF CONDUCT HEARING - COUNCILLOR YEO	8
	To receive the findings of the Dorset Council's Audit and Governance (Hearing) Sub-Committee regarding two complaints heard in relation to Councillor Peter Yeo (5 min) <i>(Committee on Standards in Public Life, 1995) (Shaftesbury Town Council Code of Conduct, 2019)</i>	
6	REPORTS FOR INFORMATION	10
	To receive reports from Dorset Councillors, Mayor, local organisations and note delegated decisions (5 min) <i>(Shaftesbury Town Council Scheme of Delegation, 2019)</i>	
7	COMMITTEE REPORTS	12
	To receive minutes and reports and consider recommendations from the Committees of the Council (5 min) <i>(Shaftesbury Town Council Scheme of Delegation, 2019)</i>	
8	FINANCE REPORT - EARMARKED RESERVES	14
	To receive and note the report and agree the earmarked reserved balances to be carried forward. (5 min) <i>(Local Government Act, 1972 s.151)</i>	
9	PAYMENTS	17
	To consider payments for authorisation (5 mins) <i>(Local Government Act, 1972 s.150)</i>	
10	FINANCIAL RISK ASSESSMENT	19
	To consider Council's Financial Risk Assessment. (15 mins) <i>(Shaftesbury Town Council Financial Regulations, 2020)</i>	
11	DORSET COUNCIL LOCAL PLAN	14
	To consider the response to Dorset Council's Local Plan consultation. (20 mins) <i>(Town and Country Planning Act, 1990 sch 1 para 8)</i>	
12	3G TENDER – CONTRACTOR SELECTION	15
	To award a 3G contract (15 mins) <i>(Open Spaces Act, 1906 s.10)</i>	
13	TOURISM - DIGITAL MARKETING SERVICE LEVEL AGREEMENT (SLA)	19
	To consider awarding the Digital Marketing SLA contract in advance of the 2021 season as per GEM recommendation. (10 mins) <i>(Local Government Act, 1972 s.111)</i>	
14	WATER REFILL UNIT	22
	To consider signing the agreement from Wessex Water for a Water Refill unit (5 mins) <i>(Local Government Act, 1972 s.111)</i>	
15	YOUTH COUNCIL	32
	To formalise a relationship with Shaftesbury School Youth Council (5 mins) <i>(Shaftesbury Town Council Financial Regulations, 2020)</i>	
16	WEBSITE PROVISION	33
	To consider a new website provider for the Shaftesbury Town Council Website (5 mins) <i>(Local Government Act, 1972 s.111)</i>	
17	WAR MEMORIAL	34
	To receive a report from the Clerk in relation to the town's War Memorial. (5 mins) <i>(War Memorials (Local Authorities' Powers) Act, 1923)</i>	
18	UPDATE FROM SOLICITORS	36
	To receive a report from the Clerk on a legal matter. (10 mins)	

(End)

Anticipated meeting end time 9:20pm

Administration to a meeting of the Full Council
Tuesday 09 March 2021

1 Apologies

To receive and consider for acceptance, apologies for absence (1 min)
([Local Government Act, 1972 s.85](#))

1.1 Background

1.1.1 The Council (including committees) should approve (or not) the reason for apologies given by absent councillors. If a council member has not attended a meeting of the council (or its committees) or has not tendered apologies which have been accepted by the council (or committee), for six consecutive months, they are disqualified.

2 Declarations of Interest

To declare any interests relating to the business of the meeting and receive any dispensation requests from the Clerk. (1 min)
([Shaftesbury Town Council Code of Conduct, 2019](#))

2.1 Background

2.1.1 Members and Officers are reminded of their obligations to declare interests in accordance with the Code of Conduct 2019. The Clerk will report any dispensation requests received

2.1.2 Where a matter arises at a meeting which relates to a councillor's interest, the councillor has the responsibility of declaring that interest in accordance with the adopted code of conduct. (Shaftesbury Town Council Code of Conduct, 2019)

3 Minutes

To confirm the minutes of the previous meetings of the Full Council (5 min)
([Local Government Act, 1972 s.111](#))

3.1 Background

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

3.2 Minutes to be adopted

- 3.2.1 Minutes to be adopted are provided through the hyperlinks against each of the dates below. Members should read them in advance of the meeting and satisfy themselves that they are a true record of the decisions taken.
- 3.2.2 [Full Council – 28th January 2021](#)

3.3 Digital Signatures

- 3.3.1 Under English law a signature is anything that is used with the intention of being a signature. Thus, a signature can be a “wet” signature (or sign manual) but it can also be a seal, a typed name or anything else that the person appending it to a document intends as a signature. In some circumstances a specific form of signature is required (such as a seal for a deed on behalf of a Town Council) but there is no specific requirement in respect of a signature on Town Council minutes. Therefore, software such as Adobe Sign can be used to sign minutes.

3.4 Recommendation

- 3.4.1 That digital signatures of the relevant chairs are retrospectively appended to minutes where they have been approved by Council or their respective Committee during the coronavirus pandemic and that minutes from this date forward are signed using adobe sign software or any subsequent signature software that the Council might employ.

3.5 Reason for Recommendation

- 3.5.1 To provide a covid-secure way of signing minutes of meetings held by online meetings of the Council and to provide a secure method of signatures on minutes which can be made available on the Council’s website.

4 Outcome of Code of Conduct Hearing - Councillor Tippins

To receive the findings of the Dorset Council's Audit and Governance (Hearing) Sub-Committee regarding two complaints heard in relation to Councillor Karen Tippins (5 min)
(Committee on Standards in Public Life, 1995) (Shaftesbury Town Council Code of Conduct, 2019)

4.1 Summary

4.1.1 At a meeting of Dorset Council's Audit and Governance (Hearing) Sub-Committee, two complaints were heard in relation to Councillor Karen Tippins;

1. Complaint Hearing 08/20

Councillor K Tippins.

Breach of Shaftesbury Town Council's Code of Conduct on 2 counts, section of 2.1b to treat others with respect and 2.2g not to behave in a way which could reasonably be regarded as bringing their office or the Council into disrepute.

Outcome: that Cllr Tippins write a formal letter of apology to the person from the football club giving the presentation.

2. Complaint Hearing 013/20

Councillor K Tippins and Councillor P Yeo

Breach of Shaftesbury Town Council's Code of Conduct section 2.1b to treat others with respect.

Outcomes: 1) that both councillors give an unreserved public apology at the next Full Council meeting of Shaftesbury Town Council and that will be on public record; and 2) request of Shaftesbury Town Council that both councillors attend code of conduct training of approved standard within 4 months.

4.2 Financial Implication

4.2.1 Councillor Training budget remaining for 2020/21 £720 and for 2021/22 £1,080

4.3 Legal Implication

4.3.1 Shaftesbury Town Council has a duty to promote and maintain high standards of conduct by its councillors (Shaftesbury Town Council Code of Conduct, 2019)

4.3.2 A relevant authority must promote and maintain high standards of conduct by members and co-opted members of the authority. In discharging its duty under subsection (1), a relevant authority must, in particular, adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity. (Localism Act, 2011 s27)

4.4 Risk

4.4.1 There is a reputational risk to Shaftesbury Town Council and subsequent potential impact on project delivery arising from poor conduct of council members.

4.5 Recommendation

Report 0321FC4 to a meeting of the Full Council
Tuesday 09 March 2021

4.5.1 That the Council receives and notes this report and invites Councillor Tippins to provide her apology.

4.6 **Reason for Recommendation**

4.6.1 To meet the requirements of Dorset Council's Audit and Governance (Hearing) Sub-Committee meeting of 26th February 2021.

(End)

Report Author: Claire Commons, Town Clerk and RFO

5 Outcome of Code of Conduct Hearing - Councillor Yeo

To receive the findings of the Dorset Council's Audit and Governance (Hearing) Sub-Committee regarding two complaints heard in relation to Councillor Peter Yeo (5 min)
[\(Committee on Standards in Public Life, 1995\) \(Shaftesbury Town Council Code of Conduct, 2019\)](#)

5.1 Summary

5.1.1 At a meeting of Dorset Council's Audit and Governance (Hearing) Sub-Committee, two complaints were heard in relation to Councillor Peter Yeo;

1. Complaint Hearing 013/20

Councillor K Tippins and Councillor P Yeo

Breach of Shaftesbury Town Council's Code of Conduct section 2.1b to treat others with respect.

Outcomes: 1) that both councillors give an unreserved public apology at the next Full Council meeting of Shaftesbury Town Council and that will be on public record; and 2) request of Shaftesbury Town Council that both councillors attend code of conduct training of approved standard within 4 months.

2. Complaint Hearing 023/20

Councillor P Yeo

Breach of Shaftesbury Town Council's Code of Conduct on 2 counts, section of 2.1b to treat others with respect and 2.2g not to behave in a way which could reasonably be regarded as bringing their office or the Council into disrepute.

Outcome; Censure Cllr Yeo in the strongest possible terms.

5.2 Financial Implication

5.2.1 Councillor Training budget remaining for 2020/21 £720 and for 2021/22 £1,080

5.3 Legal Implication

5.3.1 Shaftesbury Town Council has a duty to promote and maintain high standards of conduct by its councillors (Shaftesbury Town Council Code of Conduct, 2019)

5.3.2 A relevant authority must promote and maintain high standards of conduct by members and co-opted members of the authority. In discharging its duty under subsection (1), a relevant authority must, in particular, adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity. (Localism Act, 2011 s27)

5.4 Risk

5.4.1 There is a reputational risk to Shaftesbury Town Council and subsequent potential impact on project delivery arising from poor conduct of council members.

5.5 Recommendation

Report 0321FC5 to a meeting of the Full Council
Tuesday 09 March 2021

5.5.1 That the Council receives and notes this report and invites Councillor Yeo to provide his apology.

5.6 **Reason for Recommendation**

5.6.1 To meet the requirements of Dorset Council's Audit and Governance (Hearing) Sub-Committee meeting of 26th February 2021.

(End)

Report Author: Claire Commons, Town Clerk and RFO

6 Reports for Information

To receive reports from Dorset Councillors, Mayor, local organisations and note delegated decisions (5 min)

[\(Shaftesbury Town Council Scheme of Delegation, 2019\)](#)

6.1 Summary

6.1.1 The Council invites reports from external partners. These reports are to inform and give the opportunity for topics of note to be addressed at a later date by the Council or its committees. This agenda item does not provide for decisions to be taken on the content as it is likely that sufficient notice of the business to be transacted will not have been given.

6.1.2 Reports and minutes provided in advance are taken as read.

6.1.3 Actions from FC meeting January 12th

6.1.4 Updated adopted Policies – Completed and published online

6.1.5 Update ToRs – Completed and published online

6.1.6 Netball and future Sports provision include in the Strategic Plan – Completed

6.1.7 Southern Electric Wayleave, sign the wayleave agreement for the installation of underground cables at the cricket club.– Completed

6.1.8 Grant Requests, Officer report 0121FC088 was received. It was **PROPOSED** and **RESOLVED** to grant 50% of the required funds to all applicants as detailed below:

6.1.9 Youth Club - £1500

6.1.10 Home Start - £750

6.1.11 Abbey Museum - £2,500

6.1.12 Climate Action Plan, to adopt the action plan and incorporates it into the Strategic Plan, actions requiring additional research or expenditure such as the composting toilets to be brought back to the Council or Committees for decision. - Ongoing

6.1.13 Allotment Tender Selection – Contract awarded and works due to start this month.

6.1.14 Spine Road, engage a consultant – Report received and scheduled as an agenda item for the Planning and Highways Committee on 16th March 2021

6.1.15 Strategic Plan Review and update – Completed

6.2 Civic Report

6.2.1 Due to Coronavirus restrictions, there are no physical civic engagements to report on. The Mayor may choose to speak to this item.

6.3 **Dorset Council Reports**

6.3.1 Dorset Councillors are invited to provide a report at this point.

6.4 **Lead Councillor and Local Organisation Reports**

6.4.1 No reports have been received in advance from Lead Councillors or Local Organisations.

6.5 **Recommendation**

6.5.1 That the reports are received, and any points of note are identified for future meetings of the Council or its committees or for action by officers of the Council.

6.6 **Reason for Recommendation**

6.6.1 To provide a minute record of information provided to members of the Council

(End)

Report Author: Zoe Moxham, Officer Administrator

7 Committee Reports

To receive minutes and reports and consider recommendations from the Committees of the Council (5 min)
([Shaftesbury Town Council Scheme of Delegation, 2019](#))

7.1 Summary

7.1.1 When a council delegates its responsibilities to a committee, sub-committee, officer or another local authority, they are acting for and on behalf of the council. The statutory authority for a delegation is found in Local government Act, 1972 s.101. (NALC, 2018)

7.1.2 Minutes for each committee are provided for information using the hyperlinks below and any recommendations for Full Council to consider are noted.

7.2 Human Resources Committee [4th December 2020](#)

7.2.1 No recommendations for Full Council to consider.

7.3 Planning and Highways Committee [19th January 2021](#)

7.3.1 Dorset Council Local Plan recommendation included as a separate agenda item in this agenda pack.

7.4 Planning and Highways Committee [9th February 2021](#)

7.4.1 No recommendations for Full Council to consider.

7.5 Recreation, Open Spaces and Environment Committee [16th February 2021](#)

7.5.1 Policies Review: Officer report 0221ROSE5 was received and it was **RESOLVED** to recommend to full council the following policies with the amendments made as noted by Councillor Lewer.

- [Trees and Benches and Rose Garden Memorial Policy](#)
- [Scattering of Ashes Policy](#)
- [Hire of Council Land](#)

7.5.2 It was agreed to create a short form for smaller events requesting to hire council land. This has been prepared and is available to view here: [Hire of Council Land Short Form](#).

7.6 General Management Committee [26th January 2021](#)

7.6.1 Budget recommendation considered by Council on 28th January 2021

7.7 General Management Committee [23rd February 2021](#)

7.8 Policy Review - Officer report 0221GEM06 was received and the following was resolved; Cash Handling Policy - Approved to be recommended to Full Council for adoption.

- [Cash Handling Policy](#)

7.9 **Recommendation**

7.9.1 That the Council resolves the recommendations from Committees contained within this report, namely;

Adoption of the Trees, Benches and Rose Garden Memorial Policy, Scattering of Ashes Policy, Hire of Council Land Policy and Cash Handling Policy and to adopt the Hire of Council Land Short Form.

7.10 **Reason for Recommendation**

7.10.1 To determine matters which fall within the committee scheme of delegation for debate but exceed the delegation for determination.

(End)

Report Author, Zoe Moxham, Office Administrator

8 Finance Report - Earmarked Reserves

To receive and note the report and agree the earmarked reserved balances to be carried forward. (5 min)

[\(Local Government Act, 1972 s.151\)](#)

8.1 Summary

8.1.1 Any underspend at the end of the financial year of earmarked reserved can either be carried forward or returned to the General Reserves.

8.1.2 Earmarked reserves are shown in the table below. This confirms the information resolved in the budget on 28th January 2021 and provides the most recent position in terms of remaining funds in order to prepare for the year end later this month. The Council is asked to resolve the funds should be carried forward (CF) or returned to General Reserves (GR) either partially or fully with the proposed opening balance for the coming financial year indicated in the last column.

Project Name	Balance @ 04/01/21	Proposed T/fer back to general	Proposed Balance 2021/22	Precept 2021-22	Proposed Opening Balance 21-22
CCTV	£5,000		£5,000		£5,000
Playground Equipment	£25,000		£25,000		£25,000
Town Hall Building	£120,000		£120,000		£120,000
Replacement Vehicles	£4,714		£14,229		£14,229
5yr Tree Plan	£16,795	£13,795	£3,000		£3,000
Street Furniture	£21,826	£14,826	£7,000		£7,000
Swimming Pool Plant Room	£14,886		£24,871	£20,399	£45,270
Southern Slopes	£28,000	£26,000	£2,000		£2,000
A30 Allotment Site	£23,389		£23,389		£23,389
IT Replacement Equipment	£4,646		£4,646		£4,646
Bus Shelters	£3,134	£2,134	£1,000		£1,000
Neighbourhood Planning Group	£1,259		£1,259		£1,259
Maintenance Memorial Stones ED	£2,450		£2,450		£2,450
Wild About Shaftesbury	£1,078	£1,078			
VE Day Celebrations	£3,825	£3,825			
Litter Free Dorset	£424		£424		£424
Town Branding/signage	£49,000		£49,000		£49,000
Coppice Street Car Park	£47,649		£47,649		£47,649
Market Experience	£19,500				
Climate Change	£5,000		£5,000		£5,000
Swimming Pool Capital Expenditure	£12,000		£12,000		£12,000
Explore viability of CLT	£10,000	£10,000			
Comm. Infrastructure Maltings Est	£15,000		£15,000		£15,000

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Footpath/Cycle Path Network	£9,416		£9,416		£9,416
Pop Up Shop/PB ml2/EDAC (rename Economic Dev)	£40,000	£15,000	£25,000		£25,000
Managing Parking/Congestion	£54,112		£54,112		£54,112
Covid Food Aid Support Grant	£92	£92			
Yoga Castle Green	£2,680	£2,680			
Barton Hill Trust	£1,103		£1,103		£1,103
Yoga In the Park				£2,000	£2,000
	£541,978	£89,430	£452,549	£22,399	£474,948

8.1.3 It is also appropriate, in certain situations, to create an earmarked reserve where a revenue expenditure line has not been spent but may still be required. This reduces the amount of funds returning to the General Reserve only for an amount to be required to be added to the precept in anticipation of need in the following year. The following framework is recommended.

Budget Line	Reason	Proposed limit to EMR
Councillor Allowances	Not all councillors choose to take the allowance but this is personal choice and the budget allows for all members to take it. An EMR for this purpose will allow adjustment of the revenue budget to first use any residual funds.	£6760
Regalia	Provides for councillor robes, covers and past mayor badges. Additional costs for repairs or new purchased are not necessarily included in the reserve limit.	£500
Election costs	Provides for elections, referenda and parish polls.	£8,000
DBS Checks	Ensures that any new seasonal lifeguards are appropriately checked but returning lifeguards will not always need a check depending on the date of their previous one.	£500
Pool Uniforms	Returning lifeguards will hold on to their uniforms provided they are still fit for purpose.	£700
Office Equipment	Covers general office equipment and does not need annual replacement.	£1,000
Staff Training	To be placed in an EMR for the same purpose and revenue budget adjusted annually to use unspent funds	£5,000
Staff Recruitment	To be placed in an EMR for the same purpose and revenue budget adjusted annually to use unspent funds	£1,000
Sub Contract Labour	To be placed in an EMR for the same purpose and revenue budget adjusted annually to use unspent funds	£1,000
Replacement IT Equipment	This is already a reserve. It is recommended that this fund does not exceed £6,600 without a specific resolution	£6,600

8.2 Scheme of Delegation

8.2.1 The Town Clerk is the Responsible Finance Officer to the Council and is responsible for the Town Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.

8.3 **Financial Implications**

8.3.1 As shown in the table above.

8.4 **Legal Implications**

8.4.1 Every local council must ensure that it has a sound system of internal control which facilitates the effective exercise of its functions. The council must likewise ensure that its financial, operational and risk management is effective. (Accounts and Audit Regulations, 2015)

8.5 **Recommendation**

8.5.1 That the earmarked reserves are carried forward and returned to General Reserves to provide the opening balances for the new financial year as per the table within this report and that the creation of new earmarked reserves and their limits are adopted as per the table at 8.1.3

8.6 **Reason for Recommendation**

8.6.1 To provide a clear financial opening position for the new financial year and to reduce the precept impact in future years.

(End)

Report Author: Claire Commons, Town Clerk and RFO

9 Payments

To consider payments for authorisation (5 mins)
([Local Government Act, 1972 s.150](#))

9.1 Summary

9.1.1 Every local council must ensure that it has a sound system of internal control which facilitates the effective exercise of its functions. The council must likewise ensure that its financial, operational and risk management is effective. (Clayden, 2019), (Accounts and Audit Regulations, 2015)

9.1.2 A list of payments is provided for review and authorisation

9.2 Scheme of Delegation

9.2.1 The Town Clerk is the Responsible Finance Officer to the Council and is responsible for the Town Council's accounting procedures in accordance with the Accounts and Audit Regulations in force at any given time.

9.2.2 The Town Clerk is delegated to authorise routine expenditure within the agreed budget

9.3 Financial Implications

9.3.1 The RFO is required to prepare a schedule of payments requiring authorisation to be presented to the council or finance committee. (Shaftesbury Town Council Financial Regulations, 2020)

9.4 Legal Implications

9.4.1 Every parish council shall keep such accounts as may be prescribed of the receipts and payments of the council. (Local Government Act, 1972 s.150)

9.4.2 Every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs. (Local Government Act, 1972 s.151)

9.5 Recommendation

9.5.1 That the Council approves the payments on the following page from the Town Council's current account and minutes the resulting bank balance. The balance at the point of the report being issued is £207,053.

9.6 Reason for Recommendation

9.6.1 Members should be satisfied with the payments being drawn on the Council's account and that there are sufficient funds to meet those commitments.

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25/02/2021

Shaftesbury Town Council

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Invoices Due for Payment for Approval

Pay by BACS/Online File

Invoice Date	Invoice No.	Ref No.	Invoice Detail	Authorise Ref	Date Due	Amount Due	Discount To Claim	Net Amount due	
Aqua cleaning Services [AQUA]									
15/02/2021	CL5575		Town Hall Cleaning		17/03/2021	48.00		48.00	
BACS No: AQUA						Total of Invoices Due (AQUA)	48.00	0.00	48.00
Dorset Council [DCC]									
15/02/2021	2800260365		Castle Hill SLA		15/02/2021	9,943.44		9,943.44	
BACS No: DCC						Total of Invoices Due (DCC)	9,943.44	0.00	9,943.44
NDM Electrical [NDM]									
15/02/2021	1131		Electrical Inspection Unit 9C		15/02/2021	180.00		180.00	
BACS No: NDM						Total of Invoices Due (NDM)	180.00	0.00	180.00
						Total of Invoices Due (Purchase Ledger)	10,171.44	0.00	10,171.44
						TOTAL OF INVOICES DUE (ALL LEDGERS)	10,171.44	0.00	10,171.44

10 Financial Risk Assessment

To consider Council's Financial Risk Assessment.

(15 mins)

[\(Shaftesbury Town Council Financial Regulations, 2020\)](#)

10.1 Summary

10.1.1 The external auditor requires that a financial risk assessment is considered by the Council (and not delegated to a committee) before the end of March 202-.

10.1.2 An initial Financial Risk Assessment has been carried out by the Town Clerk and the Council is requested to review and adopt that Financial Risk Assessment appended to this report.

10.1.3 The Council should be able to demonstrate that it has considered the content of the Risk Assessment and make recommendations for amendments if required.

10.1.4 The level of risk is calculated by the impact of risk multiplied by the frequency/likelihood of risk, Low = 1, Medium = 2 and High = 3.

Likelihood	Highly likely (3)	Medium (3)	High (6)	High (9)
	Possible (2)	Low (2)	Medium (4)	High (6)
	Unlikely (1)	Low (1)	Low (2)	Medium (3)
		Negligible (1)	Moderate (2)	Severe (3)

Impact

10.2 Financial Implication

10.2.1 There are no financial implications arising from this report

10.3 Legal Implication

10.3.1 The Financial Risk assessment must be reviewed and adopted by the Council annually during the financial year and before 31st March.

10.4 Risk

10.4.1 The risks are identified within the appended report. (End)

10.5 Recommendation

10.5.1 That the Council reviews and adopts the 2020/21 Financial Risk Assessment

10.6 Reason for Recommendation

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10.6.1 To satisfy the external auditor's requirements that the Council has a sound system of risk management and internal controls.

10.7 Financial Risk Assessment and Management

Income

Topic	Risk Identified	Impact of Risk 1-3 (L-H)	Frequency/Likelihood of Risk 1-3 (L-H)	Level of Risk 1-9 (impact x frequency)	Management of Risk	Action required	Review
Precept	Not submitted	3	1	3	Full TC Minute – RFO follow up with District Council (DC)	Diary	12 months
	Not paid by DC	3	1	3	Check & Report to Council	Diary	12 months
	Adequacy of precept	2	1	2	Quarterly review by RFO and Councillors - budget to actual. Major variances identified and reported Internal Audit (IA) Review	Diary	12 months
Charges – Leisure Pool	Cash emptying	1	2	2	Segregate duties. Check to bank rec.	Reconcile to takings	6 months
	Cash transport	1	1	1	Segregate duties. Check to bank rec.	Reconcile to takings	6 months
	Cash banking	1	1	1	Segregate duties. Check to bank rec.	Reconcile to takings	6 months
Charges – Cemetery	Grave allocation	1	1	1	Burial Register update with each change	Ensure	12 months
	Invoices to undertakers	1	1	1	Monthly check of burial register	Number issued	12 months
	Memorial fees	1	1	1	Monthly check of burial register	Number issued	12 months
Charges – Allotments	Rental invoices	1	1	1	Register to Invoice	Reconcile to register.	24 months
	Cash handling	1	1	1	Cash through receipt book and accounting software	Reconcile to bank.	12 months
	Cash banking	1	1	1	Segregate duties. Check to bank	Reconcile to bank	24 months
Charges – Other	Rental invoices	2	1	2	Bookings linked directly to account software	Reconcile to bookings	24 months
Hall Hire/Markets/ Rents	Cash handling	1	1	1	Cash through receipt book and accounting software	Reconcile to bank	12 months
	Cash banking	1	1	1	Segregate duties. Check to bank rec	Reconcile to bank	24 months

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Grants – District	Claims procedure	3	1	3	Clerk/RFO check quarterly	RFO verify	12 months
	Receipt of grant when due	2	1	2	Check & Report to General Management Committee	Diary	12 months
Grants – Other	Claims procedure	1	1	1	Clerk/RFO check quarterly	RFO verify	12 months
	Receipt of grant when due	2	1	2	Check & Report to General Management Committee	Diary	12 months
Expenditure				0			
Topic	Risk Identified	Impact of Risk 1-3 (L-H)	Frequency of Risk 1-3 (L-H)	Level of Risk 1-9 (impact x frequency)	Management of Risk	Action required	Review
Salaries	Wrong salary paid	2	1	2	Check to minute & Councillors verify	RFO verify	12 months
	Wrong hours paid	1	1	1	Check to timesheet/contract	RFO verify	12 months
	Wrong rate of pay	2	1	2	Check to contract	RFO verify	12 months
	False employee	3	1	3	Check to PAYE Records & lists	RFO verify	12 months
	Wrong deductions – NI	1	1	1	Payroll software updates	RFO verify	12 months
	Wrong deductions – Spr	1	1	1	Payroll software updates	RFO verify	12 months
	Wrong deductions – Income tax	1	1	1	Payroll software updates	RFO verify	12 months
Direct Costs and overhead expenses	Goods not supplied to STC	1	1	1	Order system	Approval check	12 months
	Invoice incorrectly calculated	1	1	1	Check arithmetic	Approval check	12 months
	Cheque payable is excessive	2	1	2	Chairman signs off list	RFO and Member verify	6 months
	Cheque payable to wrong	2	1	2	Chairman signs off list	RFO and Member verify	6 months
	Stock loss	1	1	1	Point of sale info and control	Reconcile to Stock	6 months
Cllrs Allowances	Cllr overpaid	1	1	1	Claim form & minute reference	RFO verify	6 months

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	Income tax deduction	1	1	1	Check to PAYE Records & lists	RFO verify	6 months
Grants & support	Power to pay	1	1	1	Minute power and GPC	Member verify	12 months
	Agreement of Council to pay	1	1	1	All grants based on approved form and supporting information, minuted and checked by IA	Member verify	12 months
	Conditions agreed	1	1	1	Use reasonable conditions	RFO check	12 months
Election Costs	Invoice at agreed rate	1	1	1	RFO check and consider budget	RFO verify	Whenever
	Unexpected by-elections	3	2	6	Adequate budgetary provision. Manage councillor training and expectations	Town Clerk	24 months
VAT irrecoverable	VAT analysis	2	1	2	All items in cash book lists	RFO verify	12 months
	Charged on sales	1	2	2	Consider annually	RFO verify	12 months
	Charged on purchases	1	1	1	Consider all items per cash book lists	RFO verify	12 months
	Exemption properly applied	3	1	3	Consider annually – complex issue and on larger projects external advice sought	RFO verify	12 months
	Claimed within time limits	2	1	2	Agree returns submitted quarterly	RFO verify	12 months
Reserves - General	Adequacy	1	1	1	Consider at Budget setting	RFO opinion	12 months
Reserves – Earmarked	Adequacy	1	1	1	Consider at Budget setting and Final accounts	RFO opinion	12 months
	Earmarked or Contingent liability	1	1	1	Review minutes with Chair, General Management Committee	RFO/member view	12 months
Assets	Loss, Damage etc	2	1	2	Annual inspection by Council and IA, update insurance and asset registers.		24 months
	Risk or damage to third party property or individuals	2	1	2	Annual inspection, update insurance/review asset register and report to members	Diary	12 months

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Staff	Loss of key personnel (Clerk)	3	3	9	Regular meetings / appraisals. Professional HR advisor	HR Committee	12 months
	Fraud by staff	1	1	1	Fidelity Guarantee Insurance	Council	12 months
Loss	Consequential loss due to critical damage or third party performance	3	1	3	Annual review of cover taking account of new responsibilities	Diary	12 months
Cash	Loss through theft or dishonesty	1	1	1	Training, management and Fidelity Insurance	Diary	12 months
Maintenance	Poor performance of assets or amenities loss of income or performance	2	1	2	Regular maintenance inspection	Diary	12 months
Borrowing / lending	Adequacy of finances to be able to repay loans	1	1	1	Financial review and cashflow forecasting monthly	Diary	
Legal Powers	Illegal activity or payment	3	1	3	Educate Council as to their legal powers	Diary	24 months
Financial Records	Inadequate records	1	1	1	RFO/clerk check quarterly + regular internal audit	Diary	12 months
Minutes	Accurate and legal	1	1	1	Review at following meeting	Diary	12 months
Members interests	Conflict of interest	1	2	2	Training on Code of Conduct including refresher training. Update declarations of interest	Diary	12 months

Reviewed and adopted on 9th March 2021

11 Dorset Council Local Plan

To consider the response to Dorset Council's Local Plan consultation. (20 mins)
([Town and Country Planning Act, 1990 sch 1 para 8](#))

11.1 Summary

11.1.1 Dorset Council has been consulting on its Local Plan between 18th January 2021, 15th March 2021.

11.1.2 The Planning and Highways Committee on the 19th January, resolved to form a working group to prepare a response by March 2nd to be recommended to the Full Council meeting on March 9th. The group to meet as many times as deemed necessary to fully discuss the local plan and form a recommended response. To consist of any members of the council with Councillor Welch as chair and Councillor Lower as vice chair and to invite one representative each from The Shaftesbury Civic Society, The Shaftesbury Open Spaces Group, The Shaftesbury Neighbourhood Plan Group, The Shaftesbury Chamber of Commerce and the Maltings Residents Society.

11.1.3 Due to unforeseen circumstances the working group has been unable to meet to collectively form a view and recommendation. All members of the group have been invited to provide their comments to the Council and these will be forwarded on 5th March with any final comments being provided to members prior to the meeting.

11.2 Legal Implication

11.2.1 There are no legal implications arising from this report. The Town Council is a consultee and does not have the power to determine on this item.

11.3 Recommendation

11.3.1 That the Council provides its response to the Dorset Council Draft Local Plan.

11.4 Reason for Recommendation

11.4.1 To fulfil the Council's responsibility and exercise its views as a Consultee.

(End)

Report Author: Claire Commons, Town Clerk and RFO

12 3G Tender – Contractor Selection

To award a 3G contract
([Open Spaces Act, 1906 s.10](#))

(15 mins)

12.1 Summary

12.1.1 The GEM committee RESOLVED :

to select the top three 3 contractors to present their proposal to the Project Working group including Lead Councillors and Football Club Directors via Zoom on Tuesday 2nd March

that presentations are recorded and circulated to all councillors to support with Council decision making on 9th March subject to contractors waiving anonymity.

That the Project Working group (delegated councillors and officers) will update the 'Tender Control' document after the presentation process – see appendix A. The top three contractor proposals (anonymised) including the recommendation from the Working Group will be presented by the Lead Councillor to Full Council on 9th March.

Contractor appointed – subject to PWLB approval and Section 106 approval on 10th March 2021.

The Council is not obliged to accept the lowest quote.

12.2 Process

12.2.1 In line with the Council's financial regulations all eight proposals were opened by the Town Clerk in the presence of three Councillors and two Directors of the Football Club.

12.2.2 All proposals were recorded onto a Tender Control Document at the point of opening. Subsequently each tender proposal was reviewed against the Tender Document that was resolved by Full Council on 8th December 2020. The Tender document contained both essential and non- essential works to develop the pitch and stadia. Each proposal was scored based on compliance and specification as presented in the Tender Document.

12.2.3 Seven out of the eight proposals were over the budget set by the council on the December 2020. A levelling exercise has since been undertaken and all non-essential works have been removed from the work programme. The Tender Control Document has been updated to reflect the non-essential works and each proposal has been adjusted to reflect the revised costs.

12.2.4 Each proposal was then scored against additional criteria based on company credentials as set out in the [GEM papers](#).

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- 12.2.5 The combined score of the compliance against Tender Document plus credentials were added together to provide a total score. The three contractors with the highest score were selected to pass through to stage 2 of the process (as described in section 1 of the summary above).
- 12.2.6 Each of the three contractors were asked to revisit the costs in advance of presenting their proposal to the Working Group on 2nd March. The Football Club team are also going to manage the removal of the topsoil thus a significant cost saving.
- 12.2.7 The contractor presentations were recorded, and the links can be accessed via the following links:

Contractor A presentation –

https://us02web.zoom.us/rec/share/4_BxhnFHvT7cCs_KFK-koTvez_KGqsATcflqQxTI92abvvGavM3wkhM_iowLVQ.QhEEcjtGb30hcr
Passcode: nQ1Kcd6#

Contractor B presentation –

https://us02web.zoom.us/rec/share/usaRpeyZYyzYcLoasVDzHPT4Ba3Nad_FSXNovS7SGnleiKeS1tW6G-ypNeC3EGg8.wJY7etJdIP8YPG_T Passcode: *8W\$?Rbt

Contractor C presentation

https://us02web.zoom.us/rec/share/Oys0PA_t2jlgOBBCeGZY7q4_2f_rmWY4RJELmkQ-iHjdc8Rk8HAoeFH-GR7XbxPn.63YdRfN8kFI_qI9b Passcode: xA=HX9rx

- 12.2.8 Each presentation was scored and this was added to the previous scores resulting the organisation scoring the highest being the recommendation from the Working Group to the council. To enable the council to make an informed choice the recommendation from the Working Group will be presented at the Full Council meeting and once each councillor has seen each presentation.

12.3 **Scheme of Delegation**

- 12.3.1 The amendment of Standing Orders and Financial Regulations is reserved for Full Council under the Scheme of Delegation at the time of writing. (Shaftesbury Town Council Scheme of Delegation, 2019)

12.4 **Financial Implications**

- 12.4.1 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. (Shaftesbury Town Council Financial Regulations, 2020, setion 10.3)

- 12.4.2 The prices we have received are £533,645.30 + VAT, £509,224.16 + VAT and £455,000.00 + VAT. These prices are not in the same order as the presentations.
- 12.5 **Legal Implications**
- 12.5.1 The Council has the power to do anything which is calculated to facilitate or is conducive to the discharge of any of its functions. (Local Government Act, 1972 s.111)
- 12.5.2 The Council has the power to discharge any of its functions (with some exceptions) to a committee, subcommittee, joint committee or by one of its officers or by any other local authority. (Local government Act, 1972 s.101)
- 12.6 **Risk**
- 12.6.1 To mitigate risk an Experian report has been produced on the 3 companies to check on the people behind the business and as a supplier – *these will be available for members inspection upon request*
- 12.6.2 The Public Works Loan may not be approved
- 12.6.3 The Section 106 funding may not be approved
- 12.6.4 The council fails to put an Option to Tax (or other VAT solution) in place in time to ensure entitlement to reclaim VAT on the contractor's first invoice.
- 12.6.5 The council fails to follow advice and puts an ineffective solution in place that does not allow VAT to be reclaimed or results in a requirement to repay VAT at a later date.
- 12.6.6 The risk to unknown costs will be mitigated by the need to (1) undertake a Ground Investigation report and (2) CCTV drainage survey. If the land is deemed to have no known risks then each contractor will commit to a fixed price contract.
- 12.6.7 To mitigate any contractual risk a legal contract (JCT) Joints Contact Tribunal sets out the terms and conditions of the contract needs to be considered by the council. This is likely to cost in the region of up to £3,000
- 12.6.8 To mitigate any construction risk the council may want to consider employing a part-time construction Project Manager. This is likely to cost in the region of up to £10,000
- 12.7 **Recommendation**
- 12.7.1 That the Council awards the contract for 3G pitch stating its reason for the chosen contractor and that the Town Clerk be authorised to take all such steps as she considers necessary to comply with the resolution.

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12.8 **Reason for Recommendation**

- 12.8.1 To award the 3G contract to the company as recommended by the 3G Working Group

(End)

Report Author: Brie Logan, Business Manager

13 Tourism - Digital Marketing Service Level Agreement (SLA)

To consider awarding the Digital Marketing SLA contract in advance of the 2021 season as per GEM recommendation. (10 mins)
(Local Government Act, 1972 s.111)

13.1 **Summary**

13.1.1 Plans need to be in place to maximise the start of the tourist season – from the 12th April when step #2 of lockdown restrictions are lifted.

13.1.2 The GEM committee **RESOLVED** to;

1. Support an interim Digital Marketing plan to maximise the Visitor Experience for the 2021
2. RECOMMEND to Full Council awarding a contract of £8,000 from the Service Level Agreement (SLA) budget line 4352 to Rocketbox, the Design Agency commissioned to deliver the Shaftesbury brand.
3. Develop the 'Shaftesbury Visitor Experience' website and present options to Full Council to consider and approve. (see section x below)
4. Delegate management of the Digital Marketing Service Level Agreement to the Town Clerk in consultation with the Visitor Experience lead Councillor George Hall, the lead Councillor for Economic Development Piers Brown, and Business Manager in consultation with Visit Dorset, Dorset Council Officers. That the Town Clerk be authorised to take all such steps as she considers necessary to comply with the Council resolutions

13.1.3 [Click here](#) to see the options that the GEM committee considered:

13.1.4 Section 3: Shaftesbury Visitor Experience website options have been researched as follows:

1. The current IT website provider was approached to quote however this option is no longer available
2. A low-cost solution such as Square Space could be a consideration however this is a less flexible option and very basic with limited functionality. Officers do not recommend this option.
3. The Design Agency commissioned to develop the Shaftesbury Brand company has the capability to build a WordPress website. The website will provide a platform from which to anchor content to social media. The development of this does have an up-front cost implication as described in the financial section.
4. Dorset Council's Visit Dorset team have recently concluded a rigorous procurement process for a full redesign and redevelopment of www.visit-dorset.com. Visit Dorset are offering town councils the opportunity to build their own town visitor microsites using the templates and high-level functionality that Visit Dorset has purchased for their own site at a discounted cost. This represents a cost-effective way for town councils to build their own visitor site. The microsite will be attached to the main visit-dorset.com site and uses an

extension of the main url. Microsites are likely to be available from Autumn 2021/
Spring 2022.

13.2 Scheme of Delegation

13.2.1 The Committee is delegated consider corporate governance and risk management. Full Council retains the responsibility for matters of principle or policy. (Shaftesbury Town Council Scheme of Delegation, 2020)

13.3 Legal Implications

13.3.1 The Council has the power to do anything that will facilitate the discharge of its duties. (Local Government Act, 1972 s.111)

13.4 Financial Implications

13.4.1 £8,000 budget has been allocated for the financial year 2021/22 to manage the Digital Marketing Service Level Agreement. This includes the creation of a WordPress website and up-front Social Media set up costs and activity condensed into April through to October.

13.4.2 Previous tender submissions from March 2020 were reviewed by the GEM committee in February 2021. In 2020 the Digital Marketing contract was awarded at a value of £10,500 however the contractor subsequently declined the contract.

13.4.3 The Design Agency, Rocketbox, has presented a proposal for the council to consider. Please refer to appendix A:

Option 1: page 26 - year 1 cost proposal (note the range – very basic to basic website)

Option 2: page 27 - years 2 and 3 cost proposals

Future years are lower cost due to set up costs not being applicable. Note: option #1 has been excluded due to high cost and a multipage platform is not needed (pages 23 – 25)

13.4.4 Visit Dorset microsite set up costs are £10,700 (for the standard package) and then £6,400 per annum.

13.5 Recommendation

13.5.1 The Council resolves to:

13.5.2 Engage Rocketbox for the management of the Digital Marketing SLA contract including the website development for the 2021 season - budget line 4352 at a cost to be agreed by the council. To delegate the management of the Digital Marketing Service Level Agreement to the Town Clerk in consultation with the Visitor Experience Lead Councillor George Hall and Lead Councillor for Economic Development Piers Brown, the Business Manager in consultation with Visit Dorset

and Dorset Council Officers. That the Town Clerk be authorised to take all such steps as she considers necessary to comply with the Council resolutions

13.6 **Reason for Recommendation**

13.6.1 The UK, specifically Dorset is likely to benefit from increased numbers of visitors for the 2021 season. There is an opportunity to raise Shaftesbury as a tourist destination and inspire visitors to spend time and money in the town as part of the plan to support businesses and their recovery.

13.6.2 The visitor season is fast approaching, and work needs to get underway with pace to plan for the 2021 season

(End)

14 Water Refill Unit

To consider signing the agreement from Wessex Water for a Water Refill unit (5 mins)
([Local Government Act, 1972 s.111](#))

14.1 Summary

14.1.1 The agreement has now been received from Wessex Water for the Water Refill Unit, [please see full agreement here.](#)

14.2 Legal Implication

14.2.1 The Council has the General Power of Competence and this should be used as the power of first resort (Local Government Association, 2013).

14.3 Recommendation

14.3.1 That the Council agrees to sign the agreement and that the Town Clerk be authorised to take all such steps as she considers necessary to comply with the Council resolution.

14.4 Reason for Recommendation

14.4.1 To provide a water refill in unit in Shaftesbury to encourage less plastic waste and healthier drinks choice.

(End)

Report Author: Zoe Moxham, Officer Administrator

This Agreement for [WRU026] is dated [] 2021

PARTIES

- (1) Wessex Water Services Limited incorporated and registered in England and Wales with Company Number 02366648 whose registered office is situated at Claverton Down Road, Claverton Down, Bath BA2 7WW ("**Wessex**");
- (2) Dorset Council whose principal place of business is South Walks House, South Walks Road, Dorchester, Dorset, DT1 1UZ ("**DC**"); and
- (3) Shaftesbury Town Council whose principal place of business is the Town Hall, High Street, Shaftesbury, Dorset, SP7 8LY ("**STC**").

1 Wessex Obligations

- 1.1 Wessex will provide a supply of potable water to the Water Industry Approved Scheme approved Halsey Taylor Unit (in accordance with the drawing and specification annexed in Schedule 1 to this Agreement) water refill unit with the design labels as set out in Schedule 3 (the "**Water Refill Unit**") situated outside Town Hall, Shaftesbury (co-ordinates 386257, 122940) (the "**Agreed Location**") the position of which is shown by the red coloured dot on the plan annexed in Schedule 2 to this Agreement.
- 1.2 The water supply will comply with all duties and obligations set out in the Water Industry Act 1991 (the "**Act**"), including Sections 65, 67 and 68 and any Regulations under Section 74.
- 1.3 Subject to clauses 1.3.1, 1.3.2 and 4.1, the Water Refill Unit will be provided and installed without any costs to DC and STC unless and until:
 - 1.3.1 Wessex loses its appointment as a Water Undertaker as defined in the Water Industry Act 1991; or
 - 1.3.2 an event occurs which changes the constitution of Wessex.
- 1.4 Wessex will not be in breach of its obligations to supply water under this Agreement where:
 - 1.4.1 there is an emergency or operational issue which requires the water supply to be temporarily disconnected;
 - 1.4.2 by virtue of any damage to, or destruction of, the Water Refill Unit (including but not limited to all associated pipework and delivery system) arising from actions by other persons and third parties.
- 1.5 Wessex will be responsible for carrying out regular water samples of the unit as part of a sampling programme and a hygienic clean of the Water Refill Unit up to acceptable hygiene standards as and when Wessex considers it necessary. A "hygienic clean" involves cleaning the cut-out section of the Water Refill Unit (including nozzle and small drain) with a disinfectant solution to ensure the water complies with drinking water standards.
- 1.6 Wessex will have legal ownership and responsibility for maintenance of an engineering nature of the Water Refill Unit.

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1.7 A meter to record usage of water supplied by the Water Refill Unit will be installed and maintained by Wessex. The meter will be the property of Wessex.

1.8 All external pipework for the Water Refill Unit will be the ownership and responsibility of Wessex.

2 STC Obligations

2.1 STC is responsible for carrying out a “cosmetic clean” by cleaning the body of the Water Refill Unit on a regular basis.

2.2 STC will be responsible for carrying out regular inspections of the Water Refill Unit and notifying Wessex as soon as reasonably practicable of any acts of vandalism or interference with the Water Refill Unit which may result in damage to the Water Refill Unit or wastage of water or leakage. Any physical damage or evidence of waste or leakage should be reported to Wessex, as soon as reasonably practicable, to rectify via the customer service unit on 0345 600 4 600.

2.3 STC will indemnify Wessex and DC against all claims brought against them for any breach or failure on the part of STC to observe and perform its obligations under this Agreement.

3. Rights

3.1 STC grants to Wessex the right to install the Water Refill Unit at the Agreed Location and the external pipework coloured purple in the area hatched grey (the “**Grey Land**”) as shown in the plan annexed in Schedule 2.

3.2 DC grants to Wessex the right to install and connect the external pipework (in connection with the Water Refill Unit) coloured brown in the area hatched pink (the “**Pink Land**”) as shown in the plan annexed in Schedule 2.

3.3 DC grants Wessex access to the Pink Land to inspect, maintain, repair, alter, renew, replace or remove the external pipework (in connection with the Water Refill Unit) if required.

3.4 STC grants Wessex access to the Agreed Location and the Grey Land to inspect, maintain, repair, alter, renew, replace or remove the Water Refill Unit and/or the external pipework (in connection with the Water Refill Unit) if required.

3.5 STC grants the right to Wessex (if so required) to connect the Water Refill Unit into the gully pot (drain) which belongs to STC and is located near to the Agreed Location and thereafter to discharge into the same together with the rights of access onto its land for the purposes of maintenance, repair and replacement of the point of connection into the gully pot.

3.6 If the rights granted in clause 3.5 are not practicable for the Water Refill Unit, DC grants the right for Wessex to dig a trench on its land and install and retain a soakaway a minimum of 1 metre from the Agreed Location and once installed the right for the Water Refill Unit to discharge into the same together with the rights of access onto its land for the purposes of maintenance, repair and replacement of the soakaway.

3.7 STC will allow Wessex access onto its land as and when necessary to install, alter, renew, inspect, replace, read and maintain the meter including such other actions for a replacement meter if required.

4. DC and STC Obligations

4.1 DC and STC agree that they will not knowingly do anything which may damage the Water Refill Unit and/or the associated pipework or otherwise prejudicially affect the exercise by Wessex of the rights granted in this Agreement and will indemnify Wessex against all claims brought against Wessex as a result of any breach or failure of DC and/or STC to observe and perform their obligations under this Agreement.

5. General

5.1 Wessex has the right to review its obligations under this Agreement on or after 1 April 2025 and at the time of the review either Wessex or STC will have the right to:

5.1.1 terminate this Agreement on giving written notice to the other party whereupon Wessex shall remove the Water Refill Unit and make good the surface of the Agreed Location, the Pink Land, the Grey Land and the connections to the drain within three months of the date of that notice; or

5.1.2 vary the terms of this Agreement by giving written details of the proposed variation to the other party and the other party acting reasonably in agreeing the same.

5.2 STC (upon giving one month's written notice to Wessex) shall have the right at any time (after 1 April 2025) to require that the Water Refill Unit be moved at its cost to an alternative position to be agreed between the parties (acting reasonably) as close as possible in a new geographic location to the Agreed Location.

5.3 DC and STC have confirmed that the Water Refill Unit is considered Permitted Development under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 and shall indemnify Wessex against all losses arising from any breach of the provision under this clause 5.3.

5.4 This Agreement may be executed in any number of counterparts, each of which shall constitute a duplicate original, but all the counterparts shall together constitute the one agreement.

Signed by:

Kirsty Scarlett,
Head of Community Engagement

.....
On behalf of Wessex Water Services Limited

Signed by: [INSERT NAME]

.....
On behalf of Dorset Council

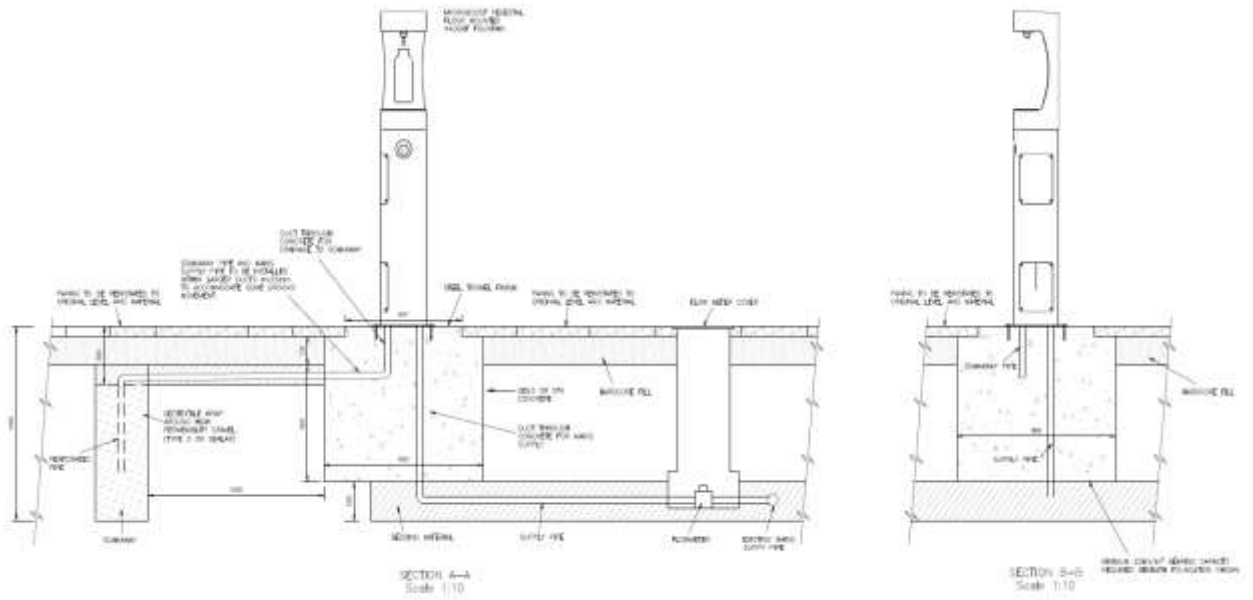
Signed by: [INSERT NAME]

.....
On behalf of Shaftesbury Town Council

Schedule 1

Water Refill Unit

Drawing



Specifications

Halsey Taylor
 SPECIFICATIONS

Halsey Taylor Outdoor HydroBoost Bottle Filling Station
 Pedestal Non-Filtered Non-Refrigerated
Model 4400BF

PRODUCT SPECIFICATIONS

Halsey Taylor Outdoor HydroBoost® Bottle Filling Station, Pedestal Non-Filtered Non-Refrigerated. Features shall include 316 Stainless, Laminar Flow, Heavy Duty Vandal-Resistant Front Button activation. Product shall be Floor Mount/Freestanding, for Outdoor applications, serving 1 station(s). Unit shall be lead-free design which is certified to NSF/ANSI 61 & 372 (lead free) and meets Federal and State low-lead requirements.

Special Features:	316 Stainless, Laminar Flow, Heavy Duty Vandal-Resistant
Finish:	Beige (BGE), Black (BLK), Blue (BLU), Brown (BRN), Evergreen (EVG), Gray (GRY), Orange (ORN), Purple (PUR), Red (RED), Terracotta (TER), White (WHT), Yellow (YLW)
Power:	No Electrical Required
Activation by:	Front Button
Mounting Type:	Floor Mount/Freestanding
Chilling Option:	Non-Refrigerated
Full Load Amps	0
Approx. Shipping Weight:	83kg
Installation Location:	Outdoor
No. of Stations Served:	1

- Laminar flow provides clean fill with minimal splash.
- Base material constructed from marine-grade 316 stainless steel provides the ultimate corrosion protection from even the most corrosive elements.
- Heavy Duty Vandal-Resistant:
 - Tamper resistant screws
 - Resists stains and corrosion
 - Heavy-gauge construction



AMERICAN PRIDE. A LIFETIME TRADITION.
 Like your family, the Elkay family has values and traditions that endure. For almost a century, Elkay has been a family-owned and operated company, providing thousands of jobs that support our families and communities.



PRODUCT COMPLIANCE

ADA
 Buy American Act
 GreenSpec® WRAS
 NSF/ANSI 61 & 372 (lead free)



Warranty pertains to drinking water applications only. Non drinking water applications are not covered under warranty.

OPTIONAL ACCESSORIES

4471LHB - Locking Hose Bib
97890C - Accessory - Direct Bury Adaptor

PART: _____ QTY: _____
 PROJECT: _____
 CONTACT: _____
 DATE: _____
 NOTES: _____
 APPROVAL: _____

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 4400BF_spec.pdf

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 SPECIFICATIONS

Halsey Taylor Outdoor HydroBoost Bottle Filling Station
 Pedestal Non-Filtered Non-Refrigerated
Model 4400BF

MOUNTING INSTRUCTIONS and PLUMBING CONNECTIONS

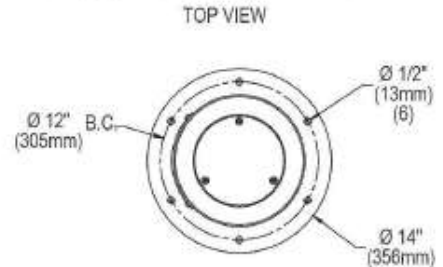
Refer to diagrams for plumbing rough-in. Provide solid, well-drained smooth, flat, finished surface to mount pedestal fountain (concrete pad recommended) with adequate support (300 lb. load minimum). To secure unit, use (6) 3/8" minimum fasteners (not provided).

A service supply stop must be installed at the fountain inlet line.

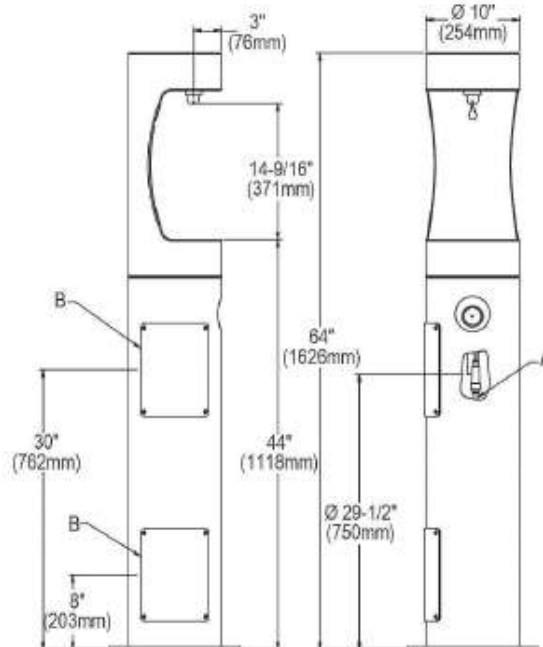
Trap and service stop not included.

Position pedestal over plumbing and secure base to fasteners. Remove access panels and connect supply and water lines. Turn on water supply and check for leaks. Refer to owner's manual for detailed instructions. Reassemble access panels to pedestal.

OPERATING PRESSURES:
 Supply water 20 – 105 psi maximum



SIDE & FRONT VIEWS



A = 3/8" O.D. Unplated copper tube connect. Shut off valve by others.
 B = Access panel(8" x 10")

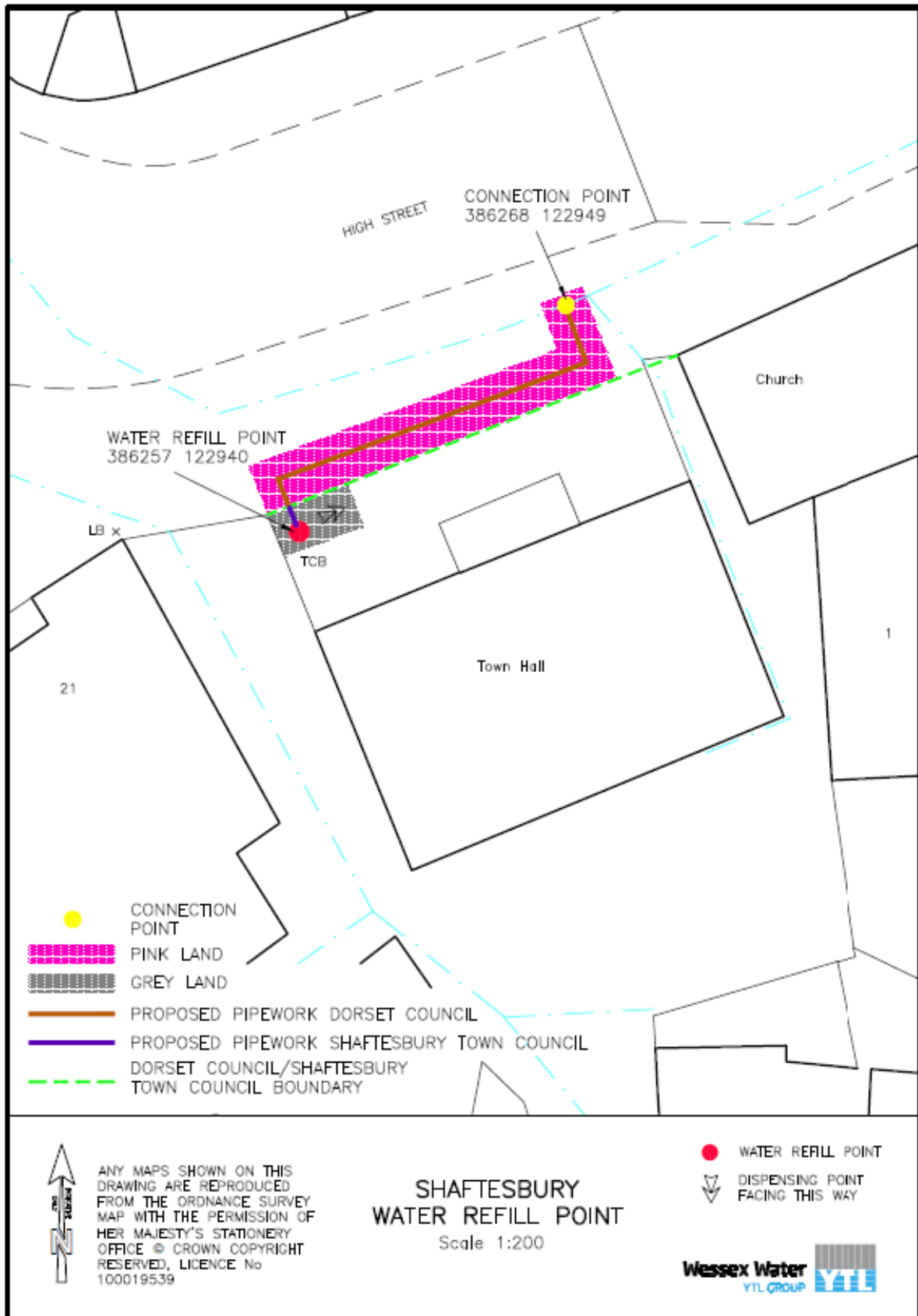
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Schedule 2



Schedule 3

Design Labels





Side



Front



Side



Back

15 Youth Council

To formalise a relationship with Shaftesbury School Youth Council (5 mins)
([Shaftesbury Town Council Financial Regulations, 2020](#))

15.1 Summary

15.1.1 Shaftesbury Town Council's Strategic Plan includes the project 'Develop a Shaftesbury Youth Council.' This is to link in with the schools to inspire students to participate in council related decisions. Work has been underway with the Lead Councillor for this project, Councillor Chase and the headteacher at Shaftesbury School.

15.1.2 Councillor Chase may speak further to this item.

15.2 Scheme of Delegation

15.2.1 The Council's scheme of delegation will be applied to any recommendations and comments received by the youth council or put to the youth council for input.

15.3 Financial Implication

15.3.1 There are no financial implications arising from this report

15.4 Legal Implication

15.4.1 The Youth Council will not hold any delegation on behalf of the Town Council.

15.5 Risk

15.5.1 There are none identified in this report.

15.6 Recommendation

15.6.1 That the Council supports Shaftesbury school in the setting up youth council to feed discussions and proposals into the council committees as appropriate

15.7 Reason for Recommendation

15.7.1 To meet the objectives of the strategic plan and to encourage democratic engagement in the younger community of Shaftesbury.

16 Website Provision

To consider a new website provider for the Shaftesbury Town Council Website (5 mins)
([Local Government Act, 1972 s.111](#))

16.1 Summary

16.1.1 Shaftesbury Town Council's current website provider has informed officers that the council will need to change website providers by the end of April 2021.

16.1.2 The timeframe to decide on a new provider is limited and as yet no quotes have been received for a new provider.

16.2 Financial Implication

16.2.1 £660 has been allocated for the financial year 2021/22 to cover website costs. (budget line 44117, website)

16.2.2 The initial website build is estimated to be between £500 and £2000

16.3 Legal Implication

16.3.1 The Council has the General Power of Competence and this should be used as the power of first resort ([Local Government Association, 2013](#)).

16.3.2 The Local Government Transparency Code 2015 requires local authorities in England to publish certain information.

16.4 Recommendation

16.4.1 That the Council delegates to the Town Clerk to appoint a new provider to build and host the Town Council website in consultation with nominated councillors.

16.4.2 That a budget be agreed of £660 as per the agreed budget set for this year 20-21, Budget Line 4417 – Website and up to £2000 to be taken from General Reserves to cover the initial website build cost and that the Town Clerk be authorised to take all such steps as she considers necessary to comply with the Council resolution.

16.5 Reason for Recommendation

16.5.1 To ensure that Shaftesbury Town Council has a website available at all times to publish legally required information. Especially relevant currently with remote working and digital publications of Agendas and Zoom meeting details due to Covid-19.

(End)

Report Author: Zoe Moxham, Officer Administrator

17 War Memorial

To receive a report from the Clerk in relation to the town's War Memorial. (5 mins)
([War Memorials \(Local Authorities' Powers\) Act, 1923](#))

17.1 Summary

17.1.1 The Town has various monuments and memorials in remembrance of those who have fallen during various conflicts;

- Park Walk War Memorial
- Enmore Green Memorial Lamppost
- Cann War Memorial
- Rifles Monument (Mampitts Cemetery)
- Memorial Stones (Eastern Development)

17.1.2 The Rifles Monument was given by the Town Council to Shaftesbury Charitable Trust which included all future costs in relation to maintenance. The Council holds a small amount of funds for maintenance of this which it is in the process of arranging to be transferred to the Shaftesbury Charitable Trust for that purpose.

17.1.3 The war memorial on Park Walk was last cleaned in 2013. It is recommended that the Council seeks quotes for cleaning the memorial and also requests prices and recommendations for minor and more strategic repair and maintenance. These quotes would also identify any works on the other memorials that the Town Council is responsible for.

17.1.4 This item is in front of you for decision following a request for an agenda item from the Royal British Legion and Councillor Yeo.

17.2 Scheme of Delegation

17.2.1 The Town Clerk has delegation to manage all the Town Council's services and property, together with routine inspection in line with the budgets and policies approved by members.

17.3 Financial Implication

17.3.1 There is no direct expenditure at this point. A further report will be provided to the Council identifying required works and costs.

17.4 Legal Implication

17.4.1 A local authority may incur reasonable expenditure in the maintenance, repair and protection of any war memorial within their district whether vested in them or not. (War Memorials (Local Authorities' Powers) Act, 1923) and (Local Government Act, 1948 s.133)

17.5 Recommendation

17.5.1 That the Council directs officers to seek recommendation on the cleaning and repair schedule for its monuments and memorials noting that this excludes the monument at the Mampitts Cemetery which is the responsibility of Shaftesbury Charitable Trust.

17.6 **Reason for Recommendation**

17.6.1 To meet the Council's responsibility in the maintenance of its assets.

18 Update from Solicitors

To receive a report from the Clerk on a legal matter.

(10 mins)

[\(Shaftesbury Town Council Financial Regulations, 2020\)](#)

18.1 Summary

18.1.1 The Council has received a letter from Cllr Tippins' solicitor which has been passed to the Council's insurance company for action.

18.1.2 The information for consideration is protected under legal and professional privilege and to discuss further, the Council is required to pass a resolution to enter confidential

18.2 Scheme of Delegation

18.2.1 The Clerk is authorised to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or its Committees.

18.3 Financial Implication

18.3.1 There is no direct expenditure arising from this report but a sum of £8,000 may be required for allocation from the legal and professional fees budget line.

18.4 Legal Implication

18.4.1 If a council thinks that it is expedient for the promotion or protection of the interests of the inhabitants it may, subject to any specific exceptions laid down in a few particular Acts, prosecute or defend legal proceedings. (Local Government Act, 1972 s.222)

18.4.2 A magistrates' court has a discretion to order the unsuccessful party to pay some or all of the successful party's costs and in some particular cases it may order a successful party to pay the other party's costs. The amount may include witness expenses as well as solicitors' fees. (Magistrates' Courts Act, 1980 s64)

18.5 Recommendation

18.5.1 The Clerk will provide a verbal report to the Council in addition to this page.