



BLANDFORD FORUM TOWN COUNCIL

To: All Town Councillors
Members of the Public & Press

Dorset Council Councillors

Dear Member

TOWN COUNCIL MEETING

You are summoned to attend a meeting of the Town Council which will be held in the **Corn Exchange**, Market Place, Blandford Forum on **Monday 27th November 2023 at 7:00 pm** to consider the following items. This meeting will also be available to view online using Microsoft Teams [using this link](#).

Linda Scott-Giles
Town Clerk
20th November 2023

A G E N D A

Prior to consideration of the following Agenda, there will be a democratic quarter of an hour, which may be extended at the discretion of the Council, during which time members of the public may speak. During the course of the meeting, members of the public and our elected representatives from the Dorset Council may indicate they wish to speak, and, at the discretion of the Chairman, and with the approval of the Members, they may be allowed to do so on points of information only. The Council may on occasion invite members of the public to comment on specific issues where points of information or their particular knowledge on a subject might prove of benefit to the Council.

Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: Equal Opportunities (race, gender, sexual orientation, marital status, religion, belief or disability), Crime & Disorder, Health and Safety and Human Rights. Disabled access is available.

All in attendance should be aware that filming, recording, photography or otherwise may occur during the meeting.

1. Public Session
 - 1.1 Libby Lloyd – TREADS
2. Report from Dorset Council Councillors
3. Apologies
4. To receive any Declarations of Interest and Requests for Dispensations
5. [Minutes of the Town Council Meeting held on 30th October 2023](#)
6. [Town Clerk's Report & Correspondence](#)
7. Civic Report (paper to follow)
8. Recommendations and Receipt of Minutes

- 8.1 Recreation & Amenities Committee Meeting held on Monday 13th November 2023
 - 8.1.1 Recommendations (none)
 - 8.1.2 [To Receive the Minutes](#)
- 8.2 Town & General Purposes Committee Meeting held on Monday 20th November 2023
 - 8.2.1 Recommendations (none)
 - 8.2.2 To Receive the Minutes (to follow)
- 9. [To consider feedback from the working group regarding a request from the Blandford Youth & Community Centre for a Service Level Agreement](#)
- 10. Corn Exchange
 - 10.1 [To consider adopting a Fraud Policy to comply with funding requirements](#)
 - 10.2 [To authorise the forming of a charitable trust for the Town Hall/Corn Exchange](#)
- 11. [To consider adopting a revised Co-option Policy \(as part of the Town Council's Standing Orders\)](#)
- 12. [To consider reviewing the secret ballot aspect of the Standing Orders](#)
- 13. [To consider approving the lease for Blandford Rugby Football Club at Larksmead](#)
- 14. To receive an update and consider any requests from the:
 - 14.1 Neighbourhood Plan Monitoring Group – Blandford +
 - 14.2 BFTC Commemoration Group
 - 14.3 D-Day 80 Events
 - 14.3.1 [To consider the outcome of the working group meeting held with officers on 15th November 2023](#)
 - 14.4 Climate Change & Biodiversity
 - 14.4.1 [To confirm the outcome of the working group meeting to discuss the Zero Hour Bill \(meeting held on 16th November 2023\)](#)
 - 14.5 Dorset Council Grant to support the Market Area Enhancement Project
 - 14.5.1 [To receive the notes from the working group meeting held on November 2023 and consider expenditure authority for Ingham Pinnock Associates to produce an action plan for the market area in response to Dorset Council's proposals](#)
- 15. Reports from Community and Local Organisations (Councillors are requested to advise the Chairman of Council or the Town Clerk if they wish to make a report under this heading)

Minutes of the Town Council and Committee meetings are available from Blandford Library, the Town Clerk's Office and at www.blandfordforum-tc.gov.uk

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Town Clerk's Report and Correspondence

Remembrance Wash-Up Meeting – As usual, a wash-up meeting has been arranged following the event for Thursday 23rd November with the Town Council, RBL, BSVB and the Garrison in attendance and feedback sought from the church. The Town Clerk will be putting the following points forward for discussion:

Standards – The youth groups often select their Standard bearer from attendees on the day so we will discuss how we can work with the RBL to produce an instruction sheet for the leader to run through the requirements with the selected young person. It also became clear that it would be useful for a reserve to stand in for the RBL Chairman to manage the Standards in his absence.

Layout – The Town Clerk will work with other parties to manage the layout for next year because this still needs major improvement.

Overall, the event went well, had very good attendance considering the bad weather and the sound system worked. SSAFA did not receive many donations again, so a donation of £50 has been paid to them. Some members of the Garrison have indicated that they would like to hold one event in the town at 11am. This would be a major change for the town as we have always had the afternoon service so the Camp can proceed with the 11am one. The Town Clerk has advised, in the first instance, that 2024 may not be the best year to introduce this. It should also be noted that the Stour Valley Band has a long-standing commitment to Bere Regis in the morning on Remembrance Sunday so this should also be taken into consideration.

Trees and Tree Planting – Dorset Council has been developing a project to support community ambitions around trees and tree planting and DAPTC is hosting a Working Together webinar at 4pm on 16 November which the Operations Manager will be attending. In brief, the project will have two main strands and Dorset Council has provided the following points on what they will do:

- **A Community Tree Fund:**
 - this will offer small grants to parish and town councils, as well as other constituted community groups such as schools, etc;
 - funding will be available for the planning and design stages of tree planting, as well as for tools, equipment etc, and trees themselves where these can't be sourced for free;
 - we'll publish details (application form, guidance on eligibility, priorities, etc) on our website on 16 November so that these can be shared with everyone after the webinar;
 - there will be a rolling window for applications with no deadlines (although we anticipate all funds will have been allocated by end of next financial year, ie March 2025)
- **For those councils who wish to appoint volunteer 'tree wardens':**
 - we'll pilot a training and support offer (based on Tree Council 'tree warden networks') with AONB providing a co-ordinating role;
 - those councils who wish to participate will be able to appoint one (or more) volunteer tree wardens and AONB will provide a mix of Tree Council training modules (covering topics such as trees and the law, tree biology etc) and supplementary workshop sessions according to demand;
 - if potential volunteers contact us directly, we will contact their local council first to confirm their willingness to participate: there will be no obligation to do so.

DAPTC will share a recording and links after the webinar. If, once all details are available and shared, there is enough demand for a follow-up webinar, Dorset Council would be very happy to hold another one.

Society of Local Council Clerks – Simon Hoare MP now has a Ministerial position for Local Government and has agreed to attend a local council clerks meeting the Town Clerk has arranged (as secretary to the Dorset Branch) to be held at Gillingham Town Council on 6th December 2023. Mr Hoare will talk to clerks from Dorset and Wiltshire, remotely, about his new role, what the priorities are and what funding opportunities there may be.

Community Fridge – Meetings were held with volunteers on 14th November and 23rd November to review usage and introduce new measures to benefit all involved. The amount of food distributed between August and October totalled 1,287.25kg, which is 375.25kg up on the previous three months and this is due to the introduction of donations from Lidl. Crackers and festive treats have been purchased using a donation from a resident for distribution throughout December. The Youth Centre is currently considering charges to the Community Fridge for use of the space within the venue.

Public Conveniences – Letters have been sent to parish councils who have previously contributed to the running of the toilets in town for the 24/25 financial year.

Woodhouse Gardens Lights – The contractor is due to install the lighting scheme on 1st December and the gardens will be lit between 4:30pm and 9pm every day during the festive season apart from Christmas Day, Boxing Day and New Year's Day.

Back Pay – All staff will receive the back pay between 1st April to 31st October within their November salaries. There have been no leavers this year so there is no need to contact previous employees to arrange payment.

Mayor's Christmas Card – The card has been chosen by the Mayor, Cllr Hugo Miéville and has been printed locally.

May Elections – Two prospective councillor sessions have been arranged to be held in the corn exchange prior to council meetings on 15th January and 19th February at 6pm. Councillors are asked to attend to help answer any questions people may have and to discuss the role.

DAPTC Subscriptions – The level of DAPTC subscriptions charges for 2024-2025 was considered and agreed by the membership at the DAPTC Annual General Meeting (AGM) on the 18th November 2023. The AGM considered the level of membership subscriptions for the coming year with a recommendation from the DAPTC Executive Committee that subscriptions will rise by 4.80%. A table of the subscription bands showing the actual cost of the increase is shown below, and there is also a small number of examples showing the impact of the increase for different electorate numbers.

Recommended DAPTC Subscription charges 2024/2025
(Approval at the 2023 DAPTC AGM)

Category	Scale of Electors	Subscriptions 2023/2024	Recommended 4.80%	Subscriptions 2024/2025
1	0 - 150	£67.68	£2.77	£60.45
2	151-250	£92.24	£4.43	£96.67
3	251-350	£144.71	£6.95	£151.65
4	351-450	£187.54	£9.00	£196.54
5	451-550	£234.77	£11.27	£246.04
6	551-650	£280.27	£13.45	£293.72
7	651-750	£331.29	£15.90	£347.20
8	751-850	£365.92	£17.56	£383.48
9	851-950	£421.32	£20.22	£441.54
10	951-1050	£484.13	£23.24	£507.37
11	1051-1200	£534.41	£25.65	£560.06
12	1201-1400	£584.42	£28.05	£612.47
13	1401-1650	£686.32	£32.94	£719.27
14	1651-2000	£860.89	£41.32	£902.21
15	2001-2500	£881.89	£42.33	£924.22
16	2501-3200	£944.43	£45.33	£989.76
17	3201-4150	£1,001.89	£48.09	£1,049.98
18	4151-5400	£1,123.01	£53.90	£1,176.91
19	5401-7000	£1,270.24	£60.97	£1,331.21
20	7001-9000	£1,444.56	£69.34	£1,513.90
21	9001-13000	£1,598.27	£76.72	£1,674.99
22	13000 - 14,999	£1,859.30	£89.25	£1,948.55
23	15000- 24,999	£2,045.23	£98.17	£2,143.41
24	25,000+	£2,843.44	£136.49	£2,979.93
Parish meetings		£38.29	£1.84	£40.13

Examples of increase per elector for 9 councils

Category	No. of Electors	Cost per elector 2023/24	Cost per elector 2024/25
1	135	0.43 pence	0.45 pence
3	289	0.50 pence	0.52 pence
5	510	0.46 pence	0.48 pence
8	825	0.44 pence	0.46 pence
10	998	0.48 pence	0.51 pence
13	1555	0.44 pence	0.46 pence
16	2860	0.35 pence	0.35 pence
20	8540	0.17 pence	0.18 pence
24	26000	0.11 pence	0.11 pence

To consider feedback from the working group regarding a request from the Blandford Youth & Community Centre for a Service Level Agreement

At the Town Council meeting held on 25th September 2023, the following resolution was made, and this was emailed to the Youth Centre the following day:

The following information is requested from the Youth & Community Centre:

- Detailed usage figures
- Up to date accounts to the end of June 2023
- What is the minimum amount of funding required to keep the Youth & Community Centre running

Subject to receipt of information, a new Service Level Agreement up to 31st March 2025 will then considered at the October Town Council meeting or appropriate meeting thereafter.

The documentation is currently awaited, and it is hoped it will be received prior to the meeting. If not, the matter will be deferred to the next meeting.

Linda Scott-Giles
Town Clerk
13th October 2023

Anti-Fraud Policy

1. Introduction

This document sets out the policy and procedures of Blandford Forum Town Council and its charitable Trust (Barnes for a Recreation) against fraud and other forms of dishonesty.

It applies to Councillors/Trustees, staff and volunteers. Anybody associated with the Council/Trust who commits fraud, theft or any other dishonesty, or who becomes aware of it and does not report it, will be subject to appropriate action.

2. Statement of Intent

Blandford Forum Town Council will continually strive to ensure that all its financial and administrative processes are carried out and reported honestly, accurately, transparently and accountably and that all decisions are taken objectively and free of personal interest. It will not condone any behaviour that falls short of these principles.

All members of Blandford Forum Town Council have a responsibility for putting these principles into practice and for reporting any breaches they discover.

3. Definitions

- a) Fraud: A deliberate intent to acquire money or goods dishonestly through the falsification of records or documents. The deliberate changing of financial statements or other records by either; a member of the public, a Councillor/Trustee, someone who works or is a volunteer for Blandford Forum Town Council. The criminal act is the attempt to deceive and attempted fraud is therefore treated as seriously as accomplished fraud.
- b) Theft: Dishonestly acquiring, using or disposing of physical or intellectual property belonging to Blandford Forum Town Council or to individual members of the organisation.
- c) Misuse of equipment: Deliberately misusing materials or equipment belonging to Blandford Forum Town Council for financial or material benefit.
- d) Abuse of position: Exploiting a position of trust within the organisation for financial or material benefit.

4. Culture

Blandford Forum Town Council fosters honesty and integrity in its entire staff. Councillors/Trustees, staff and volunteers are expected to lead by example in adhering to policies, procedures and practices. Equally, members of the public, service users and external organisations (such as suppliers and contractors) are expected to act with integrity and without intent to commit fraud against the organisation or its charitable trust (Barnes for a Recreation).

As part of this, Blandford Forum Town Council will provide clear routes by which concerns may be raised by Councillors/Trustees, staff and volunteers. Details of this can be found in the Blandford Forum Town Council Employee Manual.

Line managers are expected to deal promptly, firmly and fairly with suspicions and allegations of fraud or corrupt practice.

5. **Responsibilities**

In relation to the prevention of fraud, theft, misuse of equipment and abuse of position, specific responsibilities are as follows:

a) **Councillors and Trustees:**

The Councillors/Trustees are responsible for establishing and maintaining a sound system of internal control that supports the achievement of the Council/Trust's policies, aims and objectives.

The system of internal control is designed to respond to and manage the whole range of risks which the Council/Trust faces.

The system of internal control is based on an on-going process designed to identify the principal risks, to evaluate the nature and extent of those risks and to manage them effectively. Managing fraud risk is seen in the context of the management of this wider range of risks.

b) **Town Clerk and Responsible Financial Officer:**

Overall and day-to-day responsibility for managing the risk of fraud is the responsibility of the Town Clerk and Responsible Financial Officer.

Their responsibilities include:

- Undertaking a regular review of the fraud risks associated with each of the key organisational objectives.
- Establishing an effective anti-fraud response plan, in proportion to the level of fraud risk identified.
- The design of an effective control environment to prevent fraud.
- Establishing appropriate mechanisms for:
 - reporting fraud risk issues
 - reporting significant incidents of fraud or attempted fraud to the Council/Trust;
- Liaising with the Council/Trust's appointed Auditors.
- Making sure that all staff are aware of the Council/Trust's Anti-Fraud Policy and know what their responsibilities are in relation to combating fraud;
- Ensuring that appropriate anti-fraud training is made available to Councillors/Trustees, staff and volunteers as required; and
- Ensuring that appropriate action is taken to minimise the risk of previous frauds occurring in future.

c) **Town Clerk and Operations Manager**

Line managers are responsible for:

- Ensuring that an adequate system of internal control exists within their areas of responsibility and that controls operate effectively;
- Preventing and detecting fraud as far as possible;
- Assessing the types of risk involved in the operations for which they are responsible;
- Reviewing the control systems for which they are responsible regularly;
- Ensuring that controls are being complied with and their systems continue to operate effectively;
- Implementing new controls to reduce the risk of similar fraud occurring where frauds have taken place.

d) Staff

Every member of staff is responsible for:

- Acting with propriety in the use of Council/Trust's resources and the handling and use of funds whether they are involved with cash, receipts, payments or dealing with suppliers;
- Conducting themselves with selflessness, integrity, objectivity, accountability, openness, honesty and leadership;
- Being alert to the possibility that unusual events or transactions could be indicators of fraud;
- Alerting their manager when they believe the opportunity for fraud exists e.g. because of poor procedures or lack of effective oversight;
- Reporting details immediately if they suspect that a fraud has been committed or see any suspicious acts or events; and
- Cooperating fully with whoever is conducting internal checks or reviews or fraud investigations.

e) Volunteers

Every volunteer is responsible for:

- Acting with propriety in the use of the Council's resources and the handling and use of funds whether they are involved with cash, receipts, payments or dealing with suppliers;
- Conducting themselves with selflessness, integrity, objectivity, accountability, openness, honesty and leadership;
- Being alert to the possibility that unusual events or transactions could be indicators of fraud;
- Alerting the Town Clerk or Operations Manager when they believe the opportunity for fraud exists e.g. because of poor procedures or lack of effective oversight;
- Reporting details immediately if they suspect that a fraud has been committed or see any suspicious acts or events; and
- Cooperating fully with whoever is conducting internal checks or reviews or fraud investigations.

6. Review

This policy will be reviewed on an annual basis.

Adopted by Town Council at the meeting held on: *27th November 2023 (TBC)*

Recommendation

One of the requirements for the Community Ownership Fund is to have a Anti-Fraud Policy in place. Councillors are therefore asked to consider and approve this policy presented to them.

Linda Scott-Giles
Town Clerk
14th November 2023

**To authorise the formation of a charitable trust
for the Town Hall/Corn Exchange**

The consultants, Ingham Pinnock Associates have met with a specialist charity lawyer and a further meeting was held with the Town Clerk on 15th November 2023 to discuss the setting up of a charitable trust for the Corn Exchange project.

Initial enquiries have suggested it should take three months to establish the trust although it could be up to six.

The lawyer advised that it is extremely important to ensure the governance arrangements are correct for the charity and the most simple route is a charitable trust. The alternative is a corporate charity like a company (e.g. if it goes bust the debts die with the charity) or a charitable incorporated organisation.

He also advised the trust board should be a different make-up to the Town Council and would need two tier governance to ensure the council has ultimate control. The external individuals could be a couple of people with an interest in the building. For example, there may be Councillors retiring in May who may wish to be involved in this way.

The charitable purpose statement needs to be composed, which would be along the lines of; 'to fund the development, support the Grade I Listed complex, and provide community facilities in the local area'.

The costs involved in starting up a charity, with the expertise of a charity lawyer, are estimated to be between £5,000 and £10,000.

To avoid any delay with the process, this item is therefore being presented to Councillors at the earliest opportunity and they are asked to consider authorising the formation of a charitable trust for the Town Hall/Corn Exchange.

Linda Scott-Giles
Town Clerk
14th November 2023

**To consider adopting a revised Co-option Policy
(as part of the Town Council's Standing Orders)**

When the Town Council's Standing Orders were reviewed, Councillors asked that the Co-Option Policy was further scrutinised to determine how best to manage the process and the meeting when candidates are considered.

At present, the candidates are asked to leave the meeting and a vote is taken, however the council does not go into confidential session. This has been addressed in the new agenda template shown at [Appendix A](#), although Councillors may prefer to go into Confidential session to discuss the matter and then back into open session to carry out the vote.

For ease of comparison, the existing policy has been used (below at [Appendix B](#)) with coloured text showing the additions.

This procedure is based on the NALC Legal Briefing L15-08 – Good practice for selection of candidates for co-option to local Councils. It states that 'Voting can take place using show-of-hands or on paper by secret ballot'.

Recommendation

It is recommended that Councillors consider the proposed amendments and resolve to adopt the policy, with the Town Clerk updating the Standing Orders accordingly.

Linda Scott-Giles
Town Clerk
5th October 2023



BLANDFORD FORUM TOWN COUNCIL

To: All Town Councillors
Members of the Public & Press

Dorset Council Councillors

Dear Member

SPECIAL TOWN COUNCIL CO-OPTION MEETING

You are summoned to attend a meeting of the Town Council which will be held in the **Corn Exchange**, Market Place, Blandford Forum on **Monday 24th July 2023 at 6:30pm** to consider the following items. This meeting will also be available to view online using Microsoft Teams [using this link](#).

Linda Scott-Giles
Town Clerk
14th July 2023

A G E N D A

Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: Equal Opportunities (race, gender, sexual orientation, marital status, religion, belief or disability), Crime & Disorder, Health and Safety and Human Rights. Disabled access is available.

All in attendance should be aware that filming, recording, photography or otherwise may occur during the meeting.

1. Apologies
2. To receive a presentation from the candidate to fill the Councillor vacancy for the Old Town ward by way of co-option and ask any questions of the candidate (application distributed to Councillors prior to the meeting)

2.1 Sheila Chapman

3. Confidential
The public and press may be excluded from the meeting on the grounds that publicity might be prejudicial to the public interest as per the Public Bodies (Admission to Meetings) Act 1960.

- 3.1 To confirm the successful candidate by resolution by way of a secret ballot

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Co-Option Policy

- a. When a casual vacancy has been declared (e.g. on receipt of a letter of resignation, death, ineligibility or a seat has been left vacant because no eligible candidate stood ~~for at the 4-yearly~~ election) the Town Clerk will immediately notify the Returning Officer at the Dorset Council, issue the public notice and advise council members accordingly.
- b. If the required 10 electors of a ward have not called for a poll within the legally specified time period (currently 14 days), following public notification of a Notice of Vacancy, the Returning Officer will notify the Town Clerk who will then instigate the following co-option procedure:
 - i. Advise council members by memo/email that a poll has not been claimed and that the co-option process is being activated by the Town Clerk.
 - ii. Prepare notices for Town Council notice boards, **the website and social media platforms.**
 - iii. Place advertisement in local press/publications ~~under Public Notices for 2 consecutive weeks with the date for receipt of applications being no later than 7 days after the publication date of the second advertisement,~~ **including the following information:**
 - **The method by which applications can be made**
 - **The closing date for all applications**
 - **The date of the Town Council meeting at which co-option will occur**
 - **A contact point to obtain more information**
 - **A link to the website with further information**
- c. Legal requirements to be a local councillor are as follows **(check for any amendments prior to any publication)**:
 To be eligible to stand for election you must be:
 - 18 or over on the day of nomination
 - And a UK, Commonwealth or EU citizen
 You must also be a registered voter in the electoral area or:
 - registered as a local government elector for the area of the parish; or
 - *during the whole of the 12 months preceding that day or those days occupied as owner or tenant land or other premises in the parish; or*
 - principal or only place of work during those 12 months has been in the parish; or
 - during the whole of those 12 months resided in that parish or within 4.8 kilometres of it.
- d. Copies of applicants' letters and CVs to be circulated to all Councillors with a minimum of 7 days' notice of the full Town Council meeting.

~~All applicants to be invited to the full Council meeting (open/public session) to give a brief address and answer any questions asked by serving councillors and the Town Clerk, prior to Councillors voting by secret ballot and the outcome being announced. For a candidate to be successful they must have received an absolute majority vote of those present and voting.~~
- e. All applicants to be invited to the full Council meeting to give a brief address **of up to five minutes maximum to introduce themselves to the Councillors, give information on their background and experience and explain why they wish to become a member of the Town Council. They must then** answer any questions asked by serving Councillors and the Town Clerk.

- f. *If a Candidate is a relative of a Councillor, that Councillor may declare a prejudicial interest and withdraw from the meeting.*
- g. *The process will be carried out in a public session and there must be no discussion between members prior to a vote being taken. However, where the council are discussing the merits of a candidate and personal attributes, this could be prejudicial, and the Town Council should resolve to exclude members of the press and public, prior to Councillors voting by secret ballot and the outcome being announced.*
- h. *The person co-opted must receive an absolute majority of the votes of those councillors present and voting at the meeting where the co-option takes place. Where there are more than two candidates for one vacancy, this rule means that a person must get a majority of votes over all the other candidates. Thus where candidate A receives four votes, and candidates B and C each receive two, A is not elected because he has the same number of votes as B and C put together and does not have a majority over their combined votes. Where there are more than two candidates it is desirable to eliminate the candidate with the least number of votes, so that the final vote is between two candidates only.*
- i. *After the vote has been taken, the chair should declare the candidate who received the highest number of votes duly elected.*
- j. *The person elected must make a declaration of Acceptance of Office before, or at, the first meeting of the Town Council following his election in the presence of a member of the Town Council or the proper officer. The declaration is then retained in the council records.*
- k. *The person elected will also need to undertake to abide by the Town Council's code of conduct and must complete an electronic declaration of Interests form which is submitted to, and published by, the Dorset Council's monitoring officer.*
- l. *The council should also consider what induction, training, and other support should be given to the new councillor.*
- m. The Town Council is not obliged to co-opt to fill any vacancy. Even if the council invites applications for co-option it is not obliged to select anyone from the candidates that apply. However, it is not desirable that electors in a particular ward be left partially or fully unrepresented for a significant amount of time.

To consider reviewing the secret ballot aspect of the Standing Orders

Background

Due to the review and research into the co-option policy, and the voting process for it, the Town Clerk also looked into the secret ballot standing order.

The DAPTC approached NALC for clarification on their position about 'Secret Ballots' and their response is quite helpful and clear:

Extract NALC Email to DAPTC 16th October 2023

"A recorded vote requisition is a legal requirement under paragraph 13(2) of Schedule 12 of the Local Government Act 1972. A statutory requirement overrides anything in Standing Orders so even when a secret vote can be taken the votes must be recorded when requested. In effect this means that any secret ballot can be overridden. If a vote by secret ballot is to be challenged otherwise then it would require a JR to be started but such a challenge may be difficult in the circumstances."

In practical terms, this means that whilst Councillors may prefer, for whatever reason, to run a secret ballot on appointments for council; should a member of council wish to seek a recorded vote the detail of any ballot will need to be revealed on request. It is admissible for councils to include the provision of a secret ballot in Standing Orders, nothing in law prevents councillors from adopting such a change to procedures, but it can and would be overridden.

The changes we have recently made to standing orders are acceptable but not, if challenged, able to do what was intended which will disappoint members supporting the change.

Supporting Legal Topic Note 5: Paras 58-60 are included below:

58. If a vote is taken it must be by a show of hands or as prescribed by standing orders (paragraph 13(1) of schedule 12 to the 1972 Act).

59. Each councillor has one vote and must vote in person; they cannot do so by post or proxy, teleconference or skype, or in advance of a meeting. In addition, the person presiding at the meeting may (but does not have to) exercise a second or a casting vote in the event of an equality of ordinary votes, except in the unique situation described in paragraph 49 above, where the Chair has only a casting vote which they must exercise. Thus, in general, if the person presiding at the meeting casts his first vote, and there is then an equality of votes, they may cast a second vote; if they do not cast his first vote, and there is then an equality of votes, they may (but does not have to) exercise a casting vote.

60. If any councillor so requires, the way in which each councillor voted on any matter at a council meeting must be recorded in the minutes (paragraph 13(2) of schedule 12 to the 1972 Act). A council can adopt standing orders to extend this rule to apply to committee and sub-committee meetings. A "secret" ballot is permissible if standing orders so permit but the council would need to ensure that any such procedures could withstand scrutiny and challenge. It is difficult to envisage the circumstances which warrant a secret ballot, which would invariably attract scrutiny as to its purpose and validity. A secret ballot will not eliminate a risk of legal challenge to a resolution on the basis of predetermination or bias by councillor(s).

Potential Process Improvement – Re-phrasing the change from secret ballot to written ballot

This is an issue that both DAPTC and NALC receive quite a few queries on and often in relation to the casual vacancy process, as well as appointments at council.

The DAPTC has provided notes and attachments of an approach that is used in Cornwall, which will be sent with the agenda for councillors to consider. It requires a change to standing orders and possibly the adoption of a policy/framework to support the lead up to the Annual Meeting.

Requests for a written ballot can be made in the same way a recorded vote is sought. The use of written is far better than secret, simply as the latter may raise suspicions both internally and externally.

This process will only keep confidential the details of who voted for who, if a request for a recorded vote is made after the item is underway and therefore not complying with the updated Standing Orders. A request just ahead of the item and in advance of the meeting, would need to be complied with. Furthermore, please remember that information on written ballot paper may be subject to an FOI request so written ballots should be immediately disposed of, with only the outcome being noted in the minutes.

Conclusion

The summary advice from the DAPTC Chief Executive is that, whilst the above may help the council revise and tighten up procedures for voting on appointments and casual vacancies, by far the best option is to vote as originally intended by a show of hands and in public. No matter how uncomfortable this might be for some, it avoids the potential for mistakes with more elaborate processes. If an elected member is unpopular, or not the preferred candidate by those voting, this is how those thoughts are made known.

Recommendation

It is recommended that Councillors consider the contents of this report and agree a way forward.

Linda Scott-Giles
Town Clerk
16th November 2023

To consider approving the lease for Blandford Rugby Football Club at Larksmead

Background

At the Town Council meeting on 12th July 2021 Councillors discussed the Rugby Club's request for a lease to be established for Larksmead (pavilion and playing fields) and resolved that

The Town Council wishes to enter into a lease with the Blandford Rugby Football Club and delegates authority to the Recreation & Amenities Committee. Councillors were concerned that public access is maintained to the kickabout area within the fencing and that the area covered by the lease focuses on the pavilion and pitches.

At the Recreation & Amenities meeting held on 20th September 2021 Councillors resolved that

The Town Council confirms the Draft Heads of Terms but requested for the rent to be reviewed annually, to be in line with all other sports clubs. However, after this year's budget setting the council will discuss to change all rent reviews from annually to three or five years.

At the Recreation & Amenities meeting held on 20th June 2022, it was agreed that

The Committee approves the draft lease and the proposed annual rental value of £1,500 + VAT, subject to any amendments recommended by the Town Council's Solicitor.

Since then, the Club's rent has increased annually alongside the other sports clubs and they currently pay £1,863.93+VAT.

Information

Officers met with the Town Council solicitor in early January 2022 to discuss the Draft Heads of Terms. These were shared with the Blandford Rugby Football Club, who had no further comments. The area being considered is the aerial view of the site shown at [Appendix B](#).

Following the meeting information was sought on the rental value of the site (pavilion and playing fields), as advised by the solicitor, and the details are attached as [Appendix C](#).

The Town Council's solicitor has prioritised the allotment relocation due to the severity of the work and has recently produced his feedback on the Heads of Terms, which is now attached at [Appendix A](#).

Recommendation

It is recommended that Councillors approve the final version after addressing the following points:

- Suggest a mutual break clause at 15 years
- Rent review annually with a "Cap and Collar" of not less 1% and not more than 3%
- Full repair and insuring lease on pavilion and grounds

And consider if the proposed annual rental value of £1,500.00 + VAT is still relevant or if it should start at the current amount of £1,863.93+VAT.

Heads of Terms for Lease to Blandford Rugby Football Club

Property:	Blandford Rugby Football Club at Larksmead, to include playing fields and clubhouse.
Name and address of landlord:	Blandford Forum Town Council Town Clerk's Office Church Lane Blandford Forum DT11 7AD
Name and address of tenant:	Blandford Rugby Football Club 53 East Street Blandford Forum Dorset DT11 7DX
Name and address of guarantor:	None required
Length of the term:	25 years, subject to break provisions below. (RXC/BB: doesn't make sense Break Date would be the end of the term! Suggest years 10 and 15 for example).
Is the lease a new tenancy for the purposes of the Landlord and Tenant (Covenants) Act 1995?	Yes
Is the lease contracted out of the Landlord and Tenant Act 1954?	Yes
Initial rent:	£1,500 + VAT per annum, reviewed annually see below: need to decide if you are increasing annually or just once every five years Cap and Collar, between 1-3%
Rent payment dates:	Quarterly invoice
Rent review dates:	Every 5 years, to higher of open market or CPI index increase NB this is a review pattern where lease rent goes up every 5 years only, NOT annually. Sometimes there's an internal cap and collar (for example 1%-3% per annum); this means that the "internal" compound increases which overall make up the aggregate increase, are limited in each year to not less than 1% and not more than 3%
Rent review provisions:	New buildings are rent neutral. This requirement is not relevant if review is CPI index only (not OMV). Suggest you take the initial rent of £1,500 and let the index decide what the increase is going to be.
Permitted use and any restrictions on use:	Sports field with ancillary amenities and clubhouse facilities. Ability to offer non exclusive temporary licences for use for other charitable purposes at the

	<p>Tenants discretion provided they do not conflict with the provision of rugby and are ancillary fundraising activities for the rugby club.</p> <p>No other lettings or sharing occupation allowed. Consent needs to be sought for admission of non-members to events being held.</p> <p>Car Park and kick about area to remain out of the lease and to remain with BFTC.</p> <p>Public access to the football pitch to be maintained at all times.</p> <p>BFTC to use pavilion for elections.</p> <p>The existing fence to be maintained by BRFC.</p>
Repair and decoration provisions, including obligations when the lease ends:	<p>Full repair and insuring lease on the pavilion and grounds. Tenant to repair/maintain all facilities. Tenant to bring electrical installations up to current standards, at their own expense. Tenant must not repair or decorate where doing so would reduce the minimum energy efficiency of any building on the property. Tenant must ensure that building remains compliant with the Minimum Energy Efficiency Regulations throughout the Lease term.</p>
Insurance provisions:	<p>Tenant to insure and provide Landlord with copies of:</p> <ol style="list-style-type: none"> 1. Buildings Insurance 2. Public Liability 3. Employers Liability 4. Any other insurances taken out for the benefit of the property
Alterations provisions:	<p>No external or structural alterations without Landlord consent. Any internal alterations with necessary consents/ certificates. It is noted that the Club would like to extend the pavilion and any proposals/plans must be submitted to BFTC prior to the planning authority.</p> <p>For the avoidance of doubt 75% of the area should remain available as playing fields</p> <p>Any additional building should not exceed ?? sqm.</p>
Restrictions on alienation:	<p>Not to assign or sublet the whole without Landlord's consent. This includes via the disposal or acquisition of shares in the Tenant.</p>
Service charge provisions:	<p>None.</p>
Details of any break clauses:	<p>Mutual break every tenth anniversary of the term. Tenant cannot break if they are in breach of the Lease (this is standard). NB Not necessary because Landlord can forfeit the lease</p> <p>The tenant can break at ?? typically end of year 10,15?</p> <p>All facilities to be returned in good and substantial</p>

	repair.
Any rights of first refusal (including under the Landlord and Tenant Act 1987) or options to buy the reversion:	None.
Any other material terms:	<ol style="list-style-type: none"> 1. Landlord consent required to any new signage 2. Landlord must be invited to annual AGM 3. Tenants to provide annually: <ol style="list-style-type: none"> a. Audited A/c's b. AGM Minutes c. Insurances 4. Blandford Rugby Football Club must remain affiliated with governing sports bodies otherwise the lease may be terminated immediately on loss of affiliation. 5. Parties to acknowledge club house building belongs to BFTC. 6. Club House to remain a licenced premise and its licence maintained at all times. No surrenders of licence (whether through direct surrender or non-payment of the annual fee) permitted. 7. Map of demised area covered by lease to be agreed 8. All statutory compliance obligations incl. health and safety inspections to be responsibility of the Rugby Club. PAT testing, Legionella, fire risk assessment including extinguishers, emergency lighting etc. Paperwork to be passed to BFTC 9. Servicing of boilers and electric installations to be responsibility of the Rugby Club [and paperwork passed to BFTC. What does this mean?
Details of any rent deposit:	None



Our Ref: RM/AMR
4th May 2022

Mrs Linda Scott-Giles
Blandford Forum Town Council
Town Clerk's Office
Church Lane
Blandford Forum
DT11 7AD

BY EMAIL ONLY - linda@blandfordforum-tc.gov.uk

Dear Linda,

LARKSMEAD RECREATION GROUND, BLANDFORD FORUM

I write to report in respect of the above matter.

Instructions

I understand that Blandford Forum Town Council ("BFTC") intend to grant a new 25 year lease to Blandford Rugby Football Club ("BRFC"). My instructions are to advise regarding the commercial rental value of the property before the above parties enter the lease.

The Property

The property comprises the main part of Larksmead Recreation Ground, as shown edged red on the aerial photograph attached, which you provided with your instructions. It includes the main rugby pitch as well as an adjoining training pitch, together with club house and changing rooms and ancillary sheds for ground keeping equipment. The club house includes a main socialising room with a small bar and kitchen. The changing room and showers for home and away sides are each side of this. It is generally acknowledged that the facilities are quite limited and cramped for adult players.

The Existing Arrangements

I understand that there is currently an annual agreement in place between BFTC and BRFC whereby BRFC have exclusive use of the property (with only a reservation to use the club house as a polling station for elections). BFTC are responsible for repairing and maintaining the club house, to include health and safety checks, PAT testing, alarms maintenance, emergency lighting and general maintenance. BRFC are otherwise responsible for cleaning the club house and for maintaining the sports pitches. These pitches are only used for playing rugby and there is no use in the summer. I am informed that a rent of approximately £1,500 per annum is paid by BRFC for this agreement.

I also note that BRFC secured the finance for approximately half of the total cost (circa £90 - £100k) initially to level and landscape the recreation ground to create the current pitches.

Proposed New Lease

I understand that BRFC wish to extend and improve the club house and in order to obtain finance through grant funding, as well as to secure their own future, they are seeking a new 25 year lease. As part of this, BRFC would also take on full responsibility for maintenance, repair and insurance of the building, therefore providing a significant saving to BFTC as compared with the current arrangements. Otherwise, I am assuming that there would continue to be exclusive occupation, except for use as a polling station from time to time.

**Symonds
& Sampson**
ESTABLISHED 1858

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Restrictive Covenant

Larksmead Recreation Ground was transferred as one of a portfolio of properties from North Dorset District Council to BFTC in December 2014. Within the Transfer, there is a clause which reads as follows:

"14. Restrictive Covenants by the Transferee

The Transferee hereby covenants with the Transferor that the Transferee and those deriving title under it will at all times hereafter observe and perform the following covenants

- 14.1 Not to use the Property transferred or any part of it for any purpose other than for the provision of Public Open Space (which definition shall include a play area with or without equipment) without obtaining the prior written consent of the Transferor or its successors in title (such consent not to be unreasonably withheld or delayed) but this restriction shall not prevent the District Council from exercising its powers under the Town and Country Planning Act 1990 Section 235"*

I have assumed that the use of the property is a permitted use within the restriction of the above clause; however, it is pertinent that alternative use of the property for commercial purposes would most likely contravene this clause. BRFC will no doubt have motivation to undertake some commercial fund raising activities for the benefit of their club, but not otherwise for commercial profit. I understand that as tenant under a new lease, BRFC will be subject to and under an obligation to comply with Title encumbrances affecting the property, and that the lease will deny any warranty on the part of BFTC that the permitted use (as a rugby club and associated ancillary activities) is fully authorised under the provisions of the restrictive covenant.

Rental Value

Having undertaken some research for other local sports grounds and lease arrangements, it is clear that rents are suppressed, particularly where the use for commercial profit is restricted, and sports for the benefit of the local community only are authorised. In these cases, I have found that rents vary, depending upon particular circumstances, between £1 and £2,000 per annum. Therefore, it seems that continuing the current rent of £1,500 per annum would not be unreasonable, particularly where there is to be a cost saving to BFTC in terms of the repair and maintenance liability for the club house.

I trust this provides you with the information you require, but please let me know if there is anything more you need from me or if you wish to discuss the content of this letter.

Yours sincerely,

**Symonds
& Sampson**

ESTABLISHED 1858

**To consider the outcome of the working group meeting held with officers
on 15th November 2023**

D-Day 80

At the meeting held on 15th November 2023, Cllrs Mieville, Carter and Stevens were present with Bob Brannigan, the Town Clerk and the Operations Manager. The following points were made of what is known so far:

- The Legion are doing a display and a Veterans' Breakfast with entertainment.

Actions for Town Council staff:

- Discuss the events with the Legion Branch Chair and offer to promote their involvement.
- Find out from Dorset Council what their beacon lighting plans are.
- Contact the Blandford School Network to determine what local schools are planning to do. Offer to promote their involvement.
- Find ways of involving young people.
- Ask a local company if they are able to make a D-Day 80 collar for the beacon.
- Ask the fish and chip shops in town (x2) if they are aware of the plans and to what extent they will be involved. Offer to promote their involvement.
- Write to both criers with the wording provided by the Pageant Master and invite them to cry at 12pm on Thursday 6th June 2024 in the Market Place. Subsequent action will be to invite military freemen to attend the cry.

Points for Councillors to consider approving:

- A window competition with the same expenditure authority and framework as the Coronation and Jubilee window competitions.
- Cllr Stevens has discussed holding an event at the Railway Arches with the Legion. This would involve clergy from the Parish Church and the Evangelical Church, the Blandford Stour Valley Band, and the event will be concluded with the Mayor reading the Tribute with the lighting of the beacon at 9:30pm.

Recommendation

It is recommended that Councillors consider the contents of the report and proposed involvement and authorise associated expenditure.

Linda Scott-Giles
Town Clerk
16th November 2023

To confirm outcome of working group meeting to discuss the Zero Hour Bill

A working group meeting was held online on Thursday 16th November 2023, with Cllrs Miéville and Carter, Yvonne Miéville, Janet Tyson, the Town Clerk and a member of the Zero Hour team in attendance.

Zero Hour explained that the Bill has lapsed but Zero Hour will be reintroducing it.

Zero Hour currently has over 500 organisations behind the Bill and that includes over 180 MPs and Peers, and 300 councils that are on board, which includes local authorities.

Cllr Carter asked about Zero Hour communicating with national bodies involved with councils and Allan confirmed that NALC had reached out to them in the first instance and they have a meeting together in a fortnight.

The Bill would benefit from council support but it also benefits the council because it gives a bit of unity and it can be absorbed as part of the council's Plan. It means you aren't going back and making the same points again.

Zero Hour would like to see a plan that all parties agree to. It is a cross-party Bill that is led by the science.

Cllr Carter asked about housing strategies and the NPPF. Allan responded to advise that they have tried to avoid being prescriptive, which will restrict them.

Zero Hour would like the Town Council to pledge its support for the Bill and to write to the Member of Parliament asking them to support the Bill too.

The working group had delegated authority to respond to the request for support for the Bill and it was agreed at the working group meeting that the Town Council should support it. However, due to the low turnout at the meeting, the Councillors present felt that this should be brought back for ratification and the additional information be shared with the whole council.

The working group recommends that the Town Council resolves to:

1. Support the Climate and Ecology Bill;
2. Inform local residents, and local press/media of this decision;
3. Write to Simon Hoare MP to inform them that this motion has been passed, urging them to sign up to support the CE Bill, or thanking them for already doing so;
4. Write to [Zero Hour](#), the organisers of the cross-party campaign for the CE Bill, expressing its support (campaign@zerohour.uk).

For reference, the original documentation sent to Councillors prior to the last minute is attached to the agenda distribution email.

Linda Scott-Giles
Town Clerk
16th November 2023

Dorset Council Grant to support the Market Area Enhancement Project

To receive the notes from the working group meeting held on November 2023 and consider expenditure authority for Ingham Pinnock Associates to produce an action plan for the market area in response to Dorset Council's proposals

Working Group Chairman: Cllr Colin Stevens

Thursday 2nd November 2023 at 12:30pm

in the Council Chamber

NOTES

In Attendance

Cllr C Stevens

Cllr H Mieville

Cllr R Holmes

Cllr S Hitchings (by telephone)

Andy Reynolds

Jon Goodenough

Ross Ingham

Linda Scott-Giles

1. Apologies

Cllr L Hitchings

Cllr L Lindsay

Cllr S Chapman

Cllr A Cross

Cllr R Carter

2. To consider the Dorset Council Proposal Report – Blandford Market Place Public Realm Enhancements

Cllr Mieville asked that we get confirmation if DC is likely to withdraw the offer if a new council is appointed at the forthcoming elections.

The Town Council has received the £70,000 grant from NDDC.

It would be helpful to gauge the response of retailers especially those directly affected by the different proposals.

Cllr S Hitchings wants it to be an obvious area open to pop-up cafés, buskers, events and local groups.

Confirm if there is a charge from DC if the trial period is made permanent.

Look at different options for layout i.e., bring parking forward, put focus on area outside Corn Exchange 'the apron', which would be a far better layout and would not look so obvious when not in use. This would also mean that DC loses fewer parking spaces and the Town Hall is framed instead of the area being slightly disjointed from the central focus. It would also work better for Town Council events.

Cllrs would prefer bollards that drop down. Planters would be better in fixed positions that do not impact on access to the market – for example – by stallholders, due to the weight and difficulty in moving.

Councillors and staff discussed the options for management of the area, and if it would need a manager. It is relatively straightforward taking bookings for the space, but it is the day-to-day management and promotion that would be more time-consuming.

Town Clerk to contact DC's officers to clarify queries.

3. Any other business

Ross Ingham of Ingham Pinnock Associates has provided a quote for the consultancy of the action plan/proposal required by DC, as follows:

“As we understand it, you would like some further support in two areas:

- *Helping to translate the idea for the Market Place into a deliverable and high quality design. The works will be largely designed and then delivered by Dorset Council as the Highways Authority in this instance, but it will be important to monitor their design work and feedback on the specification of surface treatments, materials and street furniture to ensure it is appropriate and meets the Town Council's expectations. As part of this we would engage with the Dorset Council team and your Councillors to ensure that any feedback to Dorset Council has their buy-in. Blandford Forum has a beautiful historic town centre, not least, with the Grade I Listed Corn Exchange at its very heart, and we strongly believe that any changes to the public realm such as this need to be respectful to its historic character and reflect the quality of background architecture and design. It is quite hard to forecast how much time we might spend on this task as it is likely to consist mainly of meetings and discussions so we would suggest that we apply a time charge approach and only charge the Town Council for the time that we spend. To mitigate the risk of uncertainty around what this could ultimately equate to, we would suggest a cap of £2,500 (+VAT) with the effect that if we cumulatively incur up to that amount we would pause and review the arrangement with you. Our current day rates are £850 so this equates to around 3 days or 23 hours in total. To note that as part of this commission we understand that all design work will be undertaken by Dorset County Council and that they will be responsible for meeting all of the CDM requirements.*
- *Helping to prepare an action plan that sets out an approach to managing the new public space and ideas of the types of activities that it might be used for. To do this we would expect to consult with your markets team, Councillors, local businesses, community groups and enterprises elsewhere who might consider coming to Blandford Forum to take advantage of the new space. We would also provide information on best practice case studies that highlight what other market towns have done and how they do it. The output of this piece of work would be an action plan that sets out an overarching vision for the public space, a series of objectives for its use (to support local businesses, for example) a schedule of realistic activities that might take place and the beginnings of a schedule of potential uses/users. Alongside this we would provide a use protocol that sets out, broadly, what would be acceptable/unacceptable in terms of use, practical arrangements for hirers such as how to book, hours of use etc. To complete this work we propose a fixed fee of £6,500 which equates to around 8 full days of time.”*

4. Date of next meeting

Referral and update to full council meeting on 27th November 2023 before another meeting is arranged.

Recommendation

It is recommended that Councillors consider the contents of the report, discuss queries raised during the meeting, and consider authorising associated expenditure for the consultant to produce the plan to submit to the Dorset Council.

Linda Scott-Giles
Town Clerk
17th November 2023