

- 4.7. The Council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

## **5. INSTRUCTIONS FOR THE MAKING OF PAYMENTS**

- 5.1. The Council will make safe and efficient arrangements for the making of its payments.
- 5.2. Following authorisation under Financial Regulation 5 above, the Council, a duly delegated committee or, if so delegated, the Chief Executive shall give instruction that a payment shall be made.
- 5.3. If possible, payment for items shall be made by internet banking transfer (BACS). Cheques may be used if online transfer is not possible. Evidence must be retained showing which members approved the payment.
- 5.4. Payments drawn on the bank account in accordance with the schedule as presented to Council or committee shall be signed by two members of Council in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.
- 5.5. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 5.6. Where internet banking arrangements are made with any bank, the RFO (or in their absence, the Chief Executive) shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 5.7. All online banking user details, PIN numbers, smart cards and readers shall be kept in the council safe unless being used.
- 5.8. All payments shall be verified on the online system by two authorised signatories as soon as possible after the Town Council meeting at which they have been agreed on the payment schedule. This would normally take place the day following these meetings. These two signatories should be agreed during the meeting.
- 5.9. Access to any internet banking accounts will be directly to the access page (which may be saved under 'favourites'), and not through a search engine or email link. Remembered or saved password facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 5.10. Changes to account details for suppliers, which are used for internet banking, may be made on a hard or email copy notification by the and should be directed to the RFO. A programme of regular checks of standing order data with suppliers will be followed.

- 5.11. Any Debit Card issued for use will be specifically restricted to the RFO (or in her absence the Chief Executive) and will also be restricted to a single transaction maximum value of £1,000 unless authorised by council in writing before any order is placed. Personal credit or debit cards of members of staff shall not be used under any circumstances.
- 5.12. All payments made by Debit Card shall be entered as items on the next payment schedule, for signed approval by two Councillors, as with all other payments.
- 5.13. If for the Debit Card application, the Chief Executive and RFO are added as signatories, this shall only be for the purpose of using the Debit Card.
- 5.14. The approval of the use of BACS shall be renewed by resolution of the Council at least every two years.
- 5.15. If cheque payments are made, in order to indicate agreement of the details shown on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 5.16. Orders for payment should not normally be presented for authorisation other than at Council (including immediately before or after such a meeting). Any authorisation by delegated officers obtained away from such meetings shall be reported to the Council at the next convenient meeting.
- 5.17. If thought appropriate by the Council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to Council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the Council at least every two years.
- 5.18. If thought appropriate by the Council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to Council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the Council at least every two years.
- 5.19. If thought appropriate by the Council, payment for certain items may be made by CHAPS, provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to Council as made. The approval of the use of CHAPS shall be made as the provision is required.
- 5.20. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site on the cloud backup.
- 5.21. The Council, and any members using computers for the Council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.

- 5.22. Any payments made in cash by the Chief Executive, RFO or other officers (for example for postage or minor stationery items) shall be refunded as soon as possible using petty cash or BACS transfer on production of a receipt.
- 5.23. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses.
- a) The RFO shall maintain a petty cash float of up to £100 for the purpose of defraying operational and other expenses. Receipts for payments made from petty cash shall be kept to substantiate the payment.
  - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
  - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to Council under 4.2 above.

## **6. PAYMENT OF SALARIES**

- 6.1. As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by Council, or duly delegated committee.
- 6.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available Council meeting, as set out in these regulations above.
- 6.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Council or relevant committee.
- 6.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any Councillor who can demonstrate a need to know;
  - b) by the internal auditor;
  - c) by the external auditor; or
  - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.

- 6.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 6.6. An effective system of personal performance management should be maintained for the senior officers.
- 6.7. Any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Council.
- 6.8. Before employing interim staff, the Council must consider a full business case.

## **7. LOANS AND INVESTMENTS**

- 7.1. All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full Council.
- 7.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full Council. In each case a report in writing shall be provided to Council in respect of value for money for the proposed transaction.
- 7.3. The Council will arrange with the Council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the Council at the same time as one is issued to the RFO.
- 7.4. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.
- 7.5. The Council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the Council at least annually.
- 7.6. All investments of money under the control of the Council shall be in the name of the Council.
- 7.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 7.8. Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 4 (Authorisation of payments) and Regulation 5 (Instructions for payments).

## **8. INCOME**

- 8.1. The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.

- 8.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the Council.
- 8.3. The Council will review all fees and charges at least annually, following a report of the Chief Executive
- 8.4. Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.
- 8.5. All sums received on behalf of the Council shall be banked as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the RFO considers necessary.
- 8.6. The origin of each receipt shall be entered on the paying-in slip.
- 8.7. Personal cheques shall not be cashed out of money held on behalf of the Council.
- 8.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 8.9. Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that, where possible, more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 8.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the Council (to meet expenditure already incurred by the authority) will be given by the Trustee of the charity meeting separately from any Council meeting (see also Regulation 16 below).

## **9. ORDERS FOR WORK, GOODS AND SERVICES**

- 9.1. An official order or letter / email shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 9.2. Order books shall be controlled by the RFO.
- 9.3. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 10.1 h below.
- 9.4. A member may not issue an official order or make any contract on behalf of the Council.

- 9.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

## 10. CONTRACTS

- 10.1. Procedures as to contracts are laid down as follows:

- a. Every contract shall comply with these financial regulations and no exceptions shall be made, otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
  - i. for the supply of gas, electricity, water, sewerage and telephone services;
  - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
  - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Chief Executive and RFO shall act after consultation with the Chairman and Vice Chairman of Council); and
  - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where the Council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the Council shall comply with the relevant requirements of the Regulations<sup>1</sup>.
- c. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)<sup>2</sup>.
- d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
- e. Such invitation to tender shall state the general nature of the intended contract and the Chief Executive shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state

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<sup>1</sup> The Regulations require Councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

<sup>2</sup> Thresholds currently applicable are:

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

that tenders can be sent by email or post and must be addressed to the Chief Executive or RFO.

- e. All tenders can be opened on receipt by the Chief Executive in the presence of the RFO or the Facilities Manager.
- f. Any invitation to tender issued under this regulation shall be subject to Standing Orders, <sup>3</sup> [No. 18. Financial Controls and Procurement] and shall refer to the terms of the Bribery Act 2010.
- g. When it is necessary to enter into a contract of above £3,000 but less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the RFO shall obtain 3 quotations (priced descriptions of the proposed supply). Where the value is below £3,000 and above £250 the RFO shall *strive* to obtain 3 estimates unless directed to do so by the Council. Otherwise, Regulation 9.3 above shall apply.
- h. The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
- i. Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

## **11. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)**

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

## **12. STORES AND EQUIPMENT**

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<sup>3</sup> Based on NALC's model standing order 18d in Local Councils Explained © 2013 National Association of Local Councils

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

### **13. ASSETS, PROPERTIES AND ESTATES**

- 13.1. The Chief Executive shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council. The Chief Executive shall ensure a record is maintained of all properties held by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 13.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 13.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law. In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 13.4. No real property (interests in land) shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 13.5. Subject only to the limit set in Regulation 13.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council with a full business case.
- 13.6. The Chief Executive and RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

## **14. INSURANCE**

- 14.1. Following the annual risk assessment (per Regulation 16), the Chief Executive and RFO shall effect all insurances and negotiate all claims on the Council's insurers.
- 14.2. The Chief Executive and RFO shall update insurances to cover all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 14.3. The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 14.4. The Chief Executive or RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim and shall report these to Council at the next available meeting.
- 14.5. All appropriate members and employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the Council, or duly delegated committee.

## **15. CHARITIES**

- 15.1. Where the Council is sole managing Council of a charitable body the RFO shall ensure that separate accounts are kept of the funds held on charitable Councils and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

## **16. RISK MANAGEMENT**

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

## **17. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS**

- 17.1. It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The Chief Executive and RFO shall make arrangements to monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these Financial Regulations.

- 17.2. The Council may, by resolution of the Council duly notified prior to the relevant meeting of Council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of Council.

\* \* \*

**SANDWICH TOWN COUNCIL FINANCIAL REGULATIONS  
APPENDIX 1**

(Also to be adopted by Sandwich Toll Bridge Fund regarding items relating to the Charity)

**Additional Regulations under BUDGETARY CONTROL AND AUTHORITY TO SPEND (Discharge of functions by an officer of the authority S101 1972 LGA).**

Updated by Resolution of Town Council Meeting on .....

Approved by the Trustee of Sandwich Toll Bridge Fund on .....

Sandwich Town Council Financial Regulations, Section 3.1, delegates power to the Chief Executive to incur expenditure on behalf of the Council for the following **statutory provisions up to £1,000.00**

**In the absence of the Chief Executive, delegated power should be given to the PA to the CEO.**

Expenditure	Statutory Provision
Maintenance and running costs of the Black Lane & Sandown Road Allotments	Small Holdings and Allotments Act 1908, Section 26
Maintenance and running costs of the Bulwarks and Poulders Play Areas	Open Spaces Act 1906, Sections 9 & 10; Local Government (Miscellaneous Provisions) Act 1976, Section 19
Maintenance of the bus shelter	Local Government (Misc. Provision) Act 1953, Section 4; Parish Councils Act 1957 Section 1
Repairs to the war memorial	War Memorials (Local Authorities' Powers) Act 1923, Section 1, as extended by LGA 1948, Section 133
Incidental Expenses, such as stationary, office equipment, legal publications etc.	LGA 1972 Section 111 Subsidiary powers
Tourism: Power to contribute to the encouragement of tourism	Local Government Act 1972, Section 144
Maintenance and running costs of the Monks Wall Nature Reserve	Open Spaces Act 1906, Sections 9 & 10
Maintenance and running costs of the Quay and Cattle Market Public Conveniences	Public Health Act 1936, Section 87
Newsletters: Power to provide information relating to matters affecting Local Government	Local Government Act 1972, Section 142
Publicise functions: Power to publicise council and local authority functions	Local Government Act 1982, Section 142
Entertainment and the Arts: Provision of entertainment and support of the arts	Local Government Act 1972, Section 145
Power to provide and equip premises for use of clubs having athletic, social or educational objectives (for use in relation to the Drill Hall).	Local Government (Miscellaneous Provisions Act 1976, Section 19

Sandwich Town Council Financial Regulations, Section 3.6, delegates power to the Chief Executive to incur expenditure, **up to £1,000**, when it is necessary to carry out repair or replacement, or other works, which are of such extreme urgency that they must be done at once. However, in relation to the property listed below, the Chief Executive will consult with the Chairman and the Deputy Chairman and, if deemed to be an emergency, the Chief Executive will authorise such works up to a cost of £1,000.

**In the absence of the Chief Executive, delegated power should be given to the PA to the CEO.**

Expenditure	Statutory Provision
Repairs to the Curfew Bell	LGA1972, Section 145
Repairs to Boatman's Hill Chapel	LGA 1972, Section 215
Fixtures and fittings of the office	LGA 1972 Section 111 Subsidiary powers
Repair works at the public conveniences	Public Health Act 1936, Section 87
Repair work at the Drill Hall / Fishergate	Local Government (Miscellaneous Provisions) Act 1976, Section 19

The Chief Executive may incur expenditure on behalf of the Council for the following statutory provisions **up to £2,000.00**

**In the absence of the Chief Executive, delegated power should be given to the PA to the CEO.**

Expenditure	Statutory Provision
IT / Social Media	LGA 1972 Section 111 Subsidiary powers
Maintenance and running costs of the Monks Wall Nature Reserve	Open Spaces Act 1906, Sections 9 & 10
Fixture and Fittings of the Guildhall	LGA 1972 Section 133

The Facilities Manager to be delegated a spending power of up to £1,000 for use in relation to the Guildhall Maintenance budget and Public Conveniences Budget, and budgets for Boatman's Hill Chapel and Fishergate.

**In the absence of the Facilities Manager, delegated power should be given to the Caretaker on duty.**

**In the absence of the Chief Executive, delegated power for expenditure up to £1,000 per item relating to the Museum and Archives should be given to the Museum Co-Ordinator.**

## **Additions to Section 10, CONTRACTS:**

- Chief Executive, in conjunction with the RFO / Facilities Manager, to approve and execute all new utility and office contracts (e.g. gas, electricity, photocopier, internet) within the approved budget.
- Chief Executive, in conjunction with the RFO / Facilities Manager, to approve and execute all new maintenance contracts (e.g. the Guildhall lift, CCTV) within the approved budget.
- Chief Executive to re-authorise and execute renewals of contracts / licences (e.g. grazing licence at Monks Wall Nature Reserve).

**(In the absence of the Chief Executive and the Facilities Manager, delegated power should be given to the PA to the CEO, in conjunction with the RFO / Caretaker on Duty)**

### Additional Regulation under BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS (Sandwich Town Council Financial Regulations, Section 4.2):

- Two payment schedules should take place, the mid-month one containing only payments which are within officers delegated powers.

### Additional Regulation under PAYMENT OF SALARIES (Sandwich Town Council Financial Regulations, Section 6)

- The Chief Executive will be given delegated power to full-fill staffing requirements within the agreed budget – i.e. delegated authority to recruit to seasonal vacancies, deal with items of annual leave / paternity leave etc, complaints and disciplinaries (**in consultation with the Personnel Group**).

**(In the absence of the Chief Executive, delegated power should be given to the Personnel Group).**

- **Dismissals must be a decision of Full Council.**

**Report to Councillors and Members of: Sandwich Town Council**

**Meeting scheduled for Monday 30<sup>th</sup> January 2023**

**Report from: Responsible Finance Officer**

**Date: 25<sup>th</sup> January 2023**

**Subject: Maddox Bequest**

**Classification: Non-confidential**

**Purpose of report:**

To update the Council regarding correspondence from the solicitor of the Maddox Estate and seek approval for the Recommendations put forward by the Maddox Working Group, who met on Monday 16<sup>th</sup> January at 6pm to discuss these matters.

The first interim distribution of £210,000 from the Maddox Estate was received in December 2022 and currently sits in Sandwich Town Council's bank account.

We have recently received an email update from the Solicitor stating that the Estates' Stockbroker is ready to make a second interim distribution, to be raised from Miss Maddox's share portfolio.

The following points were also raised in an email from the Solicitor:

- The Estate can only transfer assets to Sandwich Town Council, it cannot transfer assets into the name of the proposed new charitable entity.
- They asked for it to be confirmed if Sandwich Town Council still wish to receive an interim distribution in the form of shares or change their election to a cash distribution.
- They advised that there may be costs involved in the administration of paper shares.
- The shares could continue to be held in paper form, as the Stockbroker could change the name on the certificates (although it has been explained there are serious disadvantages of holding certificates in paper form, including the expense of transfer).
- The shares could be converted into electronic form.
- If shares to be converted into electronic form – the Stockbroker could open an account in the name of Sandwich Town Council and hold these shares.

Please note that it has not yet been possible to find out from the Solicitor or Stockbroker an estimated value of the second interim allocation of shares or an estimate of the final allocation of shares.

**Setting up a new Charity**

Additionally, Cllr Gray has written a memo questioning the legalities of Sandwich Town Council setting up a new charity. This memo is attached, along with relevant legislation. Cllr Gray would like the memo sent to the Solicitor who had previously been consulted regarding the set-up of a new Charity for Sandwich Town Council, to ask them to do further investigation into the matter.

Therefore, currently it is still unknown whether Sandwich Town Council can legally set up a new Charity for management of the Bequest. However we do need to move quickly to make sure the shares are housed safely and appropriately in the interim period.

**Recommendations:**

The Working Group met to discuss the email from the Solicitor and the information from Cllr Gray, and would like to Recommend that Sandwich Town Council:

1. Still elects to receive shares (not cash).
2. Asks the Stockbroker currently holding the shares to open a temporary investment account in the name of Sandwich Town Council to hold the shares, until it is decided whether Sandwich Town Council can set-up a new Charity. (Additional note: The Stockbroker has since stated they will not charge to dematerialise shares into an electronic format).
3. Send an email to the appropriate solicitors containing Cllr Gray's memo and relevant legislation, asking for further confirmation as to whether Sandwich Town Council can set up a new charity.

**Report to Councillors of: Sandwich Town Council**

**Meeting scheduled for 30<sup>th</sup> January 2023**

**Report from: Officers**

**Date: 24<sup>th</sup> January 2023**

**Subject: Changing Places Project**

**Classification: General**

**Purpose of report:**

To receive an update on the Changing Places Project with respect to the public conveniences at the Quay.

**Content:**

As Trustee is aware, STC were successful in obtaining a grant for £50,000 in relation to Changing Places toilet provision. Initially during Lockdown, the potential to upgrade the downstairs toilets within the Guildhall was investigated and Council resolved to allow Officers to explore this potential further.

Unfortunately, this location proved not to be feasible, for a number of reasons, and Officers therefore considered alternatives. The public conveniences at the Quay proved to be a viable alternative and Officers have since been working closely for some months with Dover District Council and a specialist Changing Places contractor. The most favourable and cost-effective conclusion to this was that STC could appoint contractors to prepare the internal space in readiness for the specialists to do the internal fit. We have recently received a revised quotation from the contractor, to reflect price increase for 2023 for the internal fit. No quotation for the preparatory works has been sought as yet.

In order for the Changing Places toilet provision to now progress, a Project Manager would need to be appointed to manage the project. Unfortunately, we have now received notification from DDC that they do not have the capacity to allocate a Project Officer to take on this project.

DDC have agreed to leave the project open in case STC decide that they would like to progress it.

Council is asked to consider the following:

- Whether they wish to progress this project.
- The feasibility of progressing this project.
- Who would be appointed Project Officer to oversee this project.

**Recommendations:**

# SANDWICH WAR MEMORIAL

*Sandwich Town Council – January 2023*

## CONTEXT

We can all agree our town's War Memorial is an important part of our shared heritage. It requires restoration to proudly display the names of the honourable fallen.

Council agreed to my motion to seek experienced contractors to restore Sandwich's historic War Memorial on Market Street last year. Officers and I were to progress the work under a budget of £2,000. This budget was based on previous work. However, the quotes received have been more than our budget will allow. I must now return to full council to ask for a larger budget (details to follow). Though I'm asking for a budget increase, please allow for the possibility the War Memorial Trust may contribute once the work is completed, bringing down our costs. This has to be pursued afterwards however.

While we would be keen to know the council's preference of which contractor, I'm not including this decision as part of my motion. This is so we can pursue either option in case one is unable to complete the work due to extenuating circumstances.

## DESCRIPTION OF WORK

For your reference, the description of the memorial and work requested was the following:

War Memorial: Red brick wall, in the form of a triptych, mounted onto a rag stone base with two steps. A bronze relief is mounted in the centre of the wall depicting a mounted St George killing the Dragon. The dedication is written on individual plaques mounted above, below and either side of the relief. Main inscription plaque includes Sandwich Town Crest. Grade II Listed.

Inscription: "1914-1919 TO THOSE MEN OF THIS TOWN / WHO WENT FORTH TO FIGHT FOR / GOD, KING AND COUNTRY / AND CAME NOT BACK AGAIN"

Several plaques listing the names of the fallen in WW1, WW2, Korean War and Falklands War. Measurements of plaques: <https://www.iwm.org.uk/memorials/item/memorial/1531>. Approximately 3.2m high and 3.5m wide. 87 names on the combined plaques in total.

Requested Work: Cleaning of bronze plaques with steam, soft brushes and a pH neutral detergent. The bronzes re-patinated and microcrystalline wax was applied. The crest and main inscriptions re-gilded and re-painted. Previous work: [www.war memorials.org/search-grants/?gID=746](http://www.war memorials.org/search-grants/?gID=746) listed on the War Memorial Trust website.

## QUOTES

Over a dozen quotes were sought, using information from the War Memorial Trust and Dover District Council to ensure the relevant accreditations/qualifications were present. Some quotes were £10,000+ and deemed not realistic. Others did not reply to my calls. Two more realistic and local quotes are the ones which we are more seriously considering. Sadly, the number of professionals skilled in this kind of work with the relevant qualifications is limited.

**OPTIONS**

Our options are

[REDACTED]

[REDACTED]

£4,327 (£3,606 + VAT)

About

[REDACTED]

[REDACTED]

[REDACTED]

: £3,445 (£2,871.50 + VAT)

[REDACTED]

**MOTION**

Council is asked to increase the budget to £5,000 to progress the vital restoration work. Funds not used will be returned to origin and council later updated on potential assistance from War Memorial Trust.

If you have queries regarding anything in this document please contact me before the meeting so I can bring the relevant information.

ATB,

[REDACTED]

Cllr. Harry Sampson

[REDACTED]

## Making Council and Committee meetings accessible

### The problem

- 1) The Council and its committees currently hold their meetings in the Council Chamber in the old part of the Guildhall.
- 2) The Council Chamber can be accessed from ground level in two ways:  
  
*either*, through the main door of the Guildhall, up the stairs or via the lift, and thence, via the Jury Room, to the Chamber  
*or*, through the side door of the Guildhall, up the old staircase and into the Council Chamber.
- 3) The old stair case prohibits those with mobility problems from accessing the Council Chamber. Use of the lift in the 1970s part of the building is the only properly accessible means for members of the public and for councillors to reach the Council Chamber.
- 4) The route from the 1970s part of the Guildhall to the Council Chamber necessarily involves walking through the Jury Room which currently is often in use between the hours of 6 and 7pm.
- 5) The fact that councillors and members of the public are now frequently told that in order to access council meetings they have to enter the Guildhall 'through the side door' (thus avoiding walking through an occupied Jury Room) means that councillors and members of the public with mobility problems are severely disadvantaged.
- 6) This contravenes the Council's Standing Orders which state (31):  
  
*'Public involvement is central in the promotion of democratic government – access to meetings is a right for all members of our community, both in terms of physical access to the meeting itself, and wider accessibility of Council proceedings.'*
- 7) This also contravenes the provisions of the Equality Act 2010, where public sector bodies, which include parish and town councils, are enjoined to comply with the 'Equality Duty' and promote equality for people with 'protected characteristics', one of which is disability. Rendering council and committee meetings inaccessible, when there are alternative meeting rooms available which are accessible, contravenes the 'Equality Duty'.

### A solution?

8) The Jury Room generates an income for the Guildhall through private hire. It could be said to all hirers that the Jury Room is unavailable for hire between the hours of 6 and 9pm. But this would lead to a loss of income for the Guildhall.

9) The Council and its committees could meet in a room, in the 1970s part of the Guildhall, when the Jury Room is occupied. The Gallery would seem to be the most appropriate of these rooms. In discussion, STC officers have stated that the Gallery is less used than the Jury Room in the evening.

### Recommendations

- 1) That Council and its committees should, in order to conform with its own Standing Orders and with statute, be flexible and meet in an accessible room when the Jury Room is occupied. The preferred alternative room is the Gallery.
- 2) That in order to put recommendation (1) into practice efficiently, the dates of Council and committees should be established, on a rolling basis, of a calendar year ahead.

Cllr Clare Ungerson  
January 23rd, 2023

<b>Report to Councillors and Members of: Sandwich Town Council</b>
<b>Meeting scheduled for 30<sup>th</sup> January 2023</b>
<b>Report from: Officers</b>
<b>Date: 25.01.2023</b>
<b>Subject: Land South of Whitefriars Meadow</b>
<b>Classification:General</b>
<p><b>Purpose of report:</b></p> <p>To discuss the land South of Whitefriars Meadow with regards to STC adopting it now that the planning has been refused.</p>
<p><b>Content:</b></p> <p>DDC have turned down this application and it is time for STC to action. We had said previously that when DDC had decided on the planning application that we could discuss and decide what to do about this parcel of land.</p>
<p><b>Recommendations:</b></p>

<b>Report to Councillors and Members of: Sandwich Town Council</b>
<b>Meeting scheduled for 30<sup>th</sup> January 2023</b>
<b>Report from: Officers</b>
<b>Date: 25.01.2023</b>
<b>Subject: Monks Wall</b>
<b>Classification: General</b>
<b>Purpose of report:</b>
Membership decision required by Council.
<b>Content:</b>
The Monks Wall Sub-committee shall consist of five councillors with voting rights. There will be up to four co-optees, being people with a particular knowledge or expertise that will be of benefit to the committee's operation. The co-optees will be chosen or invited to join the Committee at the June council meeting each year.
<b>Recommendations:</b>

## Sandwich Town Council and Sandwich Toll Bridge Fund Trustee Schedule of Meetings and Civic Events 2022/23

Date	Meetings	Civic Events	Notes
19/12/22	STC (Quarterly) & STBF		
11/01/23	Planning		
12/01/23	Heritage and Townscape		
16/01/23	Extraordinary STC		
30/01/23	STC & STBF		
15/02/23	Planning		
16/02/23		Curfew Bell Ringers Supper	
20/02	Heritage and Townscape		
22/02/23	Monks Wall Nature Reserve		
27/02/23	STC & STBF		
13/03/23	Heritage and Townscape		
15/03/23	Planning		
21/03/23	<b>Annual Town Meeting</b>		
27/03/23	<b>STC (Quarterly) &amp; STBF</b>		
29/03/23	Finance and General Purposes		
11/04/23		Mayor's Cocktail Party	Guildhall
17/04/23	Heritage and Townscape		
19/04/23	Planning		
24/04/23	STC & STBF		
04/05/23	Local Elections		
11/05/23	Annual Meeting of the Council and Mayor Making	Mayor Making	Guildhall

<b>Report to Councillors and Members of: Sandwich Town Council</b>
<b>Meeting scheduled for 30<sup>th</sup> January 2023</b>
<b>Report from: Officers</b>
<b>Date: 25<sup>th</sup> January 2023</b>
<b>Subject: Quay Public Conveniences Working Group Membership</b>
<b>Classification: General</b>
<b>Purpose of report:</b>
To consider and approve membership for a new Quay Public Conveniences Working Group.
<b>Content:</b>
Council is asked to consider and approve the appointment of members to the Quay Public Conveniences Working Group.
Councillors: Cllr Sampson and Cllr Marie
Council is asked to nominate and agree additional Councillors or co-optees, if necessary.
<b>Recommendations:</b>
Council is asked to determine and approve membership of the Quay Public Conveniences Working Group.

## SANDWICH TOWN COUNCIL

TOURISM INFORMATION WORKING GROUP – SECOND MEETING 9<sup>th</sup> January 2023

## Minutes of Meeting: (Actions in BOLD)

1. **Apologies for absence:** received from Cllr Paul Graeme and Jayne Gill.
2. **List of attendees:** Cllr Colin Wiles (Chair), Cllr Mark Moorhouse, Cllr Anne Fox, Tony Broun, Steve Laslett, Carole George, Clare Bennett (for Jayne Gill)  
**Plus** the following observers/members of the public: Chris Townend (DDC), Cllr Clare Ungerson, Cllr Paul Carter, Cllr Danielle Carter, Cllr Vicky Tomlins, Christina Glynn, Sharon Mundie, Paul and Lauren (River Runner), Bill Rudge, Chris Day, Rob Ripley, Lynne Ripley, John Van der Dol, Fran Van der Dol.
3. **Minutes of last meeting:** Updated figures still to be obtained from STC. Museum Co-ordinator has not replied to an enquiry about the old tourist office and the Heritage Lottery Fund. **CW to chase.** Chris Townend reported that DDC carries out regular surveys on tourist numbers and views and will pass details to Colin Wiles for circulation. It was noted that a full suite of evidence needs to be collected before any decision is made about re-locating the VIC.
4. **Final letter to consultees.** Attached to the agenda. Colin Wiles has sent out around 90 letters and responses are coming in. He will collate these and provide a summary report to the working group.
5. **Tony Broun:** spoke on behalf of Shepherd Neame and the Bell Hotel. The Bell has 20,000 overnight stays per year and makes a significant contribution to the town's economy. Sandwich does a lot well – e.g. Sandwich in Bloom and Community Events but other areas could improve. For example, there is a lack of linkage between the Quay and the town centre and between the station and the town centre, car parking is a major weakness as are the public conveniences. Golf can play a much bigger role in the economy of the town. Food festivals and markets could be better given that we are surrounded by producers. Above all we need a smart joined up plan, that links publicity, planning and business development. Businesses need to up their game and review their opening hours. The STC website needs improvement and we could do so much better with social media. Critically, the town needs to identify its USP – is it heritage, food, music, culture?

Cllr Ungerson reported that public conveniences are on the agenda for Heritage & Townscape Committee on 12<sup>th</sup> January, and reiterated that golf could play a much bigger role in the town. She commented that the Visit Kent website is sadly lacking in information about Sandwich. Cllr Paul Carter mentioned that quay regeneration has been talked about for at least 18 years and there has been no resolution.

Carole George mentioned that there are 52 AirBnBs in Sandwich and their role needs to be included in any strategy. Chris Townend reported that DDC has a schedule for renovation of public conveniences across the District, and also noted that car parking is under review, perhaps moving to a pay on departure system.

**It was Agreed that we need a clear action plan and tourism strategy led by STC and the Town Team. CW and CU to progress with the working group and STC.**

6. **Steve Laslett, Chair Sandwich Community Events:** Steve explained that eight events are scheduled for 2023 and each has an organising team. These bring in many visitors and are highly successful. Parking is provided in the town and at Cow Leas Meadow totalling up to 250 spaces. Some traders commented that the events do not add to their trade, but hospitality, hotels and the Leisure Park all benefit. The Guildhall Square revamp could impact the food fair, but otherwise events are forecast to be unaffected. **Chris Townend pointed out that there is a promotional video for Sandwich and he will circulate this.** There was a general feeling that the town is poor at publicising itself and at social media. Everyone, including individual businesses, could do better. Chris Day commented that we are the completest medieval town in England with Richborough Castle (about to re-open) and Magna Carta. We should be able to attract many more visitors.

It was noted that we need to include the Aqua Park and Wingham Wildlife Park in the consultation.

7. **Clare Bennett:** spoke about the Compass group, comprising three businesses and their map project. Funding is required but unless the group is properly constituted it cannot apply for public funds. Perhaps businesses could fund its printing? The map will be edited and re-issued. The meeting warmly welcomed the new plan and felt it should be used to replace the current maps on the Quay and at Cattle Market. It should also be at the station. Chris Townend pointed out that many towns are now using QR codes.

There is still confusion about the Chamber of Commerce and whether it exists or is active.

8. **Telephone boxes/ signage/heritage boards:** Chris Townend reported that the signs and heritage boards are due to be revamped imminently. STC also owns three telephone boxes in the town, two of which are K6 historic boxes designed by Sir Giles Gilbert Scott. They could all be re-purposed as mini tourist offices. **The Heritage & Townscape Committee will take this forward.**

Cllr Ungerson also proposed a blue plaque scheme for Sandwich highlighting notable people and events, as this would also be a tourist draw. Sydney Greenstreet, E.W. Swanton and Peter de Rome were highlighted. **STC will take this forward.**

9. **Tree Trail:** It was noted that the Tree Warden, Nikky Warden, is working on a tree trail for the town and this could be another tourist draw.

10. **Any Other Business:** The consensus of the meeting was that the present VIC was poorly sited and should return to the old tourist office in the Guildhall subject to the usual caveats.

It was also suggested that the working group could conduct a walkabout to see the town from a tourist perspective. **CW to action.**

11. **Date of Next Meeting:** Wednesday 1<sup>st</sup> February in the Guildhall

<b>Report to Councillors and Members of: Sandwich Town Council</b>
<b>Meeting scheduled for 30<sup>th</sup> January 2023</b>
<b>Report from: Officers</b>
<b>Date: 25.01.2023</b>
<b>Subject: Waterways Working Group Update</b>
<b>Classification: General</b>
<b>Purpose of report:</b>
Report to Council on the first meeting of the Waterways Working Group
<b>Content:</b>
<p>The first meeting of the Waterways Working Group was held on 19th Jan. A video film was produced. Apologies were given by Cllrs Carter, Graeme and Marie. But the meeting was attended by Cllr Ungerson as well as Cllrs Heaven, Sivrikaya and two co optees, Carole George and Peter Ashford and six local residents who explained the level of local concern over the state of the waterways, especially mosquitoes, waterweed, stagnant water, dead fish, rats and occasional sewage discharges. Methods of reducing the cover of waterweed were discussed.</p> <p>There are various works being carried out by the Internal Drainage Board and by the Environment Agency to clear blockages and to, possibly, improve the speed of the water flow.</p> <p>There was some frustration at the various bodies involved and the need for a co-ordinated plan. We discussed what Sandwich residents want from the watercourses and a general consensus emerged that we need to preserve the system in a good state for the enjoyment of residents and visitors alike. There was a general agreement that a volunteer group would be useful in taking on practical tasks in maintaining the water courses. A similar initiative exists for the river Dour in Dover.</p> <p>A further meeting will be arranged for February. But ,first, a site meeting will be arranged with the EA and the IDB.</p>
<b>Recommendations:</b>