

Town Council Offices
Maison Dieu House
Biggin Street
Dover
CT16 1DW

DATE OF ISSUE:
26th February 2024

DOVER TOWN COUNCIL

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the FINANCE & GENERAL PURPOSES COMMITTEE will be held at the Town Council Offices on **MONDAY 4TH MARCH 2024 at 6pm** when the business shown on the agenda below will be transacted.

Any member of the public who requires further information, wishes to make representations to the Committee, or has any special requirements in respect of this meeting please contact Ms Allison Burton, Town Clerk, on 01304 242625.

Allison Burton
TOWN CLERK

The Press and Public are welcome to attend.

AGENDA

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence. *Prior to a meeting Councillors' apologies, with a reason for absence from that meeting, should be submitted to the Clerk.*

2. DECLARATIONS OF INTEREST

To receive any declarations of disclosable pecuniary and/or other interests as required by law. *(Guidance for Councillors concerning disclosable pecuniary and/or other interests is attached for your information). (Pages 1 to 2).*

3. MINUTES

To note the approved Minutes of the meeting of the Finance & General Purposes Committee held 30th October 2023 as resolved at the Full Town Council Meeting, 29th November 2023, Minute No: 138. (Copy attached). (Pages 3 to 6).

4. **TOWN COUNCIL FINANCIAL INFORMATION**

- 4a) To note that the schedule of payments for September & October 2023 were approved at the Town Council's Meeting on 29th November 2023, Minute No: **140a**.
- 4b) To note that the schedule of payments for November & December 2023 were approved at the Town Council's Meeting on 17th January 2024, Minute No: **154a**.
- 4c) To consider the schedule of payments made by the Town Council for January 2024. (Copy attached). (**Pages 7 to 16**).
- 4d) To note that the budget out-turn to 31st December 2023 was approved at the Town Council Meeting on 17th January 2024, Minute No: **154b**.
- 4e) To note the budget out-turn to 31st January 2024 (Copy attached). (**Pages 17 to 20**).

5. **PROGRESS SHEETS**

To note that there are no outstanding items concerning resolutions made by the Finance & General Purposes Committee during 2023/24.

6. **COUNCILLORS' WARD GRANTS**

To note the current situation with Councillors Ward Grants (to follow).

7. **GOVERNANCE & ACCOUNTABILITY**

- 7a) To consider the Chairperson of the Council & the Chairperson of the Committee's report of 19th February 2024 concerning the adoption of the Unreasonably Persistent or Vexatious Correspondence policy. (Copy attached). (**Pages 21 to 28**).
- 7b) To note the establishment of the Governance Working Group: - First Meeting: - All Councillors welcome to attend - further dates to be issued.

8. **DATE OF NEXT MEETING**

To note that the next meeting of the Finance and General Purposes Committee is to be confirmed.

NOTE: A COPY OF THIS DOCUMENT IN LARGER TYPE MAY BE OBTAINED ON REQUEST FROM THE COUNCIL OFFICES, MAISON DIEU HOUSE, BIGGIN STREET, DOVER.

COPIES OF THE DOCUMENTS MENTIONED IN THIS AGENDA ARE AVAILABLE FOR INSPECTION FROM THE TOWN COUNCIL OFFICES - MONDAY TO FRIDAY - 9am to 5pm. COPIES MAY BE REQUESTED GIVING 1 WORKING DAYS NOTICE AND WILL BE CHARGED AT 10p PER COPY.

DECLARATIONS OF INTEREST

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration, they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest' explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and subject to any dispensations, withdraw from the meeting. Members should remember that a finding of a breach of the law with regard to DPI's carries a fine of up to £5,000 and a criminal record.

Other Significant Interest (OSI)

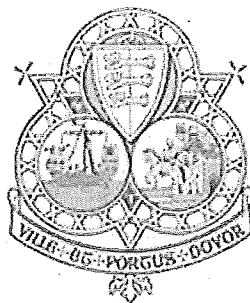
Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone they should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Notes:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representatives on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer etc would both probably constitute either an OSI or in some cases a DPI.



AGENDA ITEM 3

DOVER TOWN COUNCIL

Minutes of the meeting of the FINANCE & GENERAL PURPOSES COMMITTEE held on MONDAY 30th OCTOBER 2023 at 6.00pm in the Town Council Offices, Maison Dieu House, Biggin Street, Dover.

PRESENT

Councillor Bedi	Councillor Kember
Councillor Biggs	Councillor Lamoon
Councillor Bird	Councillor Sawbridge
Councillor Calder	Councillor Shread
Councillor Collins	Councillor Verrill
Councillor Cowan	Councillor Wanstall
Councillor Jones	(From Item 4a)
(Town Mayor)	

110. APOLOGIES FOR ABSENCE

Apologies for absence received from Cllrs Brivio, Defriend & Bradley (Personal Commitments) & Cllrs Collor & Mrs Wanstall (Ill Health).

111. DECLARATIONS OF INTEREST

Members present made no declarations of disclosable pecuniary and / or any other interests as required by law.

112. MINUTES

Councillors noted the approved Minutes of the meeting of the Finance & General Purposes Committee held on the 19th June 2023 as resolved at the Full Town Council Meeting, 12th July 2023, Minute No: 23.

113. TOWN COUNCIL FINANCIAL INFORMATION

113a) The Committee noted that the schedule of payments for May & June 2023 were approved at the Town Council's Meeting on 12th July 2023, Minute No: 25.

113b) The Committee noted that the schedule of payments for July & August 2023 were approved at the Town Council's Meeting on 20th September 2023, Minute No: 74a.

Chairperson

- 113c) The Committee noted that the budget out-turn to 31st August 2023 was approved at the Town Council Meeting on 20th September 2023, Minute No: 74b.
- 113d) The Committee noted the budget out-turn to 30th September 2023.
- 113e) The Committee noted that the 2024/25 budget process was underway and that members wishing to make representations should contact the Chair of the committee. The Town Council budget will be resolved at the Full Town Council meeting on Wednesday 17th January 2024.
- 113f) The Committee considered the schedule of payments made by the Town Council for September 2023.

RESOLVED: That the schedules of payments made by the Town Council September 2023 be laid before the next meeting of the Town Council in accordance with Standing Order 3(viii).

114. PROGRESS SHEETS

The Committee noted that there were no outstanding items concerning resolutions made by the Finance & General Purposes Committee during 2023/24.

115. COUNCILLORS' WARD GRANTS

The Committee noted the current situation concerning Councillors' Ward Grants.

116. EXTERNAL AUDIT 2022/23

- 116a) The Committee noted the External Auditor's Report & Certificate 2022/23.
- 116b) The Committee noted that the statutory requirements for publication of the Notice of Conclusion of Audit and the Agar 2022/3 were not met due to the late receipt of the External Auditor's report. However, it was published on the same day it was received, 2nd October 2023, 2 days after the statutory deadline.

117. INTERNAL AUDIT 2023/24

The Committee noted McCabe Ford Williams letter of 17th October 2023 concerning their recent Internal Audit.

118. GOVERNANCE & ACCOUNTABILITY

The Committee considered the Chairperson of the Council's report of 9th October 2023 concerning the adoption of the Unreasonably Persistent or Vexatious Complaints policy.

The motion was not moved. In accordance with Standing Orders 8c "A motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn". Committee asked that a working group be set up to review the Unreasonably Persistent or Vexatious Complaints policy and bring back revision to a future meeting of the Finance & General Purposes Committee

Chairperson

119. DATE OF NEXT MEETING

The Committee noted that the next meeting of the Finance & General Purposes Committee will be held on Monday 4th March 2024 at 6pm.

Meeting Closed @ 6.40pm

CHAIRPERSON
Councillor J Lamoan

Chairperson

Date: 02/02/2024

Dover Town Council

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Time: 10:14

Co-Op Current Account

List of Payments made between 01/01/2024 and 31/01/2024

AGENDA ITEM 4C

Date Paid	Payee Name	Reference	Amount Paid	Authorized Ref	Transaction Detail
02/01/2024	CoOp Bank	DD/COOP	1.00		Bank charges
02/01/2024	DVLA Swansea	DD/DVLA	28.00		vehicle tax
02/01/2024	Skoda Financial services	DD/VWFS	493.24		civic car
02/01/2024	Hutchison 3G UK Ltd	DD/THREE	46.80		PHONES
02/01/2024	Invicta IT Solutions Ltd	DD/INVICTA	1,042.38		It support
04/01/2024	Marks & Spencer	DC/M&S	12.00		office sundries
05/01/2024	CoOp Bank	DD/COOP	12.00		Bank charges
05/01/2024	CoOp Bank	DD/COOP	4.62		Bank charges
05/01/2024	Dover District Council	DC/DDC	2,685.00		Permits
08/01/2024	CoOp Bank	DD/COOP	1.00		Bank charges
08/01/2024	Marks & Spencer	DC/M&S 2	71.55		Meeting costs
08/01/2024	Lamp Light of Peace	DC/DDAY	220.00		DDay lamp light of peace
10/01/2024	Amazon.co.uk - CARD PAYMENT	DC/Amazon	39.98		Flowflex tests
11/01/2024	Miss K Dry	E23/33/2	32.40		mileage
11/01/2024	Sinclair Finance & Leasing co	E23/33/3	19,200.00		Utility Vehicle
11/01/2024	Social Value UK	E23/33/4	810.00		Training
11/01/2024	Timothy Smithen	E23/33/5	250.00		Art workshop
11/01/2024	Mr M P Hammond	E23/33/6	624.00		Removal of overhanging branche
11/01/2024	Charbec Fencing	E23/33/7	280.00		Fencing removal
11/01/2024	Amalgamated Lifts	E23/33/8	396.00		lift servicing
11/01/2024	APEX Clean Ltd	E23/33/9	432.00		cleaning
11/01/2024	Invicta IT Solutions Ltd	E23/33/10	523.77		It support
11/01/2024	Wingham Well Spring	E23/33/11	15.60		water
11/01/2024	Mark Gregory	E23/33/12	900.00		Carpet & upholstery clean
11/01/2024	Bates Office Services Ltd	E23/33/13	147.47		stationary
11/01/2024	St. John Ambulance	E23/33/14	623.52		winter light up
11/01/2024	Pure Cleaning Services	E23/33/15	220.50		seafront facilities
11/01/2024	Cash Book 9	E23/33/1	279.95		CB9 Reimbursement
12/01/2024	Garden4Less	DC/Garden4	704.49		Propagation unit
12/01/2024	F51	DC/F51	15.00		Information gathering
14/01/2024	Information Commissioners Offi	DD/ICO	35.00		GDPR renewal
15/01/2024	CoOP Bank	DD/COOP	1.00		Bank charges
18/01/2024	Dover District Council	E23/34/2	100,000.00		Maison Dieu HLF contribution
18/01/2024	community ad web ltd	E23/34/3	180.00		Double page editorial
18/01/2024	Charbec Fencing	E23/34/4	280.00		Removal & erection of fencing
18/01/2024	Smye-Rumsby	E23/34/5	84.00		Hire of radios
18/01/2024	Rebels Coffee	DC/Rebel	20.90		Refreshments
18/01/2024	Capita	DD/PENSION	5,208.20		Salary costs - December
18/01/2024	D-ENERGJ Business Complex	DD/D-ENERG	660.52		Gas charges
18/01/2024	Dover Vinyard Church	E23/34/1	5,000.00		Grant
19/01/2024	Dover TC	DD/SALARY	13,949.26		Salary costs - January
19/01/2024	Benenden Healthcare	DD/BENENDE	51.20		Salary costs - January
19/01/2024	Business Stream	DD/BUSINE3	60.09		water PP
22/01/2024	CoOp Bank	DD/COOP	1.00		Bank charges
22/01/2024	HMRC	DD/HMRC	6,102.35		Salary costs - December
22/01/2024	Dover District Council	DD/DDC/MDH	1,406.00		rates
22/01/2024	Ecotricity	DD/ECO/MDH	627.11		mdh

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Date: 02/02/2024

Dover Town Council

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Time: 10:14

Co-Op Current Account

List of Payments made between 01/01/2024 and 31/01/2024

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
22/01/2024	Ecotricity	DD/ECO/FL	23.18		floodlights
22/01/2024	Ecotricity	DD/ECO/PAV	22.20		Pencester Pav
23/01/2024	Southern Communications Ltd	DD/SOUTHER	140.58		phones
25/01/2024	Visual Line Limited	E23/35/1	671.34		Deposit for live stream
25/01/2024	Dover Community Radio CIC	E23/35/2	250.00		Cllr Grant
25/01/2024	Capita Resourcing Limited	E23/35/3	616.00		Payroll services
25/01/2024	Dover Harbour Board	E23/35/4	662.40		Resiting of cycle hub
25/01/2024	Metta Media Ltd T/A ACCLC	E23/35/5	3,606.00		Professional fees
25/01/2024	William Walker Garden Maintena	E23/35/6	170.00		Gardening Maintenance
25/01/2024	Cash Book 4	E23.35.7	440.00		IMPREST CB4
25/01/2024	Starlink Internet Services Ltd	DC/Starlin	75.00		Subscription
29/01/2024	CoOp Bank	DD/COOP	1.00		Bank charges
29/01/2024	Popup Cafe	DC/Popup	17.60		Meeting refreshments
31/01/2024	Business Stream	DD/BUSINES	420.86		HM water
31/01/2024	Business Stream	DD/BUSINE2	11.12		HM water
31/01/2024	Amazon.co.uk - CARD PAYMENT	DC/Amazon	21.24		property books
31/01/2024	www.justgiving.com	DC/JustGiv	55.00		Donation
31/01/2024	Suez Recycling & Recovery Hold	DD/SuezPOA	81.31		P/Ledger Electronic Payment
31/01/2024	Ecotricity	DD/ECO/POA	45.40		P/Ledger Electronic Payment
Total Payments			171,109.13		

Date: 01/02/2024

Dover Town Council

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Time: 16:00

HSBC Current Account

List of Payments made between 01/01/2024 and 31/01/2024

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
03/01/2024	HSBC	DD/HSBC	8.00		Bank charges
11/01/2024	Co-Op Current Account	11.01.24	50,000.00		Internal funds transfer
15/01/2024	Co-Op Current Account	15.01.24	50,000.00		Internal funds transfer
18/01/2024	Co-Op Current Account	18.01.24	50,000.00		Internal funds transfer
22/01/2024	Co-Op Current Account	22.01.24	50,000.00		Internal funds transfer
25/01/2024	Co-Op Current Account	25.01.24	50,000.00		Internal funds transfer
Total Payments			250,008.00		

Date: 01/02/2024

Dover Town Council

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Time: 16:01

HSBC Deposit Account

List of Payments made between 01/01/2024 and 31/01/2024

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
11/01/2024	HSBC Current Account	11.01.24	50,000.00		Internal funds transfer
15/01/2024	HSBC Current Account	15.01.24	50,010.00		Internal funds transfer
18/01/2024	HSBC Current Account	18.01.24	50,000.00		Internal funds transfer
22/01/2024	HSBC Current Account	22.01.24	50,000.00		Internal funds transfer
25/01/2024	HSBC Current Account	25.01.24	50,000.00		Internal funds transfer
Total Payments			250,010.00		

Date: 01/02/2024

Dover Town Council

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Time: 16:01

Cash Book 3

List of Payments made between 01/01/2024 and 31/01/2024

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
03/01/2024	Office Sundries	CB3/JAN	4.00		Office Sundries
05/01/2024	Poundland	CB3/JAN	1.45		Office Sundries
08/01/2024	Office Sundries	CB3/JAN	1.00		Office Sundries
09/01/2024	Argos	CB3/JAN	7.00		Office Sundries
11/01/2024	Office Sundries	CB3/JAN	20.00		Office Sundries
11/01/2024	Dover International	CB3/JAN	1.89		Office Sundries
16/01/2024	Age Concern	CB3/JAN	2.50		Office Sundries
16/01/2024	Savers	CB3/JAN	6.76		Office Sundries
18/01/2024	Dover International	CB3/JAN	1.89		Office Sundries
25/01/2024	Poundland	CB3/JAN	1.45		Office Sundries
30/01/2024	Dover International	CB3/JAN	1.89		Office Sundries
Total Payments			49.83		

Date: 01/02/2024

Dover Town Council

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Time: 16:01

Cash Book 4

List of Payments made between 01/01/2024 and 31/01/2024

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
10/01/2024	Halfords	CB4/JAN	563.17		Civic car - maintenance
16/01/2024	Halfords	CB4/JAN	-12.00		Civic car - maintenance refund
16/01/2024	EV car charge	CB4/JAN	18.36		Civic car - charge
17/01/2024	Guild of Mace-Bearers	CB4/JAN	10.00		Membership
Total Payments			579.53		

Date: 01/02/2024

Dover Town Council

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Time: 16:01

Cash Book 6

List of Payments made between 01/01/2024 and 31/01/2024

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
05/01/2024	Cash Book 6	CB6/JAN	28.00		Expenses of Office
06/01/2024	Cash Book 6	CB6/JAN	9.00		Expenses of Office
Total Payments			37.00		

Date: 01/02/2024

Dover Town Council

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Time: 16:02

Cash Book 7

List of Payments made between 01/01/2024 and 31/01/2024

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
17/01/2024	PBA Adjustment	TRANSFER	110.00		PBA Adjustment
Total Payments			110.00		

Date: 01/02/2024

Dover Town Council

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Time: 16:02

Cash Book 9

List of Payments made between 01/01/2024 and 31/01/2024

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
04/01/2024	Cash Book 9	CB9/JAN	129.90		Office sundries
04/01/2024	Cash Book 9	CB9/JAN	119.90		Office sundries
Total Payments			249.80		

19/02/2024

Dover Town Council

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Detailed Income & Expenditure by Budget Heading 19/02/2024

Month No: 10

Committee Report

AGENDA ITEM 4E

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
Finance & General Purposes							
101 Premises and Services							
1050 Misc Income	4,385	0	(4,385)			0.0%	
Premises and Services :- Income	4,385	0	(4,385)				0
4010 Loan Interest	18,360	18,360	0		0	100.0%	
4011 Rates	14,059	14,500	441		441	97.0%	
4012 Water/Sewerage	502	1,700	1,198		1,198	29.5%	
4014 Electricity	4,373	6,000	1,627		1,627	72.9%	
4015 Town Vehicles	28,575	24,500	(4,075)		(4,075)	116.6%	
4025 Insurance - premises	10,625	7,000	(3,625)		(3,625)	151.8%	
4034 Contract Cleaning	5,463	7,500	2,037		2,037	72.8%	
4035 Window Cleaning	1,515	2,300	785		785	65.9%	
4036 Premises Maintenance	17,617	20,000	2,383	333	2,049	89.8%	4,120
4037 Gas - heating	3,955	7,500	3,545		3,545	52.7%	
4038 Service/Maint Alarms	1,950	2,500	550		550	78.0%	
4039 Lift Servicing	1,265	1,800	535		535	70.3%	
4045 War Memorial Maintenance	329	1,200	871		871	27.5%	
4046 Town Workshop	157,091	262,000	104,909	4,106	100,803	61.5%	
4414 Pencester Pavilion Maintenance	169	1,000	831		831	16.9%	
Premises and Services :- Indirect Expenditure	265,849	377,860	112,011	4,439	107,572	71.5%	4,120
Net Income over Expenditure	(261,463)	(377,860)	(116,397)				
6000 plus Transfer from EMR	4,120						
Movement to/(from) Gen Reserve	(257,343)						
102 Staff Costs							
4018 Staff costs	266,921	360,000	93,079		93,079	74.1%	
Staff Costs :- Indirect Expenditure	266,921	360,000	93,079	0	93,079	74.1%	0
Net Expenditure	(266,921)	(360,000)	(93,079)				
103 Administration							
1076 Precept	894,782	894,782	0			100.0%	
1096 Bank Interest	15,674	500	(15,174)			3134.7%	
Administration :- Income	910,456	895,282	(15,174)			101.7%	0
4020 Publications	34	500	466		466	6.8%	
4021 Telephone	4,322	6,000	1,678		1,678	72.0%	

Continued over page

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Dover Town Council

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Detailed Income & Expenditure by Budget Heading 19/02/2024

Month No: 10

Committee Report

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
4022 Postage	1,346	1,500	154		154	89.8%	
4023 Office Supplies	1,822	2,000	179		179	91.1%	
4024 Insurance - general	14,482	11,800	(2,682)		(2,682)	122.7%	
4028 Photocopier	582	1,000	418		418	58.2%	
4029 Clerk's Meeting Costs	499	600	101		101	83.2%	
4030 Travel & Subsistence Officers	292	700	408		408	41.7%	
4031 Staff Development	4,647	8,000	3,353		3,353	58.1%	
4032 Recruitment	164	500	336		336	32.7%	
4042 Permits	1,380	2,000	621		621	69.0%	
4051 Bank Charges	264	250	(14)		(14)	105.5%	
Administration :- Indirect Expenditure	29,832	34,850	5,018	0	5,018	85.6%	0
Net Income over Expenditure	880,624	860,432	(20,192)				
<u>104 Professional Fees & Subs.</u>							
1050 Misc Income	2,830	0	(2,830)			0.0%	
Professional Fees & Subs. :- Income	2,830	0	(2,830)				0
4054 Subscriptions	3,415	3,500	85		85	97.6%	
4056 Legal & Valuation Advice	35,849	46,000	10,151		10,151	77.9%	
4057 Audit Fee	930	4,700	3,770		3,770	19.8%	
4058 Payroll Fee	2,016	2,500	484		484	80.6%	
4059 Computer Support	12,386	14,500	2,114		2,114	85.4%	
Professional Fees & Subs. :- Indirect Expenditure	54,596	71,200	16,604	0	16,604	76.7%	0
Net Income over Expenditure	(51,766)	(71,200)	(19,434)				
<u>105 Town Council</u>							
4070 Councillors External Expenses	72	500	428		428	14.3%	
4071 Councillors Training	467	1,600	1,133		1,133	29.2%	
4072 Gifts & Presentations	451	500	49		49	90.2%	
4073 Elections/Town Poll	27,860	40,000	12,140		12,140	69.7%	
4075 TC Functions & Gen Hospitality	862	2,000	1,138		1,138	43.1%	
4076 Parish Basic Allowance	9,990	10,800	810		810	92.5%	
Town Council :- Indirect Expenditure	39,702	55,400	15,698	0	15,698	71.7%	0
Net Expenditure	(39,702)	(55,400)	(15,698)				
<u>106 Grants & Projects</u>							
4060 Councillor Ward Grants	3,328	9,000	5,672		5,672	37.0%	
Grants & Projects :- Indirect Expenditure	3,328	9,000	5,672	0	5,672	37.0%	0
Net Expenditure	(3,328)	(9,000)	(5,672)				

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Dover Town Council

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Detailed Income & Expenditure by Budget Heading 19/02/2024

Month No: 10

Committee Report

	Actual Year To Date	Current Annual	Variance Annual	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>199 Capital Expenditure</u>							
1050 Misc Income	38	0	(38)			0.0%	
Capital Expenditure :- Income	38	0	(38)				0
4091 Office Equipment	1,780	4,500	2,720		2,720	39.5%	
Capital Expenditure :- Indirect Expenditure	1,780	4,500	2,720	0	2,720	39.6%	0
Net Income over Expenditure	(1,742)	(4,500)	(2,758)				
<u>501 Marketing & Publicity</u>							
4501 Communications/Consultations	2,155	5,000	2,845		2,845	43.1%	
Marketing & Publicity :- Indirect Expenditure	2,155	5,000	2,845	0	2,845	43.1%	0
Net Expenditure	(2,155)	(5,000)	(2,845)				
Finance & General Purposes :- Income	917,709	895,282	(22,427)			102.5%	
Expenditure	664,162	917,810	253,648	4,439	249,209	72.8%	
Net Income over Expenditure	253,547	(22,528)	(276,075)				
plus Transfer from EMR	4,120						
Movement to/(from) Gen Reserve	257,667						
Grand Totals:- Income	917,709	895,282	(22,427)			102.5%	
Expenditure	664,162	917,810	253,648	4,439	249,209	72.8%	
Net Income over Expenditure	253,547	(22,528)	(276,075)				
plus Transfer from EMR	4,120						
Movement to/(from) Gen Reserve	257,667						



DOVER TOWN COUNCIL

Report to: Finance and General Purposes Committee
Meeting date: 4 March 2024
Date written: 19 February 2024
From: Cllr Susan Jones, Chairperson of the Council and Cllr John Lamoon, Chairperson of the Finance & General Purposes Committee
Subject: Unreasonably Persistent or Vexatious Correspondence Policy

1. INTRODUCTION

Local government transparency is the openness with which a local authority or council runs its affairs. It represents how much the citizens of that authority can find out about all aspects of local government, including finances, decision-making and more.

The Local Government Transparency Code sets out the minimum requirements for local authorities to publish open data for re-use and in a timely way. Dover Town Council is committed to the Transparency Code and publishes papers, information and financial reports beyond what is required to comply with the law governing the provision of information in smaller authorities.

Under the Freedom of Information Act 2000, makes provision for disclosures of information by public authorities but there are many exemptions and protections particularly for personal data under that Act.

Dover Town Council retains an external Data Controller and Protection Officer in the form of a specialist provider, Satswana, and is registered as required with the Information Commissioner's Office.

2. INFORMATION

DTC receives very few Freedom of Information requests – on average one a year. But in the past year there have been 8, 7 of which have been repetitious, threatening in tone and sent by the same correspondent

The Office of the Information Commissioner along with many Councils in the U.K has come to recognise that there is a small number of people who use the provisions of the law on Freedom of Information for purposes such as bullying, nuisance, intimidation and harassment. They seek information not in the public interest – which is the fundamental basis for the legislation but for their own personal agendas of power, control and the harassment of those in the public sector

These individuals are generally termed vexatious. The law provides protection for local authorities from such people and their resource consuming demands. Section 14(1) of the Data Protection Act 2019 is designed to protect public authorities by allowing them to refuse any requests, which have the potential to cause a disproportionate or unjustified level of disruption, irritation or distress. The decision to classify a correspondent as vexatious or unreasonably persistent is currently vested in the Proper Officer of the Council by law.

Following advice from our Data Protection Provider, councillors are asked to adopt the attached policy which provides a clear framework and involves councillors alongside officers to manage these individuals and their time and resource-consuming correspondence which distracts and detracts from the serious business of the Council in improving the quality of life for those who live, work and visit in Dover.

Six points to consider for vexatiousness/unreasonably persistent correspondents

- Unreasonable and persistent and against the burden of compliance;
- Frequent or overlapping requests;
- Harassment or distress being caused;
- Fishing attempt;
- Frivolous request;
- Inappropriate language or behaviours.

Add to this;

- Burden of compliance compared to the question of whether the issue is raised “in the public interest”;
- Value or seriousness of purpose;
- Motive;
- Harassment or distress.

3. DECISION

Committee is asked to resolve to recommend to Council the adoption of the Unreasonably Persistent or Vexatious Correspondence Policy.

Statutory Powers – Local Government Act 1972, Data Protection Act 2019 and Freedom of Information Act 2000

Dover Town Council

Unreasonably Persistent or Vexatious Correspondence

POLICY

1. Introduction

Dover Town Council does not tolerate bullying, harassment or intimidation, in any form, of any of their employees or Councillors. This applies to such behaviour from members of the public and Town Council employees and Councillors alike. A small percentage of people may correspond with Dover Town Council in a way that could reasonably be described as obsessive, harassing, bullying, intimidating or abusive

2. Harassment

Under the Protection from Harassment Act 1977 S1(1)

A person must not pursue a course of conduct—

- (a) which amounts to harassment of another, and
- (b) which he knows or ought to know amounts to harassment of the other.

Such action can be:

- Physical Conduct;
- Verbal Conduct;
- Non-Verbal Conduct.

3. Bullying

The council defines bullying as a pattern of offensive, intimidating, malicious, insulting, humiliating behaviour intended to undermine an individual or group, gradually and as a consequence eroding their confidence and capability possibly with the intention to stop them carrying out a particular activity/duty or force them to resign and this will not be tolerated.

Such behaviour may also be designed to annoy and/or to create extreme workload for a Town Council which normally employs a small number of officers.

Such behaviour might also be designed to cause extreme distress.

Such behaviour might also be repetitious.

Such behaviour from a minority of individuals can take up a disproportionate amount of limited council resources and can affect the Parish Council's ability to do its work and provide a service to the community and can result in unacceptable stress for the Clerk, other Employees and Councillors.

4. Defining Vexatious or Unreasonably Persistent Correspondence

Vexatious or unreasonably persistent correspondence can be characterised in the following ways:

- Correspondence which is obsessive, persistent, harassing, prolific, repetitious and/or
- Which is designed to cause extreme distress, bully, humiliate and intimidate specific individuals and the Corporate Body and/or
- Frequent correspondence timed to cause the council maximum disruption and workload and/or
- Correspondence which displays an insistence on pursuing unmeritorious issues, trivial points and/or unrealistic outcomes beyond all reason and/or
- Displays an insistence upon pursuing enquiries or issues in an unreasonable and abusive manner and/or
- Repeated and/or frequent and/or simultaneous requests for information, whether or not those requests are made under the access to information legislation, and/or
- Correspondence where ex-employees or third parties are contacted to try to undermine councillors or officers and/or
- Correspondence which has the effect of hindering the council's ability to go about its democratic business due to the extra workload generated;
- Correspondence where the aim is character assassination;
- Correspondence characterised by a refusal to accept that issues raised are not within the power of the Council to investigate, change or influence.

The Office of the Independent Adjudicator defines the characteristics of a 'frivolous' or 'vexatious' correspondence as:

- correspondence which is obsessive, persistent, harassing, prolific, repetitious
- insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason
- insistence upon pursuing meritorious enquiries in an unreasonable manner
- correspondence which is designed to cause disruption or annoyance
- correspondence that lack any serious purpose or value.

5. Use of this Policy

In the first instance the Clerk will consult with the Chairperson of the Council/Mayor. With the Chairperson's/Mayor's agreement, the correspondent will be contacted in writing (also providing a copy of this policy), to explain why the behaviour is a concern and ask them to change their behaviour.

If the behaviours persist and Clerk or Councillors identify behaviour or correspondence that they think exhibits these characteristics, and which they believe may be vexatious or unreasonably persistent, they should refer it to full council under closed session.

- In exceptional circumstances (for example significant time until the next available meeting), the policy can be triggered by e-mail consultation with a minimum of 6 councillors including the Chairperson/Mayor or Deputy Mayor

If the council agrees with the assessment, it should prepare a brief statement of why it considers the correspondent or correspondence to be vexatious, including its effect upon the Officers, Councillors, the Body Corporate and/or the town. This should be accompanied by a report to the Council identifying the impacts, workload effects and resource implications, and, if resources allow, information about the related correspondence via email, telephone and letter, including information about whom the correspondence was addressed to, who it was copied to, and a brief description of each piece of correspondence.

Sanctions can include:

- Being limited to communicating with one nominated officer;
- Receiving no responses to further enquiries and communications on the same matter if no substantive new issue is raised
- Receiving no responses to all enquiries and communications made to the council for 6 months if no substantive new issue is raised

6. Handling correspondence deemed to be vexatious

The Clerk will write to the correspondent advising them that their complaint and/or correspondence has been determined to be vexatious and giving the reason for that decision.

7. Process

The notification letter should state which sanction the council has imposed. The correspondent should be advised that the decision will be reviewed in six months from the date of the letter advising them that their complaint/correspondence is vexatious.

Sanctions can include:

- Being permitted to only communicate with one nominated member of the council or staff
- Being permitted to only communicate in a specific way, for example, letter rather than e-mail or telephone.
- Receiving no responses further enquiries and communications on the same matter if no substantive new issue is raised
- Receiving no responses to all enquiries and communications made to the council for 6 months if no substantive new issue is raised

Review of Sanction:

At the following full town council meeting which occurs six months after the correspondent has been advised that their complaint and/or correspondence is vexatious, that decision should be reviewed. The council should consider whether there has been any improvement in the vexatious behaviour over that time. The Clerk should write to the correspondent advising them of the outcome of the review. If the behaviour has improved, future correspondence can be treated in the normal way. If there has not been a significant improvement, the correspondence will continue to be treated as vexatious and will be reviewed annually

The decision to stop responding will never be taken lightly. We are able to say yes to all of the following:

- we have taken every reasonable step to address the correspondent's concerns
- the correspondent has been given a clear statement of your position and their options
- the correspondent contacts you repeatedly, making substantially the same points each time

The case to stop responding is stronger if you agree with one or more of these statements:

- their letters, emails, or telephone calls are often or always abusive or aggressive
- they make insulting personal comments about or threats towards staff
- you have reason to believe the individual is contacting you with the intention of causing disruption or inconvenience

We will not stop responding just because an individual is difficult to deal with or asks complex questions.

There is no route of appeal against the decision that a complaint or correspondence is vexatious.

8. Persistent communication on the same matter from multiple correspondents

If the persistent communication on one matter is from 4 or more correspondents, rather than from one complainant, the Clerk identifying the behaviour will draft a standard response to all further communications on that matter. As no sanctions are being imposed, this action can be triggered without approval at a full council meeting.

9. Review

This document shall be reviewed periodically.

