



Regulatory Committee

Minutes of the meeting held at County Hall, Colliton Park,
Dorchester, DT1 1XJ on Thursday, 4 January 2018

Present:

David Jones (Chairman)
Jon Andrews, Shane Bartlett, Kevin Brookes, Ray Bryan, Jean Dunseith, Beryl Ezzard,
Katharine Garcia, Nick Ireland, Jon Orrell, Margaret Phipps and David Shortell.

Members Attending

Deborah Croney – Cabinet member for Economy, Education, Learning and Skills and County Councillor for Hambledon – minute 5.

Officer Attending: Jon Lake (Technical Officer), Mike Garrity (County Planning, Minerals and Waste Team Leader), David Northover (Senior Democratic Services Officer) and Phil Crowther (Solicitor)(Senior Solicitor).

Public Speakers

Councillor Peter Finney, on behalf of the Iwerne Minster community – minute 5.
Councillor John Hooper, Chairman of Iwerne Minster Parish Council – minute 5.

(Notes: These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Cabinet to be held on **Thursday, 1 February 2018.**)

Apologies for Absence and Appointment of Vice-Chairman

1 Apologies for absence were received from Councillors Day and Penfold.

Appointment of Vice-Chairman

Resolved

That Councillor Margaret Phipps be appointed as Vice-Chairman for the meeting, to be ratified by the County Council as Vice-Chairman for the remainder of the year 2017/18, as necessary.

Code of Conduct

2 There were no declarations by members of disclosable pecuniary interests under the Code of Conduct.

With reference to minute 5, a general interest was declared by Cllrs Bryan and Phipps in that they had some knowledge of the Bournemouth International Growth (BIG) Programme in their District and Borough Council capacities respectively. As this was not a disclosable pecuniary interest, both Cllr Bryan and Phipps remained in the meeting and took part in the debate.

Minutes

3 The minutes of the meeting held on 7 December 2017 were confirmed and signed.

Public Participation

4 Public Speaking

There were no public questions received at the meeting in accordance with Standing Order 21(1).

There were no public questions received at the meeting in accordance with Standing Order 21(2).

Petitions

There were no petitions received at the meeting in accordance with the County Council's Petition Scheme.

Delegation of Powers: A338 Wessex Way to provide a link to the Wessex Fields Business Park and the Royal Bournemouth Hospital

- 5 The application has been made jointly to Bournemouth Borough Council and Dorset County Council in their capacities as the Local Planning Authorities, as the scheme falls within both administrative areas, although only a small proportion of the scheme sits within Dorset County Council's area. The Committee was being asked to advise County Council that it supports and endorses the delegation of powers to Bournemouth Borough Council to enable the Borough Council to decide the planning application, within the County Council's area, for the development of a new road junction and associated works on the A338 Wessex Way, to provide a link to the Wessex Fields Business Park and the Royal Bournemouth Hospital.

A visual presentation explained what the application was about - made jointly by the Borough Council and the County Council - and which showed its delineation, its reasoning, what it was designed to achieve, what benefits it would bring and how it would be implemented. The characteristics of the scheme were drawn to the Committee's attention and what considerations would need to be assessed as part of the process.

Members understood that the County Council acknowledged corporately, in principle, the necessity for improvements to be made to traffic management across the network in that area and the means by which this should be done and the benefits this would bring. The permission being sought was an important part of a package of proposals funded by the Dorset LEP and partners to promote economic growth along the Bournemouth International Airport Corridor to relieve congestion, improve traffic management and access arrangements to the hospital and the adjoining business park development. This would be particularly necessary in light of the fact that the hospital was to become the principal hospital across Dorset as many more clinical and medical services would be provided there instead of at other local or community hospitals. The substantive part of the application lay within Bournemouth Borough Council's administrative area, with only a marginal proportion being located within the County's area - this being within the Borough of Christchurch.

Section 101 of the local Government Act 1972 makes provision to enable one local authority to delegate the discharge of its functions to another local authority. So that there was no duplication of the planning process and to reduce unnecessary risk of any challenge arising from the interpretation and implementation of that process and its procedures by two different two different planning authorities, it was considered pragmatic and practical that the County Council should delegate its powers to Bournemouth Borough Council to determine the application. As ordinarily the Regulatory Committee would have been asked to determine the application in its own right, its views were now being sought on what the process should be.

Clarification was provided that all members were being asked to consider whether do was decide whether, in the circumstances, it was more practical and appropriate for Bournemouth to determine the application, given the substantive part of the proposal was within Bournemouth. The Committee were assured that the Borough Council would be obliged to consider the application solely on it planning merits, taking into account all relevant material considerations and would come to their decision on that basis. The County Council, as a statutory consultee, would have an opportunity to comment on the application and ask for any pertinent points to be

taken into consideration as part of the process. At that stage, the Committee would be given the opportunity to express their views on the detail of the application and what they felt needed to be addressed.

The County Council member for Commons, in whose division the County Council's portion of the application lay, could see the benefit of Bournemouth being asked to decide the application, on the grounds described previously and, in those circumstances, proposed that the officer's recommendation be accepted.

In accepting the need for this important link and what it would achieve for improved access arrangements to and around the area of the Royal Hospital, the Committee agreed that it was more practical for Bournemouth Borough Council to be asked to determine the application on the grounds stated in the report and in the officer's presentation and, on that basis, agreed that the recommendation being made by officer's should be accepted.

Recommended

That County Council be advised to support and endorse the proposal to delegate to Bournemouth Borough Council the determination of the planning application for a new road junction on the A338 at Wessex Fields and the Royal Bournemouth Hospital to Bournemouth Borough Council.

Reason for Recommendation

To avoid duplication of work and to reduce the potential risk of a legal challenge arising from two different planning authorities interpreting and carrying out planning procedures in a slightly different way.

Proposed Introduction of a 20mph Zone in Iwerne Minster

6 The Committee was being asked to decide whether to recommend to Cabinet that they agree to the introduction of a 20 mph zone in Iwerne Minster. Concern had been raised by the local community that the speed of traffic throughout the village was a risk to road safety and, given the characteristics of the village, speeds should be kept below 20 mph to minimise that risk. A petition submitted by Iwerne Minster Parish Council asking for a reduction in the speed limit to 20mph in the village had been discussed by Committee on 12 March 2015 with agreement reached that further investigation should be undertaken between officers and the Parish Council on what progress might be able to be made.

Those investigations - including site visits, traffic flow and speed surveys - showed that the basic criteria for a 20mph zone were met, save for a section of Tower Hill, but that County Council funding of such a scheme would not be justifiable against other priority schemes. Given this, the Parish Council agreed to raise funds to cover the cost of enabling a 20mph zone to be introduced and it was agreed to proceed with the proposal on that basis. The necessary consultation on the proposed Traffic Regulation Order raised no objections at the primary consultation stage, with the local County Council member, North Dorset District Council, Dorset Police and the Parish Council all supporting what the zone was designed to achieve. However given that four objections had been received when the proposal was formally advertised, there was now an obligation for the Committee to decide whether the proposals should be recommended to be progressed, as advertised.

With the aid of a visual presentation, officers explained what the zone was designed to do - in regulating or reducing the speed of vehicles to a level at which drivers could readily meet the general hazards which might be expected on the village's roads. Plans and photographs were shown to the Committee which provided an understanding of the characteristics of the roads throughout the village and their setting and relationship with development and facilities in the village, including where the Clayesmore School art block was situated. More the case, the village lacked any

significant footways, with properties fronting the road directly. In being a zone, there would only be a need to sign the three entry points and the zone would not impact on traffic using the main A350 north/south route.

Officer's explained that the 20 mph Speed Limit Policy allowed parishes to fund such limits, subject to meeting the criteria laid out in the Policy. Officers confirmed that this had been the case in this instance and should proceed as a community funded scheme. The local speed watch team had contributed significantly to gathering the necessary evidence used by officers in their assessment of the scheme.

Whilst there had been no personal accident statistics recorded on roads in the village over the latest available 5 year period, given the number of accesses directly onto the road, the narrowness and configuration of the roads, the absence of footways and the location of school sites, it was reasonable to believe that there was enough evidence to indicate that if a 20mph zone was introduced, it would be of considerable benefit to the village on road safety grounds by reducing risk.

Councillor Peter Finney - who had an ongoing interest in this project since his time as County Council elected member and Deputy Leader - encouraged the Committee to support a scheme instigated by a community doing what it thought was in the best interests of its residents. Its commitment to this was borne out by it being willing to fund the scheme. He considered this to be a prime example of what local communities could achieve for their own benefit and at their own expense.

John Hooper, Chairman of the Parish Council, confirmed that the scheme was for the benefit of the whole community and that this was demonstrated by the overwhelming support it had from the residents of the village. He pointed to the number of elderly people in the village as well as the approximately 400 pupils of the school. Given that the proposals met all the necessary criteria and was to be wholly funded by the Parish Council, he considered that given the marked increase in speed and volume of traffic through the village, a zone was the only viable option for dealing with this and was justified on that basis.

Councillor Deborah Croney confirmed, as the local member, that she was wholly supportive of this proposed zone and what it was trying to achieve. She had been campaigning for a speed reduction since before she became a County Councillor. The lower the speed limit, the reduction in risk, was her thinking especially given the number of pupils at the school. She also pointed to the support for the scheme from the Parish Council, the petition and the Police and Crime Commissioner. She commended all those involved in the success of the campaign and asked the Committee to accept this. She considered this showed what could be achieved when a community worked together for a positive outcome and hoped that the Committee would agree that this should be implemented as soon as practicable.

The Committee considered that the principles of the campaign and what it was designed to achieved to be of considerable merit and should be supported. They considered this to be a prime demonstration of how a local issue could be progressed with the will and cooperation of the local community for their own benefit. It was a model that should be embraced by other communities as a means of achieving their own aims and outcomes. Members considered that if a 20mph zone was introduced it would be of considerable benefit to the village on road safety grounds and in how residents were able to go about their daily life. However it was recognised that to ensure that it was successful, then it was necessary for it to be properly enforced, as far as practicable.

On being put to the vote, the Committee decided unanimously that the Cabinet be recommended to endorse the proposal for a 20 mph zone throughout the village.

Recommended

That having considered the objections received, Cabinet be recommended to approve the proposed community funded 20mph zone for Iwerne Minster.

Reason for Recommendation

The proposals will regulate or reduce the speed of vehicles to a level which drivers can readily meet the general hazards which maybe expected on these roads.

Also, to fulfil our obligation to review speed limits in light of changes in DFT (Department for Transport) guidance "Setting local speed limits". The Dorset 20mph Speed Limit Policy was approved by the Environment Overview Committee in January 2014. This allowed Parish Councils to fund 20mph speed limits and 20mph zones subject to meeting the criteria laid out in the County Council's speed limit policy.

Questions from County Councillors

7 No questions were asked by members under Standing Order 20(2).

Meeting Duration: 10.00 am - 11.00 am