



EXECUTIVE COMMITTEE

Members of Executive Committee are invited to attend this meeting at South Walks House, South Walks, Dorchester, Dorset to consider the items listed on the following page.

A handwritten signature in black ink, appearing to read "Matt Prosser".

Matt Prosser
Chief Executive

Date: Tuesday, 14 March 2017
Time: 2.15 pm
Venue: Rooms A & B, South Walks House, South Walks Road, Dorchester

Members of Committee:

A Alford (Chairman), P Barrowcliff, I Gardner, M Penfold MBE, J Russell, A Thacker (Vice-Chairman) and T Yarker

USEFUL INFORMATION

For more information about this agenda please telephone Susan Carne 01305 252216 email scarne@dorset.gov.uk

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Members of the public are welcome to attend this meeting with the exception of any items listed in the exempt part of this agenda.



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A G E N D A

Page No.

1 APOLOGIES

To receive apologies for absence

2 MINUTES

To confirm the minutes of the meeting held on 9 February 2017.
(previously circulated)

3 CODE OF CONDUCT

Members are required to comply with the requirements of the Localism Act 2011 and the Council's Code of Conduct regarding disclosable pecuniary and other interests.

Check if there is an item of business on this agenda in which the member or other relevant person has a disclosable pecuniary or other disclosable interest

Check that the interest has been notified to the Monitoring Officer (in writing) and entered in the Register (if not this must be done within 28 days)

Disclose the interest at the meeting (in accordance with the Council's Code of Conduct) and in the absence of dispensation to speak and/or vote, withdraw from any consideration of the item where appropriate. If the interest is non-pecuniary you may be able to stay in the room, take part and vote.

For further advice please contact Stuart Caundle, Monitoring Officer, in advance of the meeting.

4 EXECUTIVE COMMITTEE FORWARD PLAN

7 - 16

To receive the Forward Plan.

5 FUTURE ARRANGEMENTS FOLLOWING THE DECISION OF LOCAL GOVERNMENT REORGANISATION

To receive a verbal update by the Chief Executive.

6	SUPPORT FOR DORSET COUNTY MUSEUM'S 'TOMORROW'S MUSEUM FOR DORSET'	17 - 24
	To consider a report by the Leisure Commissioning Manager.	
7	RECOMMENDATIONS FOR THE ALLOCATION OF DEVELOPER CONTRIBUTIONS FOR THE ENHANCEMENT OF RECREATIONAL AND COMMUNITY FACILITIES IN DORCHESTER	25 - 36
	To consider a report by the Leisure Commissioning Manager.	
8	PROPOSALS FOR CHANGES IN THE MANAGEMENT OF COMMUNITY ACCESS TO THE GRYPHON SPORTS CENTRE, SHERBORNE	37 - 44
	To consider a report by the Leisure Commissioning Manager.	
9	RELEASE OF HOUSING RESERVES FUNDS FOR HOMELESSNESS PREVENTION INITIATIVES IN 2017-18	45 - 50
	To consider a report by the Head of Housing.	
10	COUNCIL TAX DISCRETIONARY DISCOUNT	51 - 54
	To consider a report by the Head of Revenues and Benefits.	
11	RATE RELIEF	55 - 58
	To consider a report by the Head of Revenues and Benefits.	
12	CALENDAR OF MEETINGS 2017/18	59 - 70
	To consider a report by the Democratic Services Officer.	
13	WDDC CONSTITUTION	71 - 82
	To consider a report by the Corporate Manager - Legal.	
14	URGENT ITEMS	
	To consider any items of business which the Chair has had prior notification and considers to be urgent pursuant to section 100B (4))b) of the Local Government Act 1972. The reason for the urgency shall be specified in the minutes.	

15 EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph of schedule 12 A to the Local Government Act 1972 (as amended).

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Executive Committee

Four Month Forward plan

1 March 2017 To 30 June 2017

This Plan contains the decisions that the Council intends to make over the next 4 months, but will be subject to review at each committee meeting. The Plan does not allow for items that are unanticipated, which may be considered at short notice. It is available for public inspection along with all reports (unless any report is considered to be exempt or confidential). Copies of committee reports, appendices and background documents are available from the council's offices at Council Offices, Commercial Road, Weymouth, DT4 8NG 01305 251010 and will be published on the council's website Dorsetforyou.com 3 working days before the meeting.

Notice of Intention to hold a meeting in private - Reports to be considered in private are indicated on the Plan as Exempt. Each item in the plan marked exempt will refer to a paragraph of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and these are detailed at the end of this document.

- **Portfolio Holders**
- Corporate – Cllr P Barrowcliff
- Environment Protection & Assets – Cllr J Russell
- Planning – Cllr I Gardner
- Housing – Cllr T Yarker
- Enabling – Cllr M Penfold
- Community Safety & Access – Cllr A Thacker

KEY DECISIONS

Title of Report	Purpose of Report	Documents	Exempt	Portfolio Holder & Report Author	Decision Date
Report on the findings of a consultation on the West Dorset's Draft parking policy	To consider adopting the new parking policy for West Dorset.	Report to O&S 12 July 2016		WDDC Portfolio Holder for Environmental Protection and Assets Jack Creeber, Parking & Transport Manager	25 Apr 2017
Consideration of once-off funding to support projects and schemes	To review and potentially use reserves and capital receipts to support once-off funding for projects and schemes.			WDDC Portfolio Holder for Corporate Jason Vaughan, Strategic Director	25 Apr 2017

Non Key Decisions

Title of Report	Purpose of Report	Documents	Exempt	Portfolio Holder & Report Author	Decision Date
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NON KEY DECISIONS

Title of Report	Purpose of Report	Documents	Exempt	Portfolio Holder & Report Author	Decision Date
Future arrangements following the decision of Local Government Reorganisation	To inform members about the next stages of planning following the decision of 9 Dorset Councils on local government reorganisation.			WPBC Leader of Council	18 Apr 2017
				NDDC Leader of Council	24 Apr 2017
				WDDC Leader of Council	25 Apr 2017
				WDDC Leader of Council	11 May 2017
				WDDC Leader of Council	18 May 2017
				WPBC Leader of Council	19 May 2017
				NDDC Leader of Council Matt Prosser, Chief Executive	
Calendar of Meetings 2017/18	To approve the calendar of meetings for 2017/18.			WDDC Portfolio Holder for Corporate Kate Critchel, Democratic Services Officer	14 Mar 2017

NON KEY DECISIONS

Title of Report	Purpose of Report	Documents	Exempt	Portfolio Holder & Report Author	Decision Date
Change to West Dorset District Council Constitution	To recommend approval of the final version of the revised West Dorset District Council constitution.			WDDC Portfolio Holder for Corporate WDDC Portfolio Holder for Corporate Robert Firth, Corporate Manager Legal Services	14 Mar 2017 Not before 3rd Apr 2017
Rate Relief	To obtain committees agreement in awarding rates relief, as recommended by government.			WDDC Portfolio Holder for Corporate Stuart C Dawson, Head of Revenues and Benefits	14 Mar 2017
Recommendations for the allocation of developer contributions for the enhancement of recreational and community facilities in Dorchester	To present to the committee the recommendations of a member panel convened to assess applications for funding derived from developer contributions in Dorchester and to provide a summary of officer's assessment of each application.			WDDC Portfolio Holder for Enabling Tony Hurley, Leisure Commissioning Manager	14 Mar 2017
Dorchester Sport Centre	To consider a progress report on the resolution of defects at Dorchester Sports Centre			WDDC Portfolio Holder for Enabling Tony Hurley, Leisure Commissioning Manager	25 Apr 2017

NON KEY DECISIONS

Title of Report	Purpose of Report	Documents	Exempt	Portfolio Holder & Report Author	Decision Date
Proposals for changes in the management of community access to the Gryphon Sports Centre, Sherborne	To seek agreement from the Executive Committee to proposals for the changes in the management of the Sports Centre in order to reduce on-going costs whilst retaining community access.			WDDC Portfolio Holder for Enabling Tony Hurley, Leisure Commissioning Manager	14 Mar 2017
Release of Housing Reserves to fund homelessness prevention work in West Dorset	To request member approval to release funds from the Housing reserve for use by the Housing Options team in 2017/18 to fund homelessness prevention work in West Dorset.			WDDC Portfolio Holder for Housing Sarah How, Housing Manager	14 Mar 2017
Funding request from Dorset County Museum	To consider a request from Dorset natural History & Archaeological Society for grant and loan to support its "Tomorrow's Museum" project at Dorset County Museum in Dorchester.			WDDC Portfolio Holder for Enabling Tony Hurley, Leisure Commissioning Manager	14 Mar 2017
Nitrogen Reduction in Poole Harbour Supplementary Planning Document	To adopt the Nitrogen Reduction in Poole Harbour Supplementary Planning Document.			WDDC Portfolio Holder for Planning Trevor Warrick, Spatial Policy and Implementation Manager	25 Apr 2017

NON KEY DECISIONS

Title of Report	Purpose of Report	Documents	Exempt	Portfolio Holder & Report Author	Decision Date
Report on the findings of a consultation on the Proposed parking charges	To consider the findings of a consultation into the proposed parking charges.	report of 9 August 2016		WDDC Portfolio Holder for Environmental Protection and Assets Jack Creeber, Parking & Transport Manager	25 Apr 2017
Piddle Valley Neighbourhood Plan - Independent Examiners Report	That the Neighbourhood Plan as revised to reflect the Examiner's report be agreed and that a referendum be held as soon as possible. That a recommendation to make the Piddle Valley Neighbourhood Plan be made a the next Full Council after the referendum if the results are in support of the making of the plan.			WDDC Portfolio Holder for Planning	30 May 2017
Quarter 4 Business Review Outturn Report	To receive the Quarter 1 Report			WDDC Portfolio Holder for Corporate Julie Strange, Head of Financial Services	30 May 2017

NON KEY DECISIONS

Title of Report	Purpose of Report	Documents	Exempt	Portfolio Holder & Report Author	Decision Date
Land charges fees for 2017/18	<p>To approve the proposed land charges fees for the district for 2017/18.</p> <p>Report date to be scheduled.</p>			<p>NDDC Portfolio Holder for Corporate Performance, WDDC Portfolio Holder for Corporate, WPBC Briefholder for Corporate Affairs and Continuous Improvement Robert Firth, Corporate Manager Legal Services</p>	

Private meetings

The following paragraphs define the reason why the public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed and the public interest in withholding the information outweighs the public interest in disclosing it to the public. Each item in the plan above marked Exempt will refer to one of the following paragraphs.

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
6. Information which reveal that the authority proposes:-
 - a. To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b. To make an order or direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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Executive Committee

14 March 2017

Support for Dorset County Museum's 'Tomorrow's Museum for Dorset' project

For Decision

Portfolio Holder:

Cllr Mary Penfold – Enabling

Cllr Ian Gardner – Planning

Senior Leadership Team Contact:

M Hamilton, Strategic Director

Report Author:

T. Hurley, Leisure Commissioning Manager

J. Allen, Cultural Development Officer

Statutory Authority:

Localism Act 2011 – 'general power of competence'.

Purpose of Report

1. To present to the committee a request from the Dorset Natural History & Archaeological Society for both a capital grant and short-term loan to support the Society's major development project. The report also seeks the committee's approval for an arrangement with Dorchester Town Council with regard to the allocation of future developer contributions to this major project.

Officer Recommendations

2. That the committee agrees to award to the Dorset Natural History & Archaeological Society the following funding as a contribution to the Society's 'Tomorrow's Museum for Dorset' project:
 - a) a grant of £150,000 from the council's Corporate Projects Reserve;
 - b) a loan of £475,000 from the Corporate Projects Reserve to be repaid with interest over a 7 year period and by March 2027 at the latest in accordance with the council's Community Lending Policy.
3. That the future developer contributions for museums from the Section 106 agreement for phases 3 and 4 of the Poundbury development, which are estimated to total £141,000, be paid directly to Dorchester Town Council in accordance with an agreement whereby the Town Council agree to make a capital grant of £141,000 to the Dorset Natural History & Archaeological Society as soon as required to assist with its 'Tomorrow's Museum for Dorset' project.

4. That the Strategic Director and Section 151 Officer be given delegated authority to agree the terms of both the grant and loan agreements with the Dorset Natural History & Archaeological Society and the agreement with Dorchester Town Council in accordance with the recommendations (2) and (3) above.

Reason for Decision

5. To enable the council both to respond to the funding request from the Dorset Natural History & Archaeological Society and to work with Dorchester Town Council to enable the Society's project to benefit from future developer contributions.

Background and Reason Decision Needed

6. Dorset County Museum is an independent museum, owned and operated by the Dorset Natural History & Archaeological Society and which houses several significant geological, historical and archaeological collections. The museum's Thomas Hardy collection is the largest in the world and its importance is internationally recognised. Although located in Dorchester, the museum serves various important functions for the county as a whole (providing support to other museums) and for the nation.
7. Since 2010, visitor numbers have doubled and the museum now needs to expand its display, learning and storage facilities in order for it to meet future needs. The Society has, therefore, embarked on an ambitious development project to maximise the potential of the range of historic buildings that it occupies between High West Street and Colliton Street in Dorchester and to create new spaces for visitors and students.
8. This major development project, entitled 'Tomorrow's Museum for Dorset', comprises the following key elements:
 - new galleries to increase display areas (at present 98.5% of the collections are inaccessible to the public)
 - state-of-the-art storage facilities with better public access
 - new international-standard gallery with the capacity to host touring exhibitions
 - new learning centre
 - new shop and café on the High West Street frontage.
9. The anticipated benefits of this project are as follows:
 - enable full public access to the collections
 - create gallery space for high quality art exhibitions
 - increase annual visitor numbers from 40,000 (in 2015) to 80,000 by 2020
 - increase annual learning visits to 7,000
 - restore the Reverend White's Rectory (listed building)
 - increase the museum's economic benefit to the area by £1.78 million per year

- create new income streams to help support the museum in the future
10. The project is supported by a detailed business plan and is subject to constantly evaluation and monitoring by the HLF. There have been numerous meetings and workshops with the project's HLF Monitoring Officer and Case Officer to go through the all aspects of the business plan. In addition, the museum has employed a specialist consultancy to act as project managers and, in particular, to manage both the design team and the build programme. The consultants have extensive experience of project managing commercial, residential and heritage schemes. There are, therefore, significant control mechanisms in place to support the museum in the planning and execution of the project.
 11. A significant step forward with the project, which is estimated to cost £13.2 million, was the award of a £9.9 million grant from the Heritage Lottery Fund which is conditional on the Society securing pledges for 90% of the remaining £3.3 million from other sources by May 2017 (the deadline for the stage 2 application). At present, the Society is actively engaged in a major fundraising campaign and is seeking grants from a range of private trusts, foundations and high-net-worth individuals. To date, the project has secured pledges totalling £641,000. In addition, the project has received support from Dorchester Town Council (£25,000) and Dorset County Council (£100,000).
 12. To help meet its funding target, the Society has written to the district council requesting the following financial support:
 - one-off grant of £150,000;
 - loan of up to £475,000 to cover revenue deficit during the building works – to be repaid with interest over 5-years immediately following the completion of the project.
 13. **Due diligence:** When this report was first considered at the February 2017 meeting of the Executive Committee, officers were asked to represent the report to the March meeting in order that further 'due diligence' could be undertaken with regard to the loan request.
 14. As a result, the Financial Resources Manager has scrutinised the business plan produced by the Society in order to test its assumptions and ensure that the predicted repayment timetable is realistic. In summary, the proposed loan and project timetable is as follows:
 - a) The loan will be drawn down in the following tranches: £100k in 2017/18 (third quarter), £100k in 2018-19 and £275k in 2019-20.
 - b) Construction will commence early in 2019 (subject to HLF approval) and will continue for 24 months.
 - c) The museum will be mostly closed in 2019-20 and will, therefore, require most of the loan in that year.
 - d) The loan will be repaid from April 2020 onwards following the reopening of the museum.
 - e) The loan will be fully repaid by 2026-2027 at the latest but perhaps sooner if a favourable trading position allows.

15. The business plan and the loan drawdown/repayment schedule are based on the following assumptions:
 - a) The annual grant of £10,994 that the council gives to the Society (to offset the rent paid on All Saints Church) will cease from April 2019 following local government reorganisation.
 - b) The Society will continue to pay rent on All Saints Church until its surrenders the lease in 2023.
 - c) An interest rate of 5% will be applied to the loan (although it may well be lower).
 - d) The enhanced museum will attract 80,000 visitors per year – which is considered by consultants advising the museum to be a prudent assumption.
16. Having considered the Society's business plan and its plans for drawdown and repayment of the loan, the Financial Resources Manager is satisfied that granting the loan of £475,000 for the museum development is the type of project that is within the scope of the council's community lending policy.
17. The council can also assist the project through the allocation of developer contributions held by the council, specifically collected to enhance museums, and this money been requested by the Society. These contributions comprise a total of £23,193 of museum-only money derived from Section 106 agreements from in and around Dorchester, including Poundbury.
18. There are several existing planning obligations in place for developments in the Dorchester area which have yet to commence and which will make relatively modest contributions to museum facilities (perhaps at least £13,000).
19. It is the intention, therefore, for the Corporate Manager - Planning (Community and Policy Development) to allocate the contributions referred to in paragraphs 13 and 14 above to the Dorset County Museum project as and when they are received as long as the project is still in need of funding. These allocations will be undertaken in accordance with the council's Scheme of Delegation and in consultation with local members
20. In addition, it is estimated that a further £141,000 of museum-only contributions have yet be collected from Poundbury phases 3&4 (which are still under construction). It is intention of the Corporate Manager - Planning (Community and Policy Development) to allocate this money to the Dorset County Museum project following consultation with local members and relevant briefholders.
21. However, given that this money from Poundbury phases 3 & 4 will not be fully available for several years but that the Society has a pressing need for funds, it would seem appropriate to seek a mechanism whereby the museum project can benefit immediately.
22. Discussions with Dorchester Town Council have, therefore, identified a mechanism whereby the 'forward funding' of the Poundbury developer contributions can be achieved. The town council is prepared to make a

grant, as soon as needed, to the Society equivalent to the anticipated contribution from Poundbury phases 3 & 4 (£141,000) on the condition that the district council (and its successor) passes these contributions to the town council as and when they become available. This arrangement would appear to be relatively low risk given the certainty that the Poundbury development will be completed and within a reasonable timescale.

23. Given the likely changes that will take place in local government over the coming years, it would seem appropriate to formalise this proposed arrangement with the town council via a legal agreement. This approach is recommended and the Executive Committee is asked to give the Strategic Director the delegated authority to agree the terms of such an agreement should this approach to funding be approved.
24. The Society is also considering bidding for 'recreation' money from the current S106 money that the council currently holds (mainly derived from Poundbury) via the on-going allocation process. Given that a significant part of the project will be to create a high quality art gallery space (which could host national touring exhibitions), it could be viewed as helping to address other deficits in cultural provision in Dorchester. Any such bid will be considered by a member panel and recommendations made to the Executive Committee in March 2017.
25. The council's support for the 'Tomorrow's Museum for Dorset' project could be key to ensuring not only the creation of a major cultural and tourist attraction for the area, but also to help secure one of the largest grants from the Heritage Lottery Fund yet seen in Dorset.
26. It should be noted that the Society leases the redundant All Saints Church in Dorchester from the council and uses the premises as its main bulk store. However, conditions in the church are far from ideal and not conducive to the long-term conservation of archaeological collections. Once the planned development project is complete, it is the intention of the Society to surrender early its lease on the Church. The council (or its successor) will need, in due course, to give consideration to the future use of this historically important building and the Society has indicated its willingness to provide assistance where needed.

Implications

27. **Corporate Plan.** *Empowering Thriving and Inclusive Communities.*
28. The district council's *Arts & Museums Support Plan 2012-17* (adopted in 2012) highlights key capital projects that will help to promote the Plan's objective of improving public access to high quality facilities. The Dorset County Museum project is specifically identified in the plan as a project worthy of council support.
29. **Financial.** The grant (£150,000) and the short-term loan (£475,000) would need to be derived from the Corporate Project Reserves. With regard to the developer contributions referred to in this report, £30,694 is currently held by the council and the additional £141,000 (estimate) is expected to

be paid by the Duchy of Cornwall as part of the Section 106 agreement for phases 3 & 4 of the Poundbury development, probably over the next 5 years.

30. The due diligence assessment undertaken for this report with regard to the requested loan has been undertaken by the Financial Resources Manager.
31. **Equalities.** It is important to health and wellbeing that cultural and community facilities are sufficient to meet the needs of the growing community and are in accessible locations.
32. **Economic Development.** Cultural facilities make a significant contribution to the local economy both as employers and as tourist attractions. The enhancement of these facilities can, therefore, benefit the community not only in terms of education and wellbeing, but also from an economic perspective. The Society's estimates that the project will help to more than double the museum's visitor numbers by 2020 and will increase its economic impact in the area by £1.78 million per year.
33. **Risk Management (including Health & Safety).** The council will need to ensure that no funding is released until the project is in progress and its deliverability is certain. The phased release of the council's funding may be appropriate.

Consultation and Engagement

34. The portfolio holder for Enabling (Cllr Mary Penfold) and the ward members have also been consulted on the proposals set out in this report. In addition, discussions have taken place with Dorchester Town Council with regard to the financial arrangement whereby the museum project can benefit from at an early stage from future developer contributions from Poundbury.

Appendices

35. None.

Background Papers

36. Grant application from Dorset County Museum (made via the council's Leisure Development Fund process).
37. *Arts & Museums Support Plan 2012-17.* West Dorset District Council.

Footnote

38. Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Report Authors: Tony Hurley (Leisure Commissioning Manager), Jude Allen (Cultural Development Officer)

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Executive Committee

14 March 2017

Recommendations for the allocation of developer contributions for enhancement of recreation and community provision in Dorchester

For Decision

Portfolio Holder:

Cllr Ian Gardner - Planning
Cllr Mary Penfold - Enabling

Senior Leadership Team Contact:

S Hill, Strategic Director

Report Author:

T. Hurley, Leisure Commissioning Manager
A. Martin, Projects & Specialist Services Manager
A. Galpin, Implementation Team Leader

Statutory Authority:

Town and Country Planning Act 1990 (as amended)
The Community Infrastructure Levy Regulations 2010 (as amended)

Purpose of Report

1. To present to the committee recommendations for the allocation of the developer contributions received by the council for the enhancement of community infrastructure in Dorchester.

Officer Recommendations

2. That the Committee agrees the recommendations of the member panel and that developer contributions collected in Dorchester be initially allocated as follows:

Project	Amount allocated
Maltings arts centre	£1 million
Great Field' Poundbury – new recreation facilities	£220,786
Shire Hall – educational and cultural facility	£84,000
Dorchester Rugby Club - clubhouse improvements	£150,000

Dorchester Town Football Club - artificial turf pitch	£252,000
Dorset County Museum – visual arts and performance area	£134,000
Dorchester Amateur Boxing Club – new club facilities	£25,000
Dorchester Town Council – climbing rock for Borough Gardens	£8,300
Total allocated:	£1,874,086

3. That the Committee agrees that the offers of funding as set out in recommendation 2 be limited to a 12-month period from the date of this committee meeting with the potential to extend the offer of funding for an additional 12-month period subject to a review by the Executive Committee of the progress made by each project against agreed targets.
4. That the Corporate Manager - Planning (Community and Policy Development) be given delegated authority to agree the terms of grant agreements in relation to the allocations set out in recommendation 2.
5. That the member panel be reconvened in September 2017 and February 2018 to monitor progress made by each of the projects in receipt of a grant and to make recommendations to the Executive Committee as to whether funding should be reallocated to alternative projects.

Reason for Decision

6. To enable the allocation of developer contributions in Dorchester to local projects for the enhancement of community infrastructure.

Background and Reason Decision Needed

(a) Audit of sport, cultural and community facilities

7. To inform the allocation of developer contributions, the district council, in partnership with Dorchester Town Council, undertook a thorough audit of sports and cultural facilities and community venues in 2014. This audit included site visits, meetings with club representatives and some consultation with governing bodies for sport (such as the Dorset County Football Association).
8. In summary, the key development/enhancement projects (as opposed to works that are primarily maintenance or like-for-like replacement) which are planned by local organisations are set out below, although at the stage of the audit not all the projects had established their financial viability or potential to secure match funding.

Location	Project
Dorchester Sports Centre	Expansion of fitness facilities.
Dorchester Town Football Club	Installation of artificial turf pitch.
Dorset County Museum	Major expansion of galleries and storage.
The Great Field	Toilet/changing facilities.
The Maltings, Brewery Square	Conversion of old malthouse to arts centre / theatre.
Poundbury Cemetery	Roadways and boundary wall
Shire Hall	Development as tourist attraction and educational resource.
St Osmunds Community Sports Centre	New fitness facilities and exercise studio.
Thomas Hardy School	New arts facility for school and community use.

9. In addition to the above 'major' projects, the audit identified many other smaller projects for the enhancement of existing facilities. These projects, included new accommodation for Dorchester Amateur Boxing Club.
10. The audit also highlighted the lack a significant, high-quality arts/theatre venue (excluding the cinemas) which is designed and fitted out for this purpose. The nearest such venue is the Pavilion theatre in Weymouth, operated by a community interest company, and with a maximum capacity of 1000 seats. Further afield, the nearest arts/theatre facilities (not including private school venues) are the Lighthouse in Poole (2,500 seats) and the Octagon Theatre in Yeovil (626 seats).
11. It should be noted that the outline planning permission for phases 3 and 4 of the Poundbury development requires the provision of a 300-seater community hall prior to the occupation of the 600th house. Given the current level of provision across the town and the potential need for a bespoke arts venue, it may be appropriate to review this requirement in due course if significant progress is made with the Maltings arts centre.

(b) Available developer contributions

12. The following S106 money is currently held by the district council for Dorchester (as at February 2017):

Purpose	Amount
Public Open Space	£6,570
Recreation	£1,829,856
Parks, gardens & outdoor sport	£42,828
Play areas	£35,592
Allotments	£4,956

Amenity Space	£2,225
Natural greenspace	£15,581
Community venues	£60,434
Total:	£1,989,042

In addition, further smaller sums will be received from developments in Dorchester over the coming year and the allocation of this money can be discussed with the member panel at future meetings.

(c) Recommendations for allocation of developer contributions

13. To inform the allocation a member panel was established comprising the following (reflecting the membership of the panel created to inform the Local Plan review):
- district council ward members for Dorchester;
 - district council ward members for Puddletown, Winterborne St Martin, Cerne Valley, Broadmayne & Crossways – this wider rural view will be useful given the likely strategic nature of the projects to be considered;
 - district council portfolio holders for Enabling and for Planning.

The panel has met three times to date and has been supported by officers from the district council's Planning and Leisure & Commissioning services and the Dorchester Town Clerk. At these meetings, the panel has established criteria which was then used to assess both initial Expressions of Interest and subsequent detailed applications.

14. At its most recent meeting on 20th February 2017, the Panel considered officers' assessment of the detailed applications received from the short-listed projects. This meeting was attended by 15 of the 17 members nominated to the Panel.
15. When initial Expressions of Interest were received these were judged against the following criteria
- a) Does the project relate to the purpose the money was secured for (e.g. play areas)?
 - b) Does the project enhance the facility and increase its capacity to accommodate more users (in response to a growing community)?
 - c) Is the project likely to take place within a reasonable timescale (given that some S106 agreements contain time-limits) - this is influenced by issues such as planning permission and match funding?

Some projects proposals did not progress beyond this point, primarily as they were either like-for-like replacement or were not for capital expenditure and were, therefore, not eligible to benefit from developer contributions.

16. When short-listed projects submitted full applications (accompanied by detailed business cases and further financial information) they were assessed by officers against the following criteria:

- a) **Evidence of need:** does the project meet an identified deficit in recreation provision and does it enhance the infrastructure of the community and increase its capacity to accommodate more users (in response to a growing community)?
- b) **Sustainability:** is the project sustainable in the long-term and has provided a robust business plan providing revenue predictions?
- c) **Relevance:** Does the project relate to the purpose the money was secured for?
- d) **Deliverability:** Is the project likely to take place within a reasonable timescale and has plans for securing the necessary match funding?

In addition, the member panel considered that any developer contributions should make up no more than 50% of a project's total budget and would require at least 50% match funding.

17. The Panel agreed the allocation of all the available developer contributions (with the exception of money collected for allotments) and the Executive Committee is now asked to consider supporting the following recommended awards:

Project & specific conditions	Recommended funding allocation
<p>Project 1: New arts facility</p> <p>Applicant: The Maltings Arts (charitable trust)</p> <p>Grant requested: £1 million</p> <p>Summary: Creation of new arts facility at the redundant maltings in Brewery Square, Dorchester.</p> <p>Specific grant conditions:</p> <p>a) A full review of the project and any award of funding in 12 months (i.e. February 2018) to assess progress and the likelihood of the project coming to fruition.</p>	£1 million
<p>Project 2: Great Field enhancements</p> <p>Applicant: Duchy of Cornwall</p> <p>Grant requested: £600,000</p> <p>Summary: Creation of recreation facilities, including skate park and cycle path.</p> <p>Specific grant conditions: Funding ring-fenced subject to submission of following:</p>	£220,786 ring-fenced for later consideration by member panel

<ul style="list-style-type: none"> a) Submission of full details of the scheme – including costings and designs. b) Information on long-term management arrangements. c) Evidence of efforts to secure match funding to reduce the demand on Section 106 money. 	
<p>Project 3: Shire Hall</p> <p>Applicant: Shire Hall Dorchester Trust</p> <p>Grant requested: £374,000</p> <p>Summary: Creation of cultural and educational facility at the Old Shire Hall in Dorchester.</p> <p>Specific grant conditions:</p> <ul style="list-style-type: none"> a) Funding only to be released if other grant applications (e.g. Dorset LEP) are unsuccessful or do not provide sufficient funds. b) Funding only to be released following the provision of evidence of expenditure and if other sources of funding currently being applied for are not forthcoming. 	£84,000
<p>Project 4: Clubhouse extension and improvements</p> <p>Applicant: Dorchester Rugby Club</p> <p>Grant requested: £300,000</p> <p>Summary: Extension and refurbishment of clubhouse to provide improved sports and recreational facilities in order to assist the club to better meet the needs of its growing membership.</p> <p>Specific grant conditions:</p> <ul style="list-style-type: none"> a) Submission of revised business plan, costings and plans. b) Information on sources of match funding c) The clubs accounts for the last two years. 	£150,000
<p>Project 5: 3G Artificial Turf Pitch for community use at the Avenue Stadium</p> <p>Applicant: Dorchester Town Football Club</p> <p>Grant requested: £252,000</p> <p>Summary: Installation of a 3G artificial turf pitch within the Avenue Stadium for use by the community.</p> <p>Specific grant conditions:</p>	£252,000

<ul style="list-style-type: none"> a) Production of joint usage plan with Dorchester Sports Centre to show that the new pitch does not leave the existing pitch unviable and underused. b) Establishment of sinking fund of £25,000 per year. c) Ensuring community use (i.e. not the first team and reserves) of the pitch for at least 50% of available time equivalent to at least 52 hours per week. d) Confirmation from Dorset FA that the league matches for the youth football club can be played on the proposed 3G pitch at the Avenue Stadium. 	
<p>Project 6: Visual arts and performance space</p> <p>Applicant: Dorset County Museum</p> <p>Grant requested: £180,000</p> <p>Summary: Creation of a visual arts gallery and performance space as part of the major development project at the museum.</p> <p>Specific grant conditions:</p> <ul style="list-style-type: none"> a) That the funding allocated is used specifically for the creation of the visual arts and performance space within the project. 	£134,000
<p>Project 7: New clubhouse.</p> <p>Applicant: Dorchester Boxing Club</p> <p>Grant requested: £125,000</p> <p>Summary: Creation of new clubhouse. The Panel recommends a smaller grant to enable the club to refurbish an existing building – if one becomes available:</p> <p>Specific grant conditions:</p> <ul style="list-style-type: none"> a) Submission of information on predicted usage and opening times. b) A review of membership fees to generate more income. c) Provision of independent estimates for the capital works. 	£25,000
<p>Project 8: Climbing boulder</p> <p>Applicant: Dorchester Town Council</p> <p>Grant requested: £8,300</p> <p>Summary: Installation of concrete climbing boulder in Borough Gardens.</p> <p>Specific grant conditions:</p> <ul style="list-style-type: none"> a) Supply of information relating to life expectancy 	£8,300

b) Evidence of consultation with stakeholders and users.	
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18. **Appendix A** sets out each grant awarded and indicates which category of Section 106 money has been used. Any money not allocated will need to be considered at the next meeting of the member Panel when more detailed plans for the enhancement of the Great Fields in Poundbury are discussed.
19. It is recommended that the grant awards set out above are offered for an initial 12-month period with a review of progress to be submitted by the applicants on 1st September 2017 and 1st February 2018. At these two key milestones, progress will be measured against targets to be agreed with each organisation and included in the grant agreement. The key targets for each project will include:
 - amount of match funding secured (firm offers of funding);
 - securing relevant permissions (e.g. planning permission or leases).
20. All grant agreements will need to include 'claw-back' provisions in the event that a project, following completion, fails either to provide the level of public access / service as stated in the application for at least a 10-year period or fails to comply with the grant conditions.
21. In order to assist the monitoring of projects, it is proposed that the member panel be reconvened in late September 2017 and in late February 2018 to critically review progress made by the projects that have been offered funding and, if necessary, to recommend to the Executive Committee the reallocation of funds. At this point, projects which have been unsuccessful to date in securing any Section 106 money may wish to reapply and present a revised and robust proposal in order to seek an award of money from either unallocated money or from sums reallocated from those projects that have made insufficient progress.
22. In addition, an update on progress will be included in the council's Section 106 and Community Infrastructure Levy monitoring reports which are published online in May and October annually.

Implications

23. **Corporate Plan.** *Empowering Thriving and Inclusive Communities.*
24. **Financial.** The developer contributions referred to in this report are currently held by the council.
25. **Equalities.** It is important to health and wellbeing that sports, cultural and community facilities are sufficient to meet the needs of the growing community and are in accessible locations.
26. **Economic Development.** Many sports and cultural facilities make a significant contribution to the local economy either as employers (as in the case of sports centres) or as tourist attractions (e.g. museums and arts facilities). The enhancement of these facilities can, therefore, benefit the

community not only in terms of education and wellbeing, but also from an economic perspective.

27. **Risk Management (including Health & Safety).** The council will require each organisation in receipt of funding to enter into a grant agreement and to provide regular progress reports. In addition, no funding will be released until a project is in progress and its deliverability is certain. The setting of targets and the monitoring of progress against these on 1st September 2017 and 1st February 2018 will ensure that the council is fully informed as to the success or otherwise of the project, and also enable the council re-allocate the developer contributions if insufficient progress has been made.
28. The allocation of developer contributions to specific projects will avoid the risk of repaying unspent contributions to developers. However, there is also a risk that the allocation of developer contributions to a specific project could be challenged by the developer on the basis that the project does not fulfil the statutory criteria.

Consultation and Engagement

29. Over the last two years, officers have liaised closely with Dorchester Town Council with regard to both the audit of facilities and the proposed process for the allocation of the developer contributions. In addition, there has been consultation with the Duchy of Cornwall with regard to the allocation of its contributions made via the S106 agreements for Poundbury.
30. The portfolio holders for Planning (Cllr Ian Gardner) for Enabling (Cllr Mary Penfold) have also been consulted on the proposals set out in this report.

Appendices

31. **Appendix A** – Panel recommendations for the allocation of developer contributions in Dorchester.

Background Papers

32. Audit for sports, cultural and community facilities in Dorchester 2014-15.

Footnote

33. Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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APPENDIX A – Panel recommendations for the allocation of Dorchester developer contributions

S106 money held for Dorchester February 2017		Maltings Arts Centre	Great Field Poundbury	Shire Hall	Dorchester Rugby Club	Dorchester Town FC	Dorset County Museum	Boxing Club	Borough Gardens climbing rock	Total allocated	S106 money remaining
Purpose collected	Available S106 money										
Public Open Space	£6,570		£6,570							£6,570	£0
Recreation (from Poundbury)	£1,820,856	£1,000,000	£169,118	£84,000	£150,000	£209,172	£73,566	£25,000		£1,710,856	£110,000
Parks, gardens & outdoor sport	£42,828					£42,828				£42,828	£0
Play areas	£35,592		£27,292						£8,300	£35,592	£0
Allotments	£4,956									£0	£4,956
Amenity Space	£2,225		£2,225							£2,225	£0
Natural greenspace	£15,581		£15,581							£15,581	£0
Community venues	£60,434						£60,434			£60,434	£0
Total S106 available	£1,989,042									£1,874,086	£114,956
Total grant offered:		£1,000,000	£220,786	£84,000	£150,000	£252,000	£134,000	£25,000	£8,300		
Total project cost:		£11,500,000	£600,000	3,180,000	£609,000	£505,000	£13,187,921	£250,000	£16,600		

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Executive Committee

14 March 2017

Proposals for changes in the management of community access to the Gryphon Sports Centre, Sherborne

For Decision

Portfolio Holder:

Cllr Mary Penfold - Enabling

Senior Leadership Team Contact:

M Hamilton, Strategic Director

Report Author:

T. Hurley, Leisure Commissioning Manager

Statutory Authority:

Localism Act 2011 – ‘general power of competence’.

Purpose of Report

1. To seek agreement from the Executive Committee to a proposal from The Gryphon School for the transfer of the Gryphon Sports Centre service in exchange for a one-off grant.

Officer Recommendations

2. It is recommended:
 - a) that the operation of the Gryphon Sports Centre service be transferred to The Gryphon School on 1st September 2017;
 - b) that a one-off grant of £350,000 from the Corporate Projects Reserves be made to The Gryphon School on condition of both the transfer of the sports centre service to the school in accordance with the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) and the continuation of public access to the sports centre in accordance with The Gryphon School's specification for the service (appendix A);
 - c) that the grant as set out in recommendation 2 (b) should also be conditional on The Gryphon School agreeing to an extension to the Joint Use Agreement for the Gryphon Sports Centre for a four-year period from August 2021 with the option to terminate the agreement at 12-months' notice by any party at any point after August 2021;
 - d) that the Strategic Director and Section 151 Officer be given delegated authority to agree the terms of the revised Joint Use Agreement and the grant agreement.

Reason for Decision

3. To enable the continuation of community access to the Gryphon Sports Centre whilst ending the council's long-term commitment to revenue funding.

Background and Reason Decision Needed

4. The council currently operates the Gryphon Sports Centre on the premises of the Gryphon School in accordance with a 25-year legal agreement (September 1996 to September 2021) between the council, the Gryphon School and the Diocese of Salisbury. The district council does not have a lease for the premises and the joint-use agreement acts only as a licence. The centre comprises a sports hall, fitness suite, studio, outdoor courts and changing rooms. The sports centre staff also manage community access to the school's artificial turf pitch.
5. Under the joint-use agreement, costs are shared between the council and the school, with the district council retaining the majority of the trading income and the school contributing to 40% of operational and repairs/maintenance costs.
6. To run the centre, the council employs a full-time centre manager and part-time duty managers. In addition, the centre makes use of several casual staff (for additional duty manager and receptionist roles) and coaches when necessary. The centre's operation is restricted by not being open to the community during the school day.
7. In 2016-17, the centre is budgeted to require a subsidy from the council of approximately £92,000 excluding corporate recharges of £32,000. Last year, the centre received 59,375 public visits.
8. Following discussions between the council and the school, a proposal has been developed to transfer the management of community access to the sports facilities to the school. The school's specification for the service to be provided is set out in **Appendix A**. Initial discussions indicate that the school will want to focus on organised club bookings of its sports hall and pitches with less emphasis on casual use by individual members of the public. The studio and fitness suite may be operated/hired by self-employed instructors.
9. The most significant proposed change to the service is that the centre will close between 1 and 1½ hours earlier on weekday evenings and on Saturdays, and will only be open for half the day on Sundays. These changes are aimed at focusing the opening times at the peak periods and reducing the service where customer numbers are typically lower. In general the proposed opening hours are subject to flexibility driven by customer demand.
10. In general, the school is very keen to promote public access to the sports centre and its other facilities as part of its role within the community and it

is ambitious to develop this offer further. It plans to create a wholly-owned trading arm to be responsible for these community facilities.

11. In return, the school has proposed that the council make a one-off payment of £350,000 – this would be used to assist with running costs until the end of the joint-use agreement in 2021 and will also be used to improve the facilities (e.g. new ATP surface and new fitness equipment). In addition, the school has indicated that it would be willing to agree to a four-year extension to the joint-use agreement until 2025 although with the capacity to break the agreement at any point having given 12 months notice. This capacity to break the agreement would also be available to the district council.
12. The transfer of the sports centre operation to the school will involve the TUPE transfer of the employees who are assigned to that activity (currently up to approximately 4.5 FTE). The school is a member of the local government pension scheme.
13. The existence of the joint-use agreement with the district council places an obligation on the school to make its facilities available to the community. As a result of this obligation, the school's financial settlement from the Department of Education includes an 'exceptional premises factor' payment of approximately £78,000 p.a. to help with premises costs. By retaining the joint-use agreement (between the school and council or its successor) and by extending it beyond 2021 by four years, the district council can assist the school to continue to benefit from this additional payment (subject to any changes in the national formula for schools' funding). However, the council would not be obliged to make any further financial contribution beyond the initial one-off grant.
14. The benefits of the school's offer are as follows:
 - a) the school is an academy and is a more sustainable vehicle for managing community access than the council;
 - b) the school may create a trust/company to oversee the management of community access (although the school would employ the staff) and this would be eligible to apply for a range of grants;
 - c) the council can use its reserves to extricate itself from an on-going revenue commitment.
15. If the committee agrees to the one-off grant requested by the school, the transfer arrangements and service specification, then legal advice will be required in order to amend the joint-use agreement and draft a grant agreement. Input is also being provided by Human Resources. The aim would be to complete the transfer by 1st September 2017.
16. This matter was considered by the sports centre's Management Committee (chaired by Cllr Shorland) on 1st March 2017. The committee expressed its support for the transfer of the service to the school and recommended it to the Executive Committee for approval.

Implications

17. **Corporate Plan.** *Empowering Thriving and Inclusive Communities.*
18. **Financial.** The one-off grant of £350,000, if agreed by this committee, would need to be derived from the Corporate Project Reserve. This grant would secure the operation of community access to the sports centre at no further cost to the council for a four year period from September 2021. At present the centre requires a subsidy from the council of approximately £92,000 p.a. excluding recharges.
19. **Equalities.** It is important to health and wellbeing that sports, cultural and community facilities are sufficient to meet the needs of the growing community and are in accessible locations.
20. **Economic Development.** Sports facilities make a significant contribution to the local economy both as employers and by promoting health lifestyles. The enhancement of these facilities can, therefore, benefit the community not only in terms of wellbeing, but also from an economic perspective.
21. **Risk Management (including Health & Safety).** The one-off grant will be subject to a specific grant agreement with the school and the Joint Use Agreement will be amended and retained. This agreement would enable the council to clawback a pro-rata sum of the grant if community access were to cease (or reduce below a reasonable level) prior to September 2021.
22. **Human Resources.** The transfer of the sports centre to The Gryphon School will require the TUPE transfer of current employees assigned to that activity. Employees and unions will be consulted as part of the transfer arrangements.

Consultation and Engagement

23. Consultation on this matter has been undertaken with the portfolio holder for Enabling (Cllr Mary Penfold) and the council's two nominated members on the Gryphon Sports Centre's Management Committee (Cllrs Shorland and Elliott). Briefings have also been provided to the affected employees and the union.

Appendices

24. **Appendix A** – The Gryphon School's service specification for the operation of the Gryphon Sports Centre from 1st September 2017.

Background Papers

25. *Joint Use Agreement for the Gryphon Leisure Centre 1996.*

Footnote

26. Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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APPENDIX A

DRAFT Service specification proposed by The Gryphon School for public access to the Gryphon Sports Centre

Facilities:

The School intends to continue offer community access to all of the facilities which are currently open to the public. These are as follows;

- Sports Hall
- Fitness Suite
- Dance Studio
- Artificial Turf Pitch
- Netball / tennis courts
- Grass pitches
- Changing rooms (male/female)

Public access:

For the purposes of this specification, the public are defined as members of the local community or visitors (not students or school staff using the facility during the school day).

Public access with comprise a mixture of:

- self-service for the Fitness Suite
- instructor-led sessions
- block bookings

Programming:

The intention is to continue to offer the majority of activities which are currently offered, subject to the sustained popularity of each activity. There is likely to be a move towards a self-service style operation which is focused on the hiring of facilities rather than those activities which are led by employed staff. Block bookings will be favourable. A children's holiday club is likely to be provided whilst it is financially viable to do so.

Pricing:

The fees and charges as set out in the Gryphon Sports Centre service plan (April 2017 – March 2018) will form the basis of the prices charged to the public following transfer of the service to the school on 1st September. Prices will be reviewed annually but with the aim of retaining a range of affordable activities for the community.

Opening times:

The School proposes to condense the opening hours whilst being mindful that it wishes to retain as many of the regular club bookings as possible. The proposed core opening times are as follows but are subject to flexibility driven by customer demand:

	Current		Proposed	
	Term time	Holidays	Term time	Holidays
Monday	4:00pm – 10:00pm	8:30am – 10:30pm	5:00pm – 9:00pm	8:30am – 9:00pm
Tuesday	5:30pm – 10:30pm	8:30am – 10:30pm	5:00pm – 9:00pm	8:30am – 9:00pm
Wednesday	5:30pm – 10:30pm	8:30am – 10:30pm	5:00pm – 9:00pm	8:30am – 9:00pm
Thursday	5:30pm – 10:30pm	8:30am – 10:30pm	5:00pm – 9:00pm	8:30am – 9:00pm
Friday	4:00pm – 10:00pm	8:30am – 10:00pm	5:00pm – 9:00pm	8:30am – 9:00pm
Saturday	9:00am – 6:00pm	9:00am – 6:00pm	9:00am – 5:00pm	9:00am – 5:00pm
Sunday	9:00am – 10:00pm	9:00am – 10:00pm	9:00am – 1:00pm	9:00am – 1:00pm
Weekly total:	49 hrs/wk	91.5 hrs/wk	32 hrs/wk	69.5 hrs/wk

However, the evening closing times may need to vary (to a later time) in order to accommodate a pre-arranged group or club booking.

Promotion:

The School will ensure that community access to the Gryphon Sports Centre is promoted and encouraged via its website (or a website specifically for the Centre) and a range of advertising material. However, online promotion is likely to be the most cost-effective.

Service review:

The above service specification will take effect from 1st September 2017 for the duration of the joint use agreement, however the school will undertake regular reviews of the public use of the facilities to ensure the opening hours and activities best meet the level demand from the public. The district council will be informed of any significant changes to the level of service provision.

February 2017

Executive Committee

14th March 2017

Release of Housing Reserve funds for homelessness prevention initiatives in 2017/18

For Decision

Portfolio Holder: Cllr Tim Yarker, Housing

Senior Leadership Team Contact : S Hill, Strategic Director

1. Purpose of Report

- 1.1 To request member approval to release £50,000 from the Housing Reserve for use by the Housing Options team in 2017/18 to fund homelessness prevention work in West Dorset.

2. Officer Recommendations

- 2.1 i) That members approve the release of £50,000 from the West Dorset Housing Reserve to fund homelessness prevention work in 2017/18.
ii) That delegated authority is given to the Head of Housing in consultation with the Housing Portfolio Holder to allocate these funds to appropriate prevention initiatives.

3. Reasons for Recommendation

- 3.1 To enable the continued effectiveness of staff in preventing homelessness wherever possible, thereby improving the housing experience of those in need of suitable homes and reducing the prospective need to resort to expensive forms of temporary accommodation.

4. Background Information

- 4.1 Homelessness Prevention Grant (HPG) has been allocated to housing authorities for many years by the department of Communities and Local Government (CLG) using a formula based on demographics, levels of homelessness etc.

- 4.2 The value of HPG was recognised by the government at national level, and until 2015/16 it has remained the only government grant to local authorities identified discreetly from the general financial settlement.
- 4.3 Local authorities were able to determine how to spend it on activities they thought would best tackle and prevent homelessness in their area. Although not ring-fenced, there has been an expectation that HPG would be used to deliver better outcomes, such as:
- Reducing rough sleeping
 - Ensuring that families with children are not in bed and breakfast unless on an emergency basis and for no longer than six weeks
 - Achieving a reduction of temporary accommodation.
- 4.4 Crucially, HPG-funded initiatives ensure that fewer people need to come to the council for assistance, or need to approach us to accept a statutory duty towards remedying their housing situation. Expenditure by the council on these initiatives saves the council money in the long run.
- 4.5 At WDDC, in 2016/17 and in other recent years, the value of its HPG has been in the region of £95,000 per year. Unspent amounts each year have been transferred to the Housing Reserve to be spent in future years. The Housing Reserve is £259,000.
- 4.6 The idea behind putting the annual underspends into a Housing Reserve was to 'plan for a rainy day', when HPG might no longer be available. This will enable valuable homelessness prevention initiatives to continue.

5. Report

- 5.1 From 2016/17, HPG has been incorporated into the Revenue Support Grant and is no longer separated out. The council's overall grant settlement for 2017/18 has also reduced significantly. There is no longer a separate grant that can be earmarked for homelessness prevention work from 2016/17 onwards. Future spending on homelessness prevention measures must therefore come from the Housing Reserve.
- 5.2 The loss of HPG has been mitigated by being able to use the Housing Reserve to fill the funding gap for a number of years to enable investment in homelessness prevention initiatives to continue.
- 5.3 In 2016/17, HPG expenditure at WDDC was agreed as follows:

WEST DORSET	
EDP Street Homeless Outreach Project	£26,500
Discretionary homeless prevention	£10,000
Temporary accommodation contingency (BCHA and Magna contracted accommodation)	£8,000
DV Target Hardening	£2,000
Transitional funding for CABx in Dorchester/Sherborne and Bridport	£6,250
Various <i>ad hoc</i> prevention projects	£2,250
	£55,000

- 5.4 Financial projections indicate that there will be an estimated underspend of £16,000 against these budgets at 31 March 2017. This sum will be transferred into the WDDC Housing Reserve.
- 5.5 Given the realities of the new financial position with regard to HPG from 2017/18 onwards, along with the fact that the Housing Reserve can only last a finite period of time, only a small number of key homelessness prevention measures can be afforded in 2017/18. In choosing which measures should proceed in 2017/18, we have identified key aspects of our service that deliver the clearest benefits for individuals and the wider community in preventing or resolving homelessness. It is proposed that the top priorities to be funded are:

WDDC	
EDP Street Homeless Outreach Project (current contract expires November 2017; new arrangements will be required thereafter)	£26,500
Discretionary Homeless Prevention Fund	£10,000
Temporary Accommodation Contingency (Magna contracted accommodation)	£2,500
Domestic abuse target hardening	£2,000
Homeless Reduction Legislation	£7,000
Various <i>ad hoc</i> prevention projects	£2,000
TOTAL	£50,000

- 5.6 EDP Street Homeless Outreach Project: our contract with EDP delivers an assertive street homeless outreach service. The reduction of rough sleepers is a key national and local priority, and in addition EDP provides emergency accommodation for rough sleepers when the weather deteriorates. Many rough sleepers locally routinely switch between West Dorset and Weymouth and Portland. In quarter three of 2016/17, EDP was dealing with 25 rough sleepers

across the two areas. At the end of that period, EDP informed the council that there were 10 rough sleepers locally. There is evidence nationally and regionally that the incidence of rough sleeping is on the rise.

- 5.7 Discretionary Homelessness Prevention: this enables housing staff to use small amounts of money to prevent homelessness. This has been used, for example, to arrange packages of assistance to delay and prevent evictions.
- 5.8 Registered provider (RP) temporary housing contingency: this is held for meeting costs of liabilities (if incurred) under the contracts for the temporary accommodation for homeless households provided to the council by the RPs.
- 5.9 Domestic violence target hardening: funding has ceased for the local organisation that has been providing a range of additional security measures in properties where an occupier is at threat of domestic violence, and where it is recommended some additional work is necessary. The council is supporting this work to a modest extent as a homelessness prevention measure.
- 5.10 The Homeless Reduction Bill will make changes to the current homelessness legislation contained in Part 7 of the Housing Act 1996. It will place new duties on the Council to intervene at earlier stages to prevent homelessness and to take reasonable steps to help those who become homeless to secure accommodation. It will also expand the categories of people we have to help to find accommodation. This funding will allow us to start preparing for the changes ahead. If this funding remains unspent at year end it will transfer back into the Housing Reserve.
- 5.11 *Ad hoc* prevention projects: a small level of funding for as yet unknown ad hoc prevention projects will help us remain flexible in our responses. If this is unspent at year end, it will transfer back into the Housing Reserve.
- 5.12 Members should also note that the reduction in spending on homelessness prevention comes at a time when the picture nationally and locally is that homelessness is on the rise.
- 5.13 Approval of this proposed expenditure from the Housing Reserve for 2017/18 will leave sufficient levels of reserves to accommodate further expenditure on homelessness prevention in 2018/19, and the Head of Housing will return to members in early 2018 to outline a proposed budget for 2018/19.

6. Financial Implications

- 6.1 There are sufficient funds within the Housing Reserve to accommodate the proposal outlined in this report that £50,000 be allocated from the reserve for

homelessness prevention measures in 2017/18. Around £16,000 of this will be covered by the unspent 2016/17 homelessness prevention budget allocation.

Other Considerations:

7. Legal/Statutory Power

- 7.1 The proposed measures enable the council to fulfil its obligations set out in Housing and Homelessness legislation.

8. Human Resources (including Health & Safety)

- 8.1 None

9. Risk Management

- 9.1 There is an ongoing risk that the council may not to support homelessness prevention expenditure in future, which might jeopardise our ability to tackle homelessness effectively.
- 9.3 The proposals outlined in this report will have an adverse impact on our ability to deliver on our Homeless Strategy action plan. This will be evaluated, and where necessary the strategy will need to be adapted to meet the changing financial environment.

10. Reputation, including Communications and Consultation

- 10.1 Discussions have taken place with voluntary sector partners about the proposed changes.

11. Equalities

- 11.1 Expenditure on the homeless prevention measures outlined in this report will ensure that we are able to provide access to homeless services and our prevention packages for all groups.

12. Crime and Disorder

- 12.1 No specific issues

13. Environmental Considerations

- 13.1 No specific issues

14. Economic Impact Assessment

- 14.1 Is the proposal likely to lead to an increase in the level of skills needed in the local workforce? No
- 14.2 Is the proposal likely to lead to growth in local employment? No. If anything, reducing grants to local organisations will reduce local employment opportunities.
- 14.3 Is the proposal likely to lead to growth in the number of businesses? No
- 14.4 If the overall economic implications are seen as negative what mitigating factors have been considered? None.

15. Corporate Plan (links to corporate aims & priorities)

- 15.1 The recommendations set out in this report fully support the following WDDC Corporate Plan objectives:
- Empowering thriving and inclusive communities
 - Developing successful partnerships

16. Appendices

- 16.1 None

17. Background Documents (including relevant policy documents)

- 17.1 The council's Housing and Homelessness Prevention Strategies

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Executive Committee

14 March 2017

Council Tax Discretionary Discount

For Decision

Portfolio Holder(s)

Cllr P Barrowcliff

Senior Leadership Team Contact:

Jason Vaughan, Strategic Director

Report Author:

S Dawson, Head of Revenues and Benefits

Statutory Authority

Local Government Finance Act 1992 (as amended)

Purpose of Report

- 1 For Committee to consider the applications received for Council Tax discretionary discount.

Officer Recommendations

- 2 That Committee considers the application for Council Tax discretionary discount listed at Appendix 1.

Reasons for Recommendation

- 3 To ensure that the applications are properly considered having regard to the individual merits of each case.

Background and Reason Decision Needed

- 4 Under Section 13A of the Local Government Finance Act 1992, Councils have the discretion to award Council Tax discounts of up to 100% of the amount due. Discounts can be awarded on an individual basis or in respect of a specific class of property or Council Taxpayer.
- 5 Any application for discretionary discount must be considered on its individual merits. The costs of any such discount awarded are met from the Council's General Fund.
- 6 Where a Council grants a discretionary discount it can be made for a specific period or can be for a period where the end date is not specified.
- 7 Committee is asked to consider the applications for Council Tax discretionary discount which are listed at Appendix 1.

Implications

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Report Author: Stuart Dawson

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Applications for Council Tax discretionary discount

1. XX, West Mills Road, Dorchester

An application for Council Tax discretionary discount has been received from a Council Taxpayer in respect of her former property at XX West Mills Road, Dorchester.

The Council Taxpayer had let the property in the past but, on the property becoming vacant on 2 May 2016, she decided to make it available for sale rather than look to re-let it. She received an offer the asking price on 10 June 2016 and, as the purchaser was a “first time buyer” and there was no “chain”, she anticipated completion taking 5-7 weeks.

The purchaser’s solicitors submitted a local search application on 30 June 2016 but this was not processed until September 2016.

The purchaser was keen to move into the property as quickly as possible and occupied it, as a tenant, from 20 August 2016. Completion took place subsequently.

As the property was empty following the former tenant moving out on 2 May 2016, a three month Council Tax discount has been awarded. However, the applicant has been charged Council Tax for the period 2 August 2016 to 20 August 2016, totalling £60.44.

The applicant feels that the Council’s failure to administer local searches promptly has resulted in her being charged Council Tax and has requested that a discount be awarded to offset her liability.

2. XX, Harmshay, Marshwood

An application for Council Tax discretionary discount has been received from the Council Taxpayer respect of his property at XX, Harmshay, Marshwood.

The applicant was left the property in 2009, following the death of his mother. He lives elsewhere and has let the property since that time. The most recent tenant vacated the property on 31 May 2016 and, as the property has been empty since then, a three month Council Tax discount has been awarded. The applicant has been subject to a Council Tax charge since 31 August 2016.

Following the property becoming empty the applicant arranged for it to be refurbished before a new tenant moved in. Refurbishment was completed

in September 2016. However, although the property has been marketed since June 2016 there has been limited interest.

The property is subject to an Agricultural Occupancy Condition (AOC) which limits the people who could rent it. The AOC was applied in the 1970's at which time it was linked to the neighbouring farm. However, the farm (including the main farmhouse) was split off a number of years ago.

The applicant applied for the AOC to be lifted so that he could rent it to local people on the housing register. However, the application was refused and Housing have been unable to identify anyone suitable on the register who would meet the AOC.

The applicant has considered moving into the property himself. However, he and his partner are foster parents and the size of the property would limit the number of children they could look after. In addition, his partner's employment requires her to live close to her place of work. The applicant would also prefer not to sell the property as it was left to him by his parents and was the family home.

The Council Tax charge from 31 August 2016 totals £941.54 and a new charge will become due from 1 April 2017. The applicant is struggling to pay the Council Tax and has asked that a Council Tax discount be awarded from 31 August 2016.

Executive Committee

14 March 2017

Rates Relief

For Decision

Portfolio Holder(s)

Cllr P Barrowcliff

Senior Leadership Team Contact:

Jason Vaughan, Strategic Director

Report Author:

S Dawson, Head of Revenues and Benefits

Statutory Authority

Local Government Finance Act 1988 (as amended)

Purpose of Report

- 1 For Committee to agree to award 100% rural rate relief to eligible ratepayers
- 2 For Committee to agree to award a discount (of up to a maximum of £1,500 per year) in respect of qualifying local newspapers.

Officer Recommendations

- 3 That Committee agrees to use its powers under the Local Government Finance Act 1988 to award rates relief as follows:
 - I. That 50% discretionary rate relief be awarded to those ratepayers who are eligible to receive 50% mandatory rural rate relief from 1 April 2017
 - II. That relief of up to a maximum of £1,500 a year, be awarded from 1 April 2017 for 2 years to office space occupied by local newspapers. The relief is to be awarded as follows:
 - That a maximum of one discount be awarded per local newspaper title and per hereditament, for two years from 1 April 2017 (subject to state aid limits)
 - That the hereditament must be occupied by a local newspaper and wholly or mainly used as office premises for journalists and reporters
 - For the purpose of awarding the discount, the definition of “local newspaper” be considered to be a “traditional local newspaper” and that relief will not be available to magazines.

Reasons for Recommendation

- 4 To ensure proper administration arrangements for the awarding of Rates Relief.

Background and Reason Decision Needed

- 5 Committee will be aware that the rural rate relief scheme was introduced to help protect the last retail outlets and similar services in rural settlements with a population of less than 3,000.
- 6 Under the scheme, the following businesses in designated rural settlements are entitled to 50% mandatory rate relief:
- The sole village shop or post office with a rateable value of up to £8,500
 - The sole public house or petrol station with a rateable value of up to £12,500
- 7 Councils have the discretion to top up the rural rate relief up to 100% of the rates due. As part of its review of the rates relief guidelines in 2015, Committee acknowledged that rural businesses can play an essential role in village life and agreed that discretionary rate relief be considered where:
- The applicant can demonstrate that it is having a significant contribution towards the community; and
 - It is in the interests of the local Council Taxpayer to award the relief; and
 - The accounts for the business show that it would experience significant difficulties continuing trading if the relief was not awarded.
- 8 In his Autumn Statement on 23 November 2016, the Chancellor of the Exchequer confirmed that mandatory rural rate relief would increase from 50% to 100%, effective from 1 April 2017. As it will not be possible to amend the primary legislation before 1 April 2017, Government has asked Councils to use their powers, under the Local Government Finance Act 1988 (as amended), to award a top up of 50% discretionary rate relief to qualifying ratepayers for the financial year 2017/18. Government has agreed to reimburse Councils for the actual cost in awarding the additional relief.
- 9 The Chancellor of the Exchequer also announced that Government is committed to supporting a strong and vibrant local press. With this in mind, Government has asked Councils to use their powers, under the Local Government Finance Act 1988 (as amended), to award relief of up to £1,500 for 2 years from 1 April 2017, for office space occupied by local newspapers. The relief is to be awarded up to a maximum of one discount per local newspaper title and per hereditament (i.e. rating assessment), and up to state aid limits. Government has agreed to reimburse Councils for the actual costs in awarding the relief.

Implications

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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Executive Committee

14 March 2017

Calendar of Meetings 2017 - 2018

For Recommendation To Council

Portfolio Holder(s)/ Briefholder

Cllr P Barrowcliff – Corporate

Senior Leadership Team Contact:

S Caundle, Assistant Chief Executive

Report Author:

K Critchel, Democratic Services Officer

Statutory Authority

Local Government Act 1972

Purpose of Report

- 1 To consider the calendar of meetings for 2017 – 2018 municipal year.

Officer Recommendations

- 2 (a) That the calendar of meetings for the period May 2017 to May 2018 as set out at appendix 1 be approved;
- (b) That authority be delegated to the Democratic Services Manager to make any necessary changes, in consultation with the relevant chairmen and vice-chairmen, to ensure effective political management across the Dorset Councils Partnership.

Reason for Decision

- 3 To put into place appropriate arrangements for Full Council and committee meetings, to ensure effective political management.

Background and Reason Decision Needed

- 4 The draft calendar of meetings for 2017- 18 is presented to the Executive Committee and Full Council for formal adoption and is attached at appendix 1 to this report.
- 5 Following the result of the Governance Referendum in May 2016 and as part of the review of the West Dorset District Council's Constitution, the Executive Committee is likely to be replaced by a politically proportional

Strategy Committee. The frequency of those meetings is to be similar to the current Executive Committee.

- 6 Members are also asked to note that due to the nature of its business, it is proposed that the Shared Services Committee meet on an Ad hoc basis. Also Audit and Governance Committee will take place as and when required for sovereign based decision making, apart from in September 2017 when the committee needs to meet to sign off the Council Accounts.

Appendices

- 7 Appendix 1 – Draft Calendar of Meetings 2017 - 2018

Background Papers

- 8 There are no background papers

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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APPENDIX

DORSET COUNCILS CALENDAR OF MEETINGS MAY 2017 – MAY 2018

Shaded areas denotes school holidays

*Denotes different day from normal meeting day and # denotes a different time of day.

Monday 1 May 2017	May Bank Holiday	
Tuesday 2 May		
Wednesday 3 May		
Thursday 4 May		
Friday 5 May		

Monday 8 May		
Tuesday 9 May	<i>Planning Site Meeting</i>	10.00
Wednesday 10 May	Planning Committee	9.00
Thursday 11 May	WDDC Annual Meeting of Council	2.15
Friday 12 May		

Monday 15 May		
Tuesday 16 May		
Wednesday 17 May		
Thursday 18 May	WPBC Mayor Making	7.00
Friday 19 May	NDDC Annual Meeting of Council	10.00

Monday 22 May	<i>Planning Site Meeting</i>	10.00
Tuesday 23 May	Planning Committee	10.00
Wednesday 24 May	Overview and Scrutiny Committee	2.00
Thursday 25 May	Planning Committee	1.00
Friday 26 May		

Monday 29 May	Spring Bank Holiday	
Tuesday 30 May	*Cabinet Strategy Committee	10.00 2.15
Wednesday 31 May		
Thursday 1 June	WPBC Full Council	7.00
Friday 2 June		

Monday 5 June		
Tuesday 6 June	<i>Planning Site Meeting</i> Management Committee	10.00 9.30
Wednesday 7 June	Planning Committee	9.00
Thursday 8 June		
Friday 9 June		

Monday 12 June		
Tuesday 13 June	Overview & Scrutiny Committee	2.15
Wednesday 14 June		
Thursday 15 June	Scrutiny & Performance Committee	6.30
Friday 16 June		

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Monday 19 June	<i>Planning Site Meeting</i> Policy Development Committee	10.00 6.30
Tuesday 20 June	Planning Committee	10.00
Wednesday 21 June	Dorchester Markets Joint Informal Panel	7.00
Thursday 22 June	Planning Committee	1.00
Friday 23 June		

Monday 26 June	Joint Advisory Accounts & Audit Committee	
Tuesday 27 June		
Wednesday 28 June	Harbour Management Board	3.00
Thursday 29 June	Joint Advisory Overview and Scrutiny	2.15
Friday 30 June		

Monday 3 July	Cabinet	2.00
Tuesday 4 July	<i>Planning Site Meeting</i>	10.00
Wednesday 5 July	Planning Committee	9.00
Thursday 6 July	Licensing Committee	2.00
Friday 7 July		

Monday 10 July		
Tuesday 11 July	Management Committee Licensing Committee Overview & Scrutiny Committee	9.30 10.00 2.15
Wednesday 12 July		
Thursday 13 July	Licensing Committee	2.15
Friday 14 July		

Monday 17 July	<i>Planning Site Meeting</i>	10.00
Tuesday 18 July	Planning Committee Strategy Committee	10.00 2.15
Wednesday 19 July	Overview & Scrutiny Committee	2.00
Thursday 20 July	Planning Committee	1.00
Friday 21 July		

Monday 24 July		
Tuesday 25 July	*WDDC Full Council	2.15
Wednesday 26 July		
Thursday 27 July	WPBC Full Council	7.00
Friday 28 July	NDDC Full Council	10.00

Monday 31 July	Policy Development Committee	6.30
Tuesday 1 August	<i>Planning Site Meeting</i>	10.00
Wednesday 2 August	Planning Committee	9.00
Thursday 3 August		
Friday 4 August		

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Monday 7 August		
Tuesday 8 August		
Wednesday 9 August		
Thursday 10 August		
Friday 11 August		

Monday 14 August	<i>Planning Site Meeting</i> Cabinet	<i>10.00</i> 2.00
Tuesday 15 August	<i>Management Committee</i> Planning Committee	<i>9.30</i> 10.00
Wednesday 16 August		
Thursday 17 August	<i>Planning Committee</i>	<i>1.00</i>
Friday 18 August		

Monday 21 August		
Tuesday 22 August		
Wednesday 23 August		
Thursday 24 August		
Friday 25 August		

Monday 28 August	Bank Holiday	
Tuesday 29 August	<i>Planning Site Meeting</i>	<i>10.00</i>
Wednesday 30 August		
Thursday 31 August	<i>Scrutiny & Performance Committee</i>	<i>6.30</i>
Friday 1 September		

Monday 4 September		
Tuesday 5 September		
Wednesday 6 September	<i>Planning Committee</i> Overview & Scrutiny Committee	<i>9.00</i> 2.00
Thursday 7 September		
Friday 8 September		

Monday 11 September	<i>Planning Site Meeting</i>	<i>10.00</i>
Tuesday 12 September	Planning Committee <i>Strategy Committee</i>	10.00 <i>2.15</i>
Wednesday 13 September		
Thurs 14 September	<i>Planning Committee</i>	<i>1.00</i>
Friday 15 September		

Monday 18 September	Cabinet	2.00
Tuesday 19 September	<i>Management Committee</i>	<i>9.30</i>
Wednesday 20 September	<i>Gryphon Leisure Centre Management Committee</i>	<i>7.00</i>
Thurs 21 September		
Friday 22 September		

Joint
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Monday 25 September		
Tuesday 26 September	<i>Planning Site Meeting</i>	10.00
	Overview & Scrutiny Committee	2.15
Wednesday 27 September	Harbour Management Board	3.00
Thursday 28 September	Accounts and Audit Committee	10.30
	Audit and Governance Committee	2.15
	Audit Committee	6.30
Friday 29 September		

Monday 2 October	Joint Advisory Accounts & Audit Committee	
Tuesday 3 October		
Wednesday 4 October	Planning Committee	9.00
Thursday 5 October	Scrutiny & Performance Committee	6.30
Friday 6 October		

Monday 9 October	Planning Site meeting	10.00
	Policy Development Committee	6.30
Tuesday 10 October	Planning Committee	10.00
Wednesday 11 October		
Thursday 12 October	Planning Committee	1.00
	WPBC Full Council	7.00
Friday 13 October		

Monday 16 October		
Tuesday 17 October		
Wednesday 18 October	Overview & Scrutiny Committee	2.00
Thursday 19 October	WDDC Full Council	2.15
Friday 20 October	NDDC Full Council	10.00

Monday 23 October		
Tuesday 24 October	<i>Planning Site Meeting</i>	10.00
Wednesday 25 October		
Thursday 26 October		
Friday 27 October		

Monday 30 October	Cabinet	2.00
Tuesday 31 October	Management Committee	9.30
Wednesday 1 November		
Thursday 2 November	*Strategy Committee	2.15
Friday 3 November		

Monday 6 November		
Tuesday 7 November	Planning Committee	10.00
Wednesday 8 November	Planning Committee	9.00
Thursday 9 November		
Friday 10 November		

Monday 13 November	<i>Planning Site Meeting</i>	10.00
Tuesday 14 November	Joint Advisory Overview and Scrutiny	2.15
Wednesday 15 November		
Thursday 16 November	Planning Committee	1.00

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Friday 17 November		
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Monday 20 November		
Tuesday 21 November	<i>Planning Site Meeting</i>	10.00
	Overview & Scrutiny Committee	2.15
Wednesday 22 November	Overview & Scrutiny Committee	2.00
Thursday 23 November	Licensing Committee	2.15
	Scrutiny & Performance Committee	6.30
Friday 24 November		

Monday 27 November	Policy Development Committee	6.30
Tuesday 28 November	Licensing Committee	10.00
Wednesday 29 November		
Thursday 30 November	Licensing Committee	2.00
Friday 1 December		

Monday 4 December	<i>Planning Site Meeting</i> Joint Advisory Accounts & Audit Committee	10.00
Tuesday 5 December	Planning Committee	10.00
Wednesday 6 December	Harbour Management Board	3.00
Thursday 7 December	Planning Committee	1.00
Friday 8 December		

Monday 11 December		
	Cabinet	2.00
Tuesday 12 December	Management Committee	9.30
Wednesday 13 December	Planning Committee	9.00
Thursday 14 December	*Strategy Committee	2.15
Friday 15 December		

Monday 18 December		
Tuesday 19 December	<i>Planning Site Meeting</i>	10.00
Wednesday 20 December		
Thursday 21 December		
Friday 22 December		

Monday 25 December	Christmas Day	
Tuesday 26 December	Boxing Day	
Wednesday 27 December		
Thursday 28 December		
Friday 29 December		

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2018

Monday 1 January 2018	New Years Day	
Tuesday 2 January	Planning Committee	10.00
Wednesday 3 January		
Thursday 4 January		
Friday 5 January		

Monday 8 January		
Tuesday 9 January		
Wednesday 10 January	Planning Committee	9.00
Thursday 11 January	WDDC Full Council	2.15
Friday 12 January		

Monday 15 January	Planning Site Meeting	10.00
Tuesday 16 January	Planning Site Meeting	10.00
Wednesday 17 January		
Thursday 18 January	Planning Committee WPBC Full Council	1.00 7.00
Friday 19 January		

Monday 22 January		
Tuesday 23 January	Overview & Scrutiny Committee	2.15
Wednesday 24 January	Dorchester Markets Joint Informal Panel	2.15
Thursday 25 January		
Friday 26 January	NDDC Full Council	10.00

Monday 29 January		
Tuesday 30 January	Planning Committee	10.00
Wednesday 31 January		
Thursday 1 February	Joint Advisory Overview and Scrutiny	2.15
Friday 2 February		

Monday 5 February	Cabinet	2.00
Tuesday 6 February	Management Committee	9.30
Wednesday 7 February	Planning Committee Overview and Scrutiny (reserve)	9.00 2.00
Thursday 8 February	*Strategy Committee	2.15
Friday 9 February		

Monday 12 February	Planning Site Meeting	10.00
Tuesday 13 February	Planning Site Meeting	10.00
Wednesday 14 February		
Thursday 15 February	Planning Committee Scrutiny & Performance Committee	1.00 6.30
Friday 16 February		

Joint
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Monday 19 February	Policy Development Committee	6.30
Tuesday 20 February	NDDC Full Council (Budget)*	10.00
Wednesday 21 February	Harbour Management Board	3.00
Thursday 22 February	WPBC Full Council (Budget)	7.00
Friday 23 February		

Monday 26 February		
Tuesday 27 February	Planning Committee *WDDC Full Council (Budget)	10.00 2.15
Wednesday 28 February	Overview & Scrutiny Committee Gryphon Leisure Centre Management Committee	2.00 7.00
Thursday 1 March		
Friday 2 March		

Monday 5 March		
Tuesday 6 March	Management Committee	9.30
Wednesday 7 March	Planning Committee	9.00
Thursday 8 March		
Friday 9 March		

Monday 12 March	Cabinet	2.00
Tuesday 13 March	Planning Site Meeting Strategy Committee	10.00 2.15
Wednesday 14 March		
Thursday 15 March		
Friday 16 March		

Monday 19 March	Planning Site Meeting	10.00
Tuesday 20 March		
Wednesday 21 March		
Thursday 22 March	Planning Committee	1.00
Friday 23 March		

Monday 26 March	Joint Advisory Accounts & Audit Committee	
Tuesday 27 March	Planning Committee Overview & Scrutiny Committee	10.00 2.15
Wednesday 28 March		
Thursday 29 March		
Friday 30 March	Good Friday	

Joint
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Monday 2 April	Easter Monday	
Tuesday 3 April		
Wednesday 4 April		
Thursday 5 April		
Friday 6 April		

Monday 9 April	Policy Development Committee	6.30
Tuesday 10 April	Planning Site Meeting	10.00
Wednesday 11 April	Planning Committee	9.00
Thursday 12 April		
Friday 13 April		

Monday 16 April	Planning Site Meeting	10.00
Tuesday 17 April	Management Committee	9.00
Wednesday 18 April	Overview & Scrutiny Committee	2.00
Thursday 19 April	Planning Committee	1.00
Friday 20 April		

Monday 23 April	Cabinet	2.00
Tuesday 24 April	Planning Committee Strategy Committee	10.00 2.15
Wednesday 25 April		
Thursday 26 April	Scrutiny & Performance Committee	6.30
Friday 27 April		

Monday 30 April		
Tuesday 1 May	Joint Advisory Overview and Scrutiny	2.15
Wednesday 2 May	Planning Committee (reserve)	9.00
Thursday 3 May		
Friday 4 May		

Monday 7 May	May Day Bank Holiday	
Tuesday 8 May	Planning Site Meeting	10.00
Wednesday 9 May		
Thursday 10 May	WDDC Annual Full Council	2.15
Friday 11 May		

Monday 14 May		
Tuesday 15 May		
Wednesday 16 May		
Thursday 17 May	WPBC Mayor Making	7.00
Friday 18 May	NDDC Annual Meeting of Full Council	10.00

Monday 21 May	Planning Site Meeting	10.00
Tuesday 22 May	Planning Committee	10.00
Wednesday 23 May		
Thursday 24 May	Planning Committee	1.00
Friday 25 May		

Joint
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Monday 28 May		
Tuesday 29 May	Strategy Committee	2.15
Wednesday 30 May		
Thursday 31 May	WPBC Full Council	7.00
Friday 1 June		

Monday 4 June	Cabinet	2.00
Tuesday 5 June	Planning Site Meeting Management Committee	10.00 9.30
Wednesday 6 June	Planning Committee	9.00
Thursday 7 June		
Friday 8 June		

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Executive Committee 14 March 2017 WDDC Constitution

FOR DECISION/FOR RECOMMENDATION TO COUNCIL

Portfolio Holder(s):

Councillor P Barrowcliff

Senior Leadership Team Contact:

S Caundle, Assistant Chief Executive

Report Author:

R Firth – Corporate Manager – Legal;

Statutory Authority

Section 101, 102 Local Government Act 1972; Sections 9E, 9JA; 9KA,9KC, 9MC
Local Government Act 2000; regulation 18 Local Authorities
(Referendums)(Petitions)(England) Regulations 2011

Purpose of Report

1. To provide Members with an opportunity to comment on the draft new West Dorset District Council constitution.

Officer Recommendations

2. That in so far as they have power to do so Members resolve to agree, but otherwise recommend the following:
 - (a) the Council implements a change in its governance arrangements from a leader / executive to committee model to take effect at the start of the first annual meeting of the Council following a decision by Full Council to adopt this resolution;
 - (b) that save as provided for in (c) below the Council adopt a new Constitution to take effect at the start of the first annual meeting of Council the content of which shall in the first instance be as provided for in Appendix 4 of this report;
 - (c) to the extent that any further change is necessary to the draft Constitution following consideration by the Executive Committee, power is delegated to the Monitoring Officer to identify and make such changes subject to final approval by Full Council;
 - (d) that the Council as part of its committee governance arrangements establish an Overview and Scrutiny Committee;

- (e) power is delegated to the Corporate Manager – Democratic Services and Elections to undertake all action in connection with any publicity requirements relating to the introduction of new governance arrangements;
- (f) that to the extent it is not covered by any other report considered by Full Council at its annual meeting or previously or in the Financial Regulations of the Council, at the same time as the coming into force of the new governance arrangements, the budget approved by Full Council for that financial year be amended so far as is necessary to reflect the new constitutional arrangements including in particular (but without prejudice to the generality of the foregoing) that the Strategy Committee and Officers be given access to the same finances as was available to the Executive Committee and Officers (as the case may be) under the existing arrangements and in this respect power be delegated to the Section 151 Officer to determine and implement the extent of those changes subject to consultation with the Member appointed to be Chairman of the Strategy Committee. Details of any substantive changes not set out in any report as identified above and / or the emerging Financial Regulations to be reported to a suitable Full Council meeting; and
- (g) for the avoidance of doubt, agree that all existing joint arrangements entered into by the Council be carried over and continue in full force and effect upon the coming into effect of the new committee governance arrangements.

Reasons for Decision

3.
 - (a) to meet legal requirements to such as extent as may be required to give effect to a new governance model to commence at the next annual meeting of Council;
 - (b) to put in place a new Constitution reflecting changes previously endorsed by Members that support new committee governance arrangements subject to any necessary subsequent revisions;
 - (c) to enable further changes to the draft Constitution prior to its final adoption including in relation to the Member scheme of allowances;
 - (d) to accord with statutory requirements requiring a formal resolution to appoint an Overview and Scrutiny Committee for the purposes of committee governance arrangements;
 - (e) for the avoidance of doubt to empower the Corporate Manager – Democratic and Electoral Services to perform various publication requirements arising from a resolution to adopt new governance arrangements; and
 - (f) to seek to ensure that arrangements are put in place to enable the budget adopted by Full Council to reflect the introduction of new governance arrangements; and

- (g) to provide clarification of the continuance of all joint arrangements entered into by the Council upon the new committee governance arrangements coming into effect.

Background and Reasons

4. Members will be aware that following a petition and subsequent referendum in 2016 the Council is required to change its governance arrangements from a Leader / Executive to a Committee model.
5. This report seeks to address a number of procedural matters relating to the introduction of new governance arrangements.

Bringing in new governance arrangements

6. There are various legal requirements which arise when a Council changes its governance arrangements. Amongst other things,
 - 6.1 the Council is required to resolve to implement such a change; and
 - 6.2 to publicise certain matters as a consequence of such a resolution.

The recommendations seek to facilitate these matters.

7. There are also inevitably some practical / clarification issues that result from such a significant change. These include the need to ensure that adopted budgets reflect the new arrangements and that there is clarity that the Council wishes for any existing joint arrangements to continue after the coming into effect of the new governance arrangements. The recommendations again seek to address these matters.
8. The introduction of new committee governance arrangements also necessitates the introduction of a new Constitution. As a result of timing issues, it is not possible to produce a fully complete new constitution at this time. The scope to identify further changes is therefore addressed in the recommendations.

The new Constitution

9. In February 2016 when considering proposals as to what a new Committee governance arrangement might look like Members resolved:
that Option 1 be adopted as the broad principles for a new governance structure based on a committee system.
A copy of Option 1 is reproduced as Appendix 1.
10. In January 2017 following various workshops and endorsement by Executive Committee, Full Council resolved to support certain more detailed principles in relation to constitution issues. A copy of those more detailed principles is set out in Appendix 2.
11. A draft new Constitution has been prepared. The draft has been considered by the Audit and Governance Committee and any comments by that committee will be tabled / verbally reported to this Committee.

Reproduced as Appendix 3 is a short description of the main features of change that the new draft Constitution identifies. Appendix 4 contains the full extent of the draft of the proposed Constitution. So far as practicable, all reasonable efforts have been made to reflect the broad principles of what was decided by Members in February and January. The following points are worth highlighting.

February principles

- 11.1 The powers of Full Council are set out in Article 4 – Part A of the draft Constitution. This includes power to determine terms of reference of committees (paragraph 4.06), and identifies what is in any event a matter of law, namely that delegation of a matter by Full Council does not prevent Full Council from also determining such matters (paragraph 4.01). The draft Constitution sets out terms of reference for every committee based on what it is currently understood Members may determine. These would obviously have to be changed if Full Council resolved something different.
- 11.2 The proposals for a new Strategy Committee are set out in Article 7 – Part A of the draft Constitution. It identifies a membership of nine and specifies that the Chairman of Strategy Committee who will be appointed by Full Council will be known as the Leader.
- 11.3 The law requires Full Council to annually review arrangements relating to political group representations. The Constitution does not therefore seek to prescribe that every committee will have political balance (as this may or may not be case depending on the view of Full Council) but does in the summary section – Part A, note that appointment to committees is by way of nomination from political groups unless a decision was taken to dis-apply political balance rules.
- 11.4 Provisions relating to a new Audit Committee are set out in Article 8 of the Constitution. Existing functions relating to governance matters have been removed to reflect the general principles agreed in February 2016, although power to provide input into future constitution changes still remain.
- 11.5 Since the initial proposals were determined in February 2016, a number of changes have been made to existing committee arrangements. In particular, this included the variation of what were by and large two overview and scrutiny committees in the form of the Efficiency Scrutiny Committee and the Policy Development Committee to create the Overview and Scrutiny Committee and the Joint Advisory Overview and Scrutiny Committee. The draft Constitution keeps the most recent names that have been given to committees (rather than those which existed in February 2016 when possible proposals were first considered) but maintains the broad principle of two Overview and Scrutiny Committees (as per current arrangements and those existing in February). As the principles identify that it is ultimately for Full Council to determine the powers of the committees, the draft Constitution seeks to reflect existing Overview and Scrutiny Committee delegated and referred powers

on the assumption that best reflects the likely decision of Full Council in April. Details relating to the Overview and Scrutiny Committees are set out in Articles 6 and 11 – Part A of the draft Constitution.

11.6 Since February 2016, the Officer Scheme of Delegation has (almost inevitably) been subject to various tweaks, partly to reflect legislative change. Nevertheless, it is considered that it can still reasonably be seen to follow the broad principles of that which existed following the creation of the Dorset Councils Partnership. The Officer Scheme contained in the draft Constitution largely replicates that which exists at present but has captured some minor further changes primarily to address matters arising from the draft new Constitution but also to correct outstanding errors that were identified in carrying out this exercise. Key changes can be summarised as:

- 11.6.1 wording changes to reflect new committee names and arrangements;
- 11.6.2 addition of new power to Head of Economy, Leisure and Tourism to better reflect existing powers in relation to harbours;
- 11.6.3 adjustment to RIPA provisions to reflect new emerging policy; and
- 11.6.4 adjustment to proper officer lists to reflect new post names and clarify appointment of range of officers to posts to provide cover in the event of absence.

January principles

11.7 Rather than seek to predetermine the number of meetings of a committee which Full Council will determine on an annual basis, the draft Constitution simply recognises for each committee that Full Council will determine the ordinary number of meetings.

11.8 The powers of the Strategy Committee are set out in Article 7 – paragraph 7.09, Part A of the new draft Constitution. To seek to avoid uncertainty issues arising from the need to reword delegations to committees to facilitate the new constitutional arrangements, Strategy Committee is given the power to make decisions on any matters other than those reserved to Full Council; however, the draft Constitution makes clear that in the event of any overlap on delegations to committees and Strategy Committee the normal intention is for decisions to go to the committee with primary responsibility for such matters.

11.9 The Council Procedure Rules are set out in Part B of the new draft Constitution. Provisions relating to the ability of the public to ask questions, make statements, present petitions and have deputations are all clearly set out in those Rules along with Members' rights relating to questions and motions.

- 11.10 The Strategy Committee Procedure Rules, the Access to Information Procedure Rules, the Overview and Scrutiny Procedure Rules and the Budget and Policy Procedure Rules can all be found in Part B of the Constitution and the relevant principles are all reflected therein.
- 11.11 The proposed new Audit Committee contains provision requiring the Chairman to be from the largest party that is different to the Chairman of Strategy Committee (paragraph 8.20). The Joint Advisory Accounts and Audit Committee which was created in 2016 is retained – see Article 11. In relation to other Committees, the current proposals suggest the creation of two standing Licensing Sub-Committees.
12. Where changes have been adopted by Members in the last eight months to the existing Constitution, so far as possible, no material alterations have been made to those matters in the proposed new Constitution and they have therefore been rolled over into the new document. However, in preparing the new draft Constitution, the opportunity has been taken to tidy up certain other elements of the existing Constitution particularly in relation to some protocols. For example, the Joint Protocol for Crime and Disorder has now been removed as it is understood that the arrangements identified within it have now ceased. However, where appropriate, the draft new Constitution now incorporates elsewhere within it relevant elements relating to such protocols e.g. Article 6 – Overview and Scrutiny which now includes more detailed provisions relating to crime and disorder. To the extent that such references had previously been standardised across all three Councils of the partnership, it is intended to take reports to the other Council partners to seek agreement to further amend their constitutions to reflect these changes.
13. Members will note that a few elements of the draft Constitution have yet to be completed (in particular the section relating to Member allowances). This is because such matters can only be determined once there is clarity on Member wishes in relation to the final format of the Constitution. These will therefore be the subject of further update closer to final implementation of the new governance arrangements. Further tweaks may also be needed in the event of additional information becoming available of relevance to the provisions in the draft. In particular, clarity is still awaited regarding current and future arrangements concerning the Joint Staff Appeals Committee.
14. Members should note that some parts of the new draft Constitution e.g. in relation to the Employee Code of Conduct, inevitably has an impact on all Officers of the Council including the author of this report; to that extent therefore all Officers have an interest to a greater or lesser extent in them.
15. There is only very limited time for further material changes to be made to the draft Constitution prior to its consideration by Full Council in April. Full Council will need to have adopted a new Constitution and agreed new governance arrangements prior to the proposals taking effect at annual council.

Implications

Corporate Plan

16. The Council has an objective of *creating a leaner and more focused organisation to protect the delivery of local services* to which the adoption of a new governance model and constitution potentially has some relevance.

Financial

17. There are no financial implications directly associated with the recommendations of this report. However, the ultimate adoption of a new Constitution will create a new governance model with bodies within it which are likely to have access to financial expenditure.

Risk Management

18. In so far as limited time and resources have allowed, all reasonable efforts have been made to deliver a new draft Constitution which is fit for purpose and reasonably reflects the principles identified by Members. However, there do remain uncertainties that cannot be clearly resolved.
19. For example, no attempt has been made to fundamentally review all aspects of the current constitution; as a consequence any issue existing in provisions that have not been reviewed but have been carried forward into the new draft proposal will still remain in the new constitution. Further, there has inevitably been elements of interpretation that have been applied in creating the new draft constitution both in relation to Members' intentions in setting the principles upon which the new constitution has been based and in relation to legal issues which apply when introducing a new governance model (in respect of the latter, the extent of relevant case law is limited as this is not something that happens with any regularity). As a consequence, it is always possible that certain intentions have not been properly reflected and / or there are matters of legal interpretation which ultimately will only be clarified through consideration by the courts. Finally, in a document of such size and complexity there is always the risk that not all issues have been comprehensively addressed and/or there are interactions which have not been identified but which may give rise to matters going forward.
20. Ultimately, any issues that do arise will have to be dealt with as and when they occur; however, there is nothing to prevent the Council from further amending the Constitution at a later date to accommodate required changes.

Consultation and Engagement

19. Consultation has been undertaken with Members through workshops, reports and discussions with the portfolio holder.

Appendices

Appendix 1 – general principles identified in February 2016

Appendix 2 – further principles identified in January 2017

Appendix 3 – description of main features of change

Appendix 4 – draft new constitution.

(This appendix is a large document, 390 pages, and therefore has not been printed with the agenda, the document is available to view on line. Alternatively hard copies are available by contacting Democratic Services)

Background Papers

Existing constitution

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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Appendix 1

Proposals for a committee system in the event that the result of the governance referendum favours the adoption of a committee system for West Dorset District Council:

1. Full Council will have the power to set terms of reference within which each committee is to operate;
2. The current Executive Committee will be replaced by a **Strategy Committee**. Size of committee to be determined by Full Council and may have a membership larger than the current 7. Allocation of committee seats will be based on political proportionality.

Full Council will establish new terms of reference for this committee setting out delegated powers and matters to be referred to Full Council.

3. The following existing committees of the council will continue, including the scrutiny function, which can be retained under a committee system. The committees will retain their existing responsibility for functions (with the exception of Audit Committee which will not have a governance function) and will have the authority to take decisions as established by Full Council. Political proportionality will continue to be applied as set out in the current arrangements for the allocation of committee seats.

Audit Committee

Efficiency Scrutiny Committee

Policy Development Committee

Development Control Committee

Licensing & Appeals Committee

Shared Services Joint Committee (joint committee with WPBC & NDDC)

Gryphon Sports Centre Management Committee

Dorchester Markets Joint Panel

4. There will be the ability for Full Council to take any function it has delegated to a Committee, in place of that Committee: and a Committee may refer or recommend a decision in respect of a delegated function to be taken by Full Council
5. The level of delegation to officers will continue in line with the existing Scheme of Officer Delegations.
6. The appointment of a Leader of the Council will continue, to be appointed by Full Council.

Appendix 2

Article 4 – Full Council (FC)

1. Retain existing Policy Documents for decision by Full Council save for relevant statutory changes
2. Full Council to appoint Chairman and Vice Chairman of Strategy Committee who will also be known as Leader and Deputy Leader

Article 6 – Overview and Scrutiny Committee (O&S)

1. Retain a single O&S Committee.
2. O&S to have 17 members.
3. Keep quorum at 4.
4. Exclude Strategy Committee members from sitting on O&S.
5. O&S members to have same rights regarding sitting in to hear Strategy Committee meetings as other Member
6. O&S to have 6 ordinary meetings a year unless FC determine otherwise
7. No scope to exist to appoint substitutes
8. Sub-Committee quorum to be minimum of three

Article 7 – Strategy Committee (SC)

1. SC to have power to carry out all Council functions other than those reserved to FC or delegated to another committee
2. SC to have 9 members with quorum of 5
3. No scope to exist for SC to appoint substitutes
4. SC to have power to create sub-committees
5. SC to have same ordinary meetings as now unless FC determine otherwise
6. Have section that identifies powers and duties of Portfolio Holders
7. SC to create portfolios and allocate portfolio holders to those portfolios

Council Procedure Rules

1. Have sections which give scope for members of the public to put forward questions, statements, petitions and deputations
2. Annual Council order of business to also include scope for questions, statements, petitions and deputations.
3. Rules to contain clear provisions to enable Members to submit on-notice questions and motions/issues subject to appropriate restrictions
4. Provisions to be included to provide scope for each committee to present an annual update
5. Number of questions Members can ask of various specific areas as of right generally limited to 2 plus certain supplemental questions
6. Maximum of 3 questions /statements from public per meeting
7. Provisions to be incorporated for Portfolio Holder / Leader to present regular reports to which questions can be asked
8. No provisions to be included for Chairman / Vice-Chairman of Council or the Leader to speak as of right at any committee.
9. Incorporate Petition Scheme

Strategy Committee Procedure Rules

1. Maintain Forward Plan but no need for any other further type of Action Plan
2. Provisions in Council Procedure Rules to place items on SC to be the same as other committees with additional recognition of scope to approach Chair to request items
3. Maintain a Key Decision provision which can apply to SC decisions and various Officer decisions as well (see Access to Information Procedure Rules)
4. In relation to both the Forward Plan and Key Decisions incorporate appropriate provisions relating to urgent decisions and other caveats to secure appropriate legal protections for the Council

Access to Information Procedure Rules

1. No need for provision requiring production of Annual Report on urgent key decisions
2. Incorporate identification of rights of O&S to access various documents / reports
3. Incorporate publicity protocol
4. Incorporate provisions that follow government guidance regarding the production of decision records

Overview and Scrutiny Procedure Rules

1. Incorporate Call In procedure Rules to supplement statutory powers of O&S
2. Call in rule to apply to decisions of both SC and its sub-committees
3. Call in rule to provide scope for (a) Chairman of O&S; (b) O&S committee by way of resolution; and (c) 10 non Members of O&S (who are also not all from the same political party) to require the Chairman to call in a decision.
4. Call in rule to incorporate appropriate provisions relating to urgent decisions and other caveats to secure appropriate legal protections for the Council

Budget and Policy Procedure Rules

1. Incorporate appropriate indicative timetabling provisions including scope for SC to potentially revisit decision of FC regarding annual budget issues.
2. Incorporate appropriate provisions / caveats to secure appropriate legal protections for the Council in the event of need to deviate from indicative procedures.

Other

Audit and governance

1. Audit and Governance Chairman to be from different party to majority political party of Council
2. Retain sovereign Audit and Governance Committee and Joint Audit Advisory Committee – do not have remove sovereign Audit and Governance Committee and replace it with joint Audit and Governance Committee

Appendix 3

The change to the governance arrangements of West Dorset District Council will mean that rather than operating a leader/executive model the Council will operate a committee model. Under the leader/executive model various “executive” powers rest with an appointed Leader of the Council and these are delegated down to executive committees, officers etc. The new committee model means that Full Council has all the powers of the Council. A number of these powers will be delegated to committees created by or with the agreement of the Council and to officers.

The proposals for the new committee arrangements are for the Council to have a new Strategy Committee which will take the lead on a number of the most significant issues concerning the Council. The Council will retain various other committees which will perform a variety of its functions including those of a “quasi-judicial” nature such as in relation to planning and licensing. The intention is for the Council to operate a sovereign Overview and Scrutiny Committee and also a joint advisory Overview and Scrutiny Committee which will operate in conjunction with some other Councils. The proposals do not seek to alter existing joint arrangements that the Council has entered into.

The Council will adopt a new Constitution to reflect changes to governance arrangements. Procedure Rules within the Constitution identify various rights that the Council proposes to give to members of the public to ask questions, make statements, present petitions and attend before the Council as a deputation.