

## **WEST DORSET DISTRICT COUNCIL EXECUTIVE COMMITTEE**

### **MINUTES OF MEETING HELD ON TUESDAY 14 MARCH 2017**

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

**Apologies:** There were no apologies for absence

**Also present:** Cllr J Dunseith, Cllr T Farmer, Cllr S Jones MBE, Cllr J Sewell, Cllr P Shorland, Cllr D Taylor and Cllr D Turner

**Officers present (for all or part of the meeting):**

Susan Carne (Democratic Services Manager), Stuart Caundle (Assistant Chief Executive), Stuart C Dawson (Head of Revenues and Benefits), Robert Firth (Corporate Manager Legal Services), Tony Hurley (Leisure Commissioning Manager) and Jason Vaughan (Strategic Director)

**81. Minutes**

The minutes of the meeting held on 9 February 2017 were approved and signed as a correct record.

**82. Code of Conduct**

There were no declarations of interest.

**83. Executive Committee Forward Plan**

The committee received the Forward Plan. It was noted that there was one additional report for the April meeting on the Affordable Housing Petition.

**84. Future arrangements following the decision of Local Government Reorganisation**

Stuart Caundle provided an update on the Local Government Reorganisation submission that had been made on behalf of 6 councils in Dorset. The councils were waiting for the Secretary of State to make a decision which was expected to be made in the following week. Plans were being put on place for communications as soon as the decision was known, including asking the 3 councils that did not sign up to the submission if they would like to reconsider their position.

It was hoped that a positive decision would be made and that a formal statement would be made to the House of Commons. It was expected that the councils would receive notification of the decision at short notice, just in advance of that statement being made.

Officers were on standby to put out communications as soon as reasonably possible.

Project plans were also being put in place to report to the Future Dorset Board on the 23 March 2017 and to invite Council Leaders to talk about future governance arrangements if a positive decision was received.

**85. Support for Dorset County Museum's 'Tomorrow's Museum for Dorset'**

The committee received a report on the request for a capital grant and a short term loan to support the 'Tomorrow's Museum for Dorset' project. The item had been deferred from the previous meeting in order for the committee to receive robust financial information on the proposals.

Cllr Thacker felt that the committee still did not have sufficient financial information to make a decision, there were still concerns that remained outstanding and more information was required before a decision could be made. Cllr Yarker agreed that there was insufficient financial information in the report and that members needed to see the business plan. Cllr Yarker therefore suggested that the item be deferred until the next meeting.

Cllr S Jones addressed the committee, highlighting that Dorchester Town Council was prepared to give funding to the project and that the lottery had already undertaken the due diligence tests; Cllr Jones was concerned that a further delay to the decision may put the project at risk of losing the Heritage Lottery funding for this important project. Cllr D Taylor agreed that sufficient financial scrutiny has already taken place and asked the committee to support the project.

Cllr A Thacker reported that he was very much in favour of the project, however it was important for the right decision to be taken as it would be a legacy for a new council in the light of local government reorganisation. The Leader of Council agreed that it was important for a decision to be taken on a proper basis with the information that had been requested.

Cllr Dunseith agreed that the project was very important for the culture of the county town and asked for clarification on the depth and breadth of information that was requested. In response the Leader reported that a cash flow forecast and evidence to support the increase in visitor numbers was needed for an informed decision.

Decision

That the item be deferred and that a report with additional financial information be submitted to the next Executive Committee.

**86. Recommendations for the allocation of developer contributions for the enhancement of recreational and community facilities in Dorchester**

Cllr Gardner introduced the report on the proposals for the allocation of the developer contributions received by the council for the enhancement of community infrastructure in Dorchester. Cllr Gardner thanked the panel, chaired by Cllr Hosford, for their recommendations and paid credit to the

Duchy of Cornwall who were very supportive of putting the funding into Dorchester projects.

Cllr Yarker and Cllr Thacker also expressed their support for the allocations and the work undertaken by the member panel.

#### Decision

- (a) That the Committee agrees the recommendations of the member panel and that developer contributions collected in Dorchester be initially allocated as follows:

<b>Project</b>	<b>Amount allocated</b>
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
<b>Total allocated:</b>	<b>£1,874,086</b>

- (b) That the Committee agrees that the offers of funding as set out in recommendation (a) 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.
- (c) 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 (a).
- (d) 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.

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

Cllr Penfold introduced a report that sought agreement to a proposal from the Gryphon School for the transfer of the Gryphon Sports Centre service in exchange for a one-off grant. It was noted that the dual use agreement would continue to enable the school to benefit from any grants available and that the transfer had received the support of the Gryphon Sports Centre Management Committee.

Cllr P Shorland, Chair of the Gryphon Sports Centre Manager expressed his support and commended the recommendations to the committee.

**Decision**

- a) That the operation of the Gryphon Sports Centre service be transferred to The Gryphon School on 1<sup>st</sup> 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.

**88. Release of Housing Reserves funds for homelessness prevention initiatives in 2017-18**

Member approval was sought for the release of £50,000 from the Housing Reserve for use by the Housing Options Team in 2017/18 to fund homelessness prevention work in West Dorset.

The top priorities for homelessness prevention measures were listed in the report and included an allocation of £26,500 for the EDP Street Homeless Outreach Project. Cllr Yarker highlighted that the Exeter Drugs Project was a county wide initiative and a very well run service aimed at reducing the number of rough sleepers and providing emergency accommodation when the

weather deteriorated. The Discretionary Homelessness Prevention fund allowed enabled the Housing Options Team to make small but vital grants to residents who were about to be made homeless and £7,000 had been allocated to homeless reduction legislation which was a piece of legislation going through parliament that would place an obligation on councils to intervene at earlier stages to prevent homelessness. In response to a question Cllr Yarker confirmed that the housing team considered that £50,000 was a prudent sum for this work in the context of other efficiencies achieved within the service.

#### Decision

- (a) That the release of £50,000 from the West Dorset Housing Reserve to fund homelessness prevention work in 2017/18 be approved;
- (b) That delegated authority be given to the Head of Housing in consultation with the Housing Portfolio Holder to allocate the funds to appropriate prevention initiatives.

#### 89. **Council Tax Discretionary Discount**

The Head of Revenues and Benefits introduced a report on two applications for council tax discretionary discount, details of each application were set out in the appendix to the report.

The first application had been received in respect of a property in West Mills Road, Dorchester. The applicant considered that the council's failure to administer local searches promptly has resulted in a charge for council tax of £60.44.

Members considered the application however felt that a precedent should not be set as the length of time taken for a local search was well known and therefore this was not exceptional circumstances.

The second application for council tax discretionary discount was in respect of a property at Harmshay, Marshwood. The applicant had been asked to pay council tax in respect of a property which was currently empty. The property was subject to an Agricultural Occupancy Condition (AOC) which limited the people who could rent it and the applications for the AOC to be lifted had been refused. Due to the AOC the applicant had been unsuccessful in renting the property.

Cllr J Sewell spoke in support of the application and had sent a statement to all of the executive members. Cllr J Sewell had spoken to the Housing Team and although there was a desperate need for small rural rented properties no one was able to rent it due to the AOC. Cllr J Sewell provided the full history of the property and the applicant highlighting that the AOC restriction put the family at a huge financial disadvantage

Cllr Gardner reported that there were circumstances under which an agricultural tie could be removed and suggested that a re-application be made together with the appropriate evidence.

Members agreed that this was a complicated and exceptional set of circumstances and that a dispensation should be granted for a limited period to enable the applicant to re-apply for the AOC to be lifted.

#### Decision

- (a) That the application for council tax discretionary discount at West Mills Road, Dorchester be rejected;
- (b) That the application for council tax discretionary discount at Harmshay, Marshwood be approved for the period up to 31<sup>st</sup> July 2017.

### 90. **Rate Relief**

Cllr P Barrowcliff presented the report and commended the recommendations to the committee.

#### Decision

- 1 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.

### 91. **Calendar of Meetings 2017/18**

The committee considered the draft calendar of meetings for 2017-18 and agreed to refer the calendar to Full Council for approval subject to the Full Council meeting scheduled for 25<sup>th</sup> July 2017 being moved to 1<sup>st</sup> August 2017.

Recommendation to Council

- (a) That the calendar of meetings for the period May 2017 to May 2018 as set out at appendix 1 to the report be approved, subject to the Full Council meeting scheduled for 25 July 2017 being moved to Tuesday 1 August 2017;
- (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.

## 92. **WDDC Constitution**

Cllr Barrowcliff introduced the report that presented the new Constitution for the District Council following the referendum in 2016 which required the Council to change its governance arrangements from a Leader/Executive model to a Committee model. The draft Constitution had been considered by the Audit and Governance Committee and would require Full Council approval. A number of informal member meetings had been held and a final workshop would be held which would give members the opportunity to make any final comments on the draft prior to Full Council. Cllr Barrowcliff encouraged members to attend this workshop in order to raise any outstanding issues. Cllr Barrowcliff reported that the size of the Strategy Committee would be 10 with a quorum of 5, and confirmed that the Constitution could be reviewed in the future and amended if necessary.

For Recommendation to Council

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, subject to the size of the Strategy Committee being 10;
- (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.

**93. Urgent items**

There were no urgent items.

**94. Exempt Business**

There was no exempt business.

**Duration of meeting:** 2.15 - 3.40 pm

**Chairman**

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