



## STRATEGY COMMITTEE

Members of the Strategy Committee are invited to attend this meeting at South Walks House, Dorchester, Dorset, DT1 1EE to consider the items listed on the following page.

Stuart Caundle  
Head of Paid Service

**Date:** Thursday, 13 December 2018  
**Time:** 10.00 am  
**Venue:** Committee Room A & B - South Walks House

**Members of Committee:**

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

---

### USEFUL INFORMATION

For more information about this agenda please telephone Democratic Services on 01305 252216 or email [sdallison@dorset.gov.uk](mailto:sdallison@dorset.gov.uk)

This agenda and reports are also available on the Council's website at [www.dorsetforyou.com/committees/](http://www.dorsetforyou.com/committees/)

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



Disabled access is available for all of the council's committee rooms. Hearing loop facilities are available. Please speak to a Democratic Services Officer for assistance in using this facility.

**Recording, photographing and using social media at meetings**

The council is committed to being open and transparent in the way it carries out its business whenever possible. Anyone can film, audio-record, take photographs, and use social media such as tweeting and blogging to report the meeting when it is open to the public, so long as they conform to the Council's protocol, a copy of which can be obtained from the Democratic Services Team.

# A G E N D A

Page No.

## 1 APOLOGIES

To receive apologies for absence.

## 2 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 Rob Firth, Monitoring Officer, in advance of the meeting.**

## 3 FORWARD PLAN

5 - 10

To receive the Forward Plan.

## 4 SHADOW EXECUTIVE COMMITTEE FORWARD PLAN

11 - 20

To receive the Shadow Executive Forward Plan.

## 5 MINUTES

To confirm the minutes of last meeting. (previously circulated)

## 6 TRANSFER OF ASSETS AND SERVICES

21 - 28

To consider a report by S Hill, Strategic Director and N Randle, Local Government Resource Centre.

**7 REQUEST FOR GRANT FROM BEAMINSTER MUSEUM 29 - 32**

To consider a report from the Leisure Commissioning Manager.

**8 HOMES DORSET NEXT STEPS 33 - 36**

To consider a report by the Head of Paid Service.

**9 APPLICATION FOR COUNCIL TAX DISCOUNT 37 - 40**

To consider a report by the Head of Revenues and Benefits.

**10 HARBOUR OPERATIONS ANNUAL REPORT 41 - 60**

To consider a report by the Head of Economy, Leisure and Tourism.

**11 HOLWELL NEIGHBOURHOOD PLAN - INDEPENDENT EXAMINER'S REPORT 61 - 86**

To consider a report by the Senior Planning Officer.

**12 STATEMENT OF COMMON GROUND ON STRATEGIC PLANNING MATTERS, BETWEEN DORSET LOCAL PLANNING AUTHORITIES 87 - 120**

To consider a report by the Corporate Manager, Planning (Community and Policy Development).

**13 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.

**14 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).

**There are no exempt items to report.**





## Strategy Committee Four Month Forward plan 1 November 2018 To 28 February 2019

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 will be published on the council's website [Dorsetforyou.com](http://Dorsetforyou.com) 3 working days before the meeting. hard copies of the papers will be available upon request.

**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.

Agenda 5

- **Portfolio Holders**
- Partnership & Joint Working – Cllr A Alford
- Corporate – Cllr P Barrowcliff
- Community Safety & Access – Cllr A Thacker
- Environment Protection & Assets – Cllr J Russell
- Enabling – Cllr M Penfold
- Equalities – Cllr S Jones
- Housing – Cllr T Yarker
- Planning – Cllr I Gardner
- Sustainability – Cllr M Hall
- Vulnerable residents – Cllr S Hosford

Publication date: 14 November 2018

**KEY DECISIONS**

<b>Title of Report</b>	<b>Purpose of Report</b>	<b>Consult Committee</b>	<b>Exempt</b>	<b>Portfolio Holder &amp; Report Author</b>	<b>Decision Date</b>
------------------------	--------------------------	--------------------------	---------------	---	----------------------

**Non Key Decisions**

<b>Title of Report</b>	<b>Purpose of Report</b>	<b>Consult Committee</b>	<b>Exempt</b>	<b>Portfolio Holder &amp; Report Author</b>	<b>Decision Date</b>
Annual report for Dorchester Sports Centre and update on the resolution of build defects	To receive a report of the performance of the sports centre over previous year, an update of progress with the resolution of building defects and consider any price changes as proposed.			WDDC Portfolio Holder for Enabling - M Penfold Tony Hurley, Leisure Commissioning Manager	13 Dec 2018
Harbour Annual Report	To consider the Harbour Annual Report.			WDDC Portfolio Holder for Enabling - M Penfold Keith Howorth, Weymouth Harbour Master	13 Dec 2018
Statement of Common Ground on strategic planning matters, between Dorset local planning authorities	To enable the draft Statement of Common Ground to be approved by each of the local planning authorities in the area, to meet the requirement of the National Planning Policy Framework and ensure that it is in place when local plans are submitted for examination.			WDDC Portfolio Holder for Planning - I Gardner Hilary Jordan, Head of Planning Community & Policy Development	13 Dec 2018

NON KEY DECISIONS

Title of Report	Purpose of Report	Documents	Exempt	Portfolio Holder & Report Author	Decision Date
Application for Council Tax Discount	To determine the application received for Council Tax Discount			WDDC Portfolio Holder for Corporate - P Barrowcliff Stuart C Dawson, Head of Revenues and Benefits	13 Dec 2018
Holwell Neighbourhood Plan - Independent Examiner's Report	To consider the independent Examiner's recommendations/modifications regarding the Holwell Neighbourhood Plan and decide what action to take in response to each.			WDDC Portfolio Holder for Planning - I Gardner Terry Sneller, Local Plan Team Leader	13 Dec 2018
Quarter 3 Business Review Report	To provide the strategic overview of performance, risk, revenue and capital expenditure and income.			WDDC Portfolio Holder for Corporate - P Barrowcliff Chris Evans, Financial Performance Manager	7 Feb 2019
Adoption of Dorset AONB Management Plan 2019-2024	To ensure that there is an up-to-date management plan for the AONB as required under the Countryside and Rights of Way Act.	West Dorset District Council Strategy Committee 7 Feb 2019		WDDC Portfolio Holder for Planning - I Gardner Hilary Jordan, Head of Planning Community & Policy Development	26 Feb 2019

## 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.





This page is intentionally left blank

**Shadow Dorset Council**  
**Shadow Executive Committee - Forward Plan - December 2018**

**For the period 17 DECEMBER 2018 to 31 MARCH 2019**  
**(publication date – 16 NOVEMBER 2018)**

**Explanatory Note:**

This Forward Plan contains future items to be considered by the Shadow Executive Committee. It is published 28 days before the next meeting of the Committee. The plan includes items for the meeting including key decisions. Each item shows if it is 'open' to the public or to be considered in a private part of the meeting.

**Definition of Key Decisions**

Key decisions are defined in the Shadow Dorset Council's Constitution as decisions of the Shadow Executive Committee which are likely to -

- (a) to result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates (***Thresholds - Dorset County Council £500k and District and Borough Councils £100k***); or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority."

When determining the meaning of "*significant*" for these purposes the Shadow Council will have regard to any guidance issued by the Secretary of State in accordance with section 9Q of the Local Government Act 2000 Act. Officers will consult with lead members to determine significance and sensitivity.

**Private/Exempt Items for Decision**

Each item in the plan above marked as 'private' 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 a 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 reveals that the shadow council 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.

Subject / Decision	Decision Maker	Decision Due Date	Consultation	Background documents	Member / Officer Contact
<b>Programme Highlight Report</b> Key Decision - <b>No</b> Public Access - <b>Open</b>	Shadow Executive Committee	17 Dec 2018	<u>Consultees:</u> Members Services  <u>Means of Consultation:</u> Task and Finish Groups Workshops Ongoing programme activity	None	Lead member - Leader of Shadow Dorset Council  <i>Lead officer - Keith Cheesman, LGR Programme Director            keith.cheesman@dorsetcc.gov.uk</i>
<b>Risk Management</b> Key Decision - <b>No</b> Public Access - <b>Open</b>	Shadow Executive Committee	17 Dec 2018	<u>Consultees:</u> Sovereign Councils Programme Board  <u>Means of Consultation:</u> Meetings Correspondence	None	Lead member - Councillor Rebecca Knox  <i>Lead officer - Matt Prosser, Chief Executive Designate            matt.prosser@dorsetcouncil.gov.uk</i>
<b>Forward Plan</b> Key Decision - <b>No</b> Public Access - <b>Open</b>	Shadow Executive Committee	17 Dec 2018	<u>Consultees:</u> Shadow Executive Committee Dorset councils Programme Board  <u>Means of Consultation:</u> Meetings	None	Lead member - Leader of Shadow Dorset Council  <i>Lead officer - Lee Gallagher, Democratic Services Manager - Dorset County Council            l.d.gallagher@dorsetcc.gov.uk</i>
<b>Convergence Plan</b> Key Decision - <b>Yes</b> Public Access - <b>Open</b>	Shadow Executive Committee	17 Dec 2018	<u>Consultees:</u>  <u>Means of Consultation:</u>		Lead member - Councillor Rebecca Knox  <i>Lead officer - Nicola Houwayek, HR Strategic Lead            nicola.houwayek@dorsetcc.gov.uk</i>

<p><b>HR Consultation Programme with Trade Unions</b></p> <p>Key Decision - <b>No</b> Public Access - <b>Open</b></p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u> Programme Board Trade Unions</p> <p><u>Means of Consultation:</u> Meetings</p>	None	<p>Lead member - Councillor Peter Wharf</p> <p><i>Lead officer - Keith Cheesman, LGR Programme Director keith.cheesman@dorsetcc.gov.uk</i></p>
<p><b>Appointment of External Auditor and Creation of an Audit Committee meeting in June/July 2019</b></p> <p>Key Decision - <b>No</b> Public Access - <b>Open</b></p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u> Dorset Finance Officers Group</p> <p><u>Means of Consultation:</u> Meeting</p>	None	<p>Lead member - Councillor Tony Ferrari</p> <p><i>Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk</i></p>
<p><b>Voluntary Redundancy Arrangements</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u></p> <p><u>Means of Consultation:</u></p>	None	<p>Lead member - Councillor Peter Wharf</p> <p><i>Lead officer - Nicola Houwayek, HR Strategic Lead nicola.houwayek@dorsetcc.gov.uk</i></p>
<p><b>Local Area Arrangements</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u></p> <p><u>Means of Consultation:</u></p>	None	<p>Lead member - Councillor Sherry Jespersen</p> <p><i>Lead officer - Stephen Hill, Strategic Director, Dorset Councils Partnership shill@dorset.gov.uk</i></p>
<p><b>Draft Statement of Common Ground between Dorset local planning authorities, on strategic planning matters</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u> Strategic Planning Forum</p> <p><u>Means of Consultation:</u> Meeting held on 17 September 2018</p>	Draft Statement of Common Ground National Planning Policy Framework 2018	<p>Lead member - Councillor David Walsh</p> <p><i>Lead officer - Stephen Hill, Strategic Director, Dorset Councils Partnership shill@dorset.gov.uk</i></p>

<p><b>Highways Asset Management Plan</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p> <p><b>(Consultation referred from Dorset County Council)</b></p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u> Highways Maintenance Management Policy Development Panel of the Economic Growth Overview and Scrutiny Committee at Dorset County Council</p> <p><u>Means of Consultation:</u></p>	Highways Asset Management Plan	<p>Lead member - Councillor Daryl Turner</p> <p><i>Lead officer - Debbie Ward, Chief Executive - Dorset County Council d.ward@dorsetcc.gov.uk</i></p>
<p><b>Highways Maintenance Plan</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p> <p><b>(Consultation referred from Dorset County Council)</b></p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u> Highways Maintenance Management Policy Development Panel of the Economic Growth Overview and Scrutiny Committee at Dorset County Council</p> <p><u>Means of Consultation:</u></p>	Highways Maintenance Plan	<p>Lead member - Councillor Daryl Turner</p> <p><i>Lead officer - Debbie Ward, Chief Executive - Dorset County Council d.ward@dorsetcc.gov.uk</i></p>
<p><b>The Code of Practice for the Classification of Highway Safety Hazards and Defects</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p> <p><b>(Consultation referred from Dorset County Council)</b></p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u> Highways Maintenance Management Policy Development Panel of the Economic Growth Overview and Scrutiny Committee at Dorset County Council</p> <p><u>Means of Consultation:</u></p>	Code of Practice for the Classification of Highway Safety Hazards and Defects	<p>Lead member - Councillor Daryl Turner</p> <p><i>Lead officer - Debbie Ward, Chief Executive - Dorset County Council d.ward@dorsetcc.gov.uk</i></p>
<p><b>Highways Winter Maintenance Plan</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p> <p><b>(Consultation referred from Dorset County Council)</b></p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u> Highways Maintenance Management Policy Development Panel of the Economic Growth Overview and Scrutiny Committee at Dorset County Council</p> <p><u>Means of Consultation:</u></p>	Winter Maintenance Plan	<p>Lead member - Councillor Daryl Turner</p> <p><i>Lead officer - Debbie Ward, Chief Executive - Dorset County Council d.ward@dorsetcc.gov.uk</i></p>

<p><b>Delegation of powers to Bournemouth Borough Council to enable them to decide a planning application for the development of a new road junction and associated works on the A338 Wessex Way to provide a link to the Wessex Fields Business Park and Royal Bournemouth Hospital</b></p> <p>Key Decision - <b>No</b> Public Access - <b>Open</b></p> <p>(Decision referred from Dorset County Council)</p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u> Regulatory Committee – Dorset County Council</p> <p><u>Means of Consultation:</u> Meeting on 6 December 2018</p>	Regulatory Committee report	<p>Lead member - Councillor Daryl Turner</p> <p><i>Lead officer - Debbie Ward, Chief Executive - Dorset County Council d.ward@dorsetcc.gov.uk</i></p>
<p><b>North Quay - To review the various options for disposal and related financial implications</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Part exempt</b></p> <p>(Consultation referred by Bournemouth and Portland Borough Council)</p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u></p> <p><u>Means of Consultation:</u></p>	None	<p>Lead member - Councillor Jeff Cant</p> <p><i>Lead officer - Matt Prosser, Chief Executive Designate matt.prosser@dorsetcouncil.gov.uk</i></p>
<p><b>Changes to Special Educational Needs and Disability (SEND) Transport Policy</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Fully exempt</b></p> <p>(Consultation referred from Dorset County Council)</p>	Shadow Executive Committee	17 Dec 2018	<p><u>Consultees:</u></p> <p><u>Means of Consultation:</u></p>	None	<p>Lead member - Councillor Andrew Parry</p> <p><i>Lead officer - Nick Jarman, Interim Director for Children's Services nick.w.jarman@dorsetcc.gov.uk</i></p>
<p><b>Budget 2019/20 and Medium Term Financial Forecast - Update</b></p> <p>Key Decision - <b>No</b> Public Access - <b>Open</b></p>	Shadow Executive Committee	7 Jan 2019	<p><u>Consultees:</u> Budget Task and Finish Group</p> <p><u>Means of Consultation:</u> Meetings</p>	None	<p>Lead member - Councillor Tony Ferrari</p> <p><i>Lead officer - Jason Vaughan, Interim Section 151 Officer</i></p>

					<i>jvaughan@dorset.gov.uk</i>
<b>Council Tax Discounts, Long Term Empty Charges</b>  Key Decision - <b>Yes</b> Public Access - <b>Open</b>	Shadow Executive Committee	7 Jan 2019	<u>Consultees:</u> Budget Task and Finish Group  <u>Means of Consultation:</u> Meetings	None	Lead member - Councillor Tony Ferrari  <i>Lead officer - Jason Vaughan, Interim Section 151 Officer</i> <i>jvaughan@dorset.gov.uk</i>
<b>Business Rates Relief</b>  Key Decision - <b>Yes</b> Public Access - <b>Open</b>	Shadow Executive Committee	7 Jan 2019	<u>Consultees:</u> Budget Task and Finish Group  <u>Means of Consultation:</u> Meetings	None	Lead member - Councillor Tony Ferrari  <i>Lead officer - Jason Vaughan, Interim Section 151 Officer</i> <i>jvaughan@dorset.gov.uk</i>
<b>Insurance Arrangements</b>  Key Decision - <b>Yes</b> Public Access - <b>Open</b>	Shadow Executive Committee	7 Jan 2019	<u>Consultees:</u> Budget Task and Finish Group  <u>Means of Consultation:</u> Meetings	None	Lead member - Councillor Tony Ferrari  <i>Lead officer - Jason Vaughan, Interim Section 151 Officer</i> <i>jvaughan@dorset.gov.uk</i>
<b>Constitution - Dorset Council</b>  Key Decision - <b>Yes</b> Public Access - <b>Open</b>	Shadow Executive Committee  Shadow Dorset Council	14 Jan 2019  24 Jan 2019	<u>Consultees:</u> Governance Task and Finish Group Monitoring Officers Group  <u>Means of Consultation:</u> Meetings	None	Lead member - Councillor Spencer Flower  <i>Lead officer - Jonathan Mair, Interim Monitoring Officer</i> <i>j.e.mair@dorsetcc.gov.uk</i>
<b>Councillor and Democratic Arrangements</b>  Key Decision - <b>Yes</b> Public Access - <b>Open</b>	Shadow Executive Committee	14 Jan 2019	<u>Consultees:</u> Governance Task and Finish Group Monitoring Officers Group  <u>Means of Consultation:</u> Meetings	None	Lead member - Councillor Spencer Flower  <i>Lead officer - Jonathan Mair, Interim Monitoring Officer</i> <i>j.e.mair@dorsetcc.gov.uk</i>



<p><b>Transition Period Plan (operating arrangements and interim transition)</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Shadow Executive Committee	14 Jan 2019	<p><u>Consultees:</u> Governance Task and Finish Group</p> <p><u>Means of Consultation:</u> Meetings</p>	None	<p>Lead member - Leader of Shadow Dorset Council</p> <p><i>Lead officer - Keith Cheesman, LGR Programme Director keith.cheesman@dorsetcc.gov.uk</i></p>
<p><b>Weymouth Town Council</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Shadow Executive Committee	14 Jan 2019	<p><u>Consultees:</u> None</p> <p><u>Means of Consultation:</u> None</p>	None	<p>Lead member - Leader of Shadow Dorset Council</p> <p><i>Lead officer - Keith Cheesman, LGR Programme Director keith.cheesman@dorsetcc.gov.uk</i></p>
<p><b>Equalities Scheme</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Shadow Executive Committee	14 Jan 2019	<p><u>Consultees:</u> Equalities Working Group Lead members Lead officers</p> <p><u>Means of Consultation:</u> Meetings</p>	None	<p>Lead member - Councillor Peter Wharf</p> <p><i>Lead officer - Matt Prosser, Chief Executive Designate matt.prosser@dorsetcouncil.gov.uk</i></p>
<p><b>Members Allowances Scheme 2019/2020</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Shadow Dorset Council	24 Jan 2019	<p><u>Consultees:</u> Independent Remuneration Panel Governance Task and Finish Group Monitoring Officers Group</p> <p><u>Means of Consultation:</u> Meetings</p>	None	<p>Lead member - Councillor Spencer Flower</p> <p><i>Lead officer - Jonathan Mair, Interim Monitoring Officer j.e.mair@dorsetcc.gov.uk</i></p>
<p><b>Corporate Plan</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	Shadow Executive Committee  Shadow Dorset Council	11 Feb 2019  20 Feb 2019	<p><u>Consultees:</u> None</p> <p><u>Means of Consultation:</u> None</p>	None	<p>Lead member - Leader of Shadow Dorset Council</p> <p><i>Lead officer - Matt Prosser, Chief Executive Designate matt.prosser@dorsetcouncil.gov.uk</i></p>

<p><b>2019/2020 Budget</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	<p>Shadow Executive Committee</p> <p>Shadow Dorset Council</p>	<p>11 Feb 2019</p> <p>20 Feb 2019</p>	<p><u>Consultees:</u> Public and Business Sector Councillors Budget Task and Finish Group Dorset Finance Officers Group</p> <p><u>Means of Consultation:</u> Meetings Public and Business Sector Consultation</p>	<p>None</p>	<p>Lead member - Councillor Tony Ferrari</p> <p><i>Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk</i></p>
<p><b>Capital Strategy</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	<p>Shadow Executive Committee</p>	<p>11 Feb 2019</p>	<p><u>Consultees:</u> Budget Task and Finish Group</p> <p><u>Means of Consultation:</u> Meetings</p>	<p>None</p>	<p>Lead member - Councillor Tony Ferrari</p> <p><i>Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk</i></p>
<p><b>Treasury Management Strategy</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	<p>Shadow Executive Committee</p>	<p>11 Feb 2019</p>	<p><u>Consultees:</u> Budget Task and Finish Group</p> <p><u>Means of Consultation:</u> Meetings</p>	<p>None</p>	<p>Lead member - Councillor Tony Ferrari</p> <p><i>Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk</i></p>
<p><b>Local Council Tax Support Scheme</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	<p>Shadow Executive Committee</p>	<p>11 Feb 2019</p>	<p><u>Consultees:</u> Budget Task and Finish Group</p> <p><u>Means of Consultation:</u> Meetings</p>	<p>None</p>	<p>Lead member - Councillor Tony Ferrari</p> <p><i>Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk</i></p>
<p><b>Financial Regulations</b></p> <p>Key Decision - <b>Yes</b> Public Access - <b>Open</b></p>	<p>Shadow Executive Committee</p>	<p>11 Feb 2019</p>	<p><u>Consultees:</u> Budget Task and Finish Group</p> <p><u>Means of Consultation:</u> Meetings</p>	<p>None</p>	<p>Lead member - Councillor Tony Ferrari</p> <p><i>Lead officer - Jason Vaughan, Interim Section 151 Officer jvaughan@dorset.gov.uk</i></p>



This page is intentionally left blank

## **Strategy Committee 13 December 2018 Transfer of services and assets**

### **For Decision**

#### **Portfolio Holder**

Cllr A Thacker

#### **Senior Leadership Team Contact:**

S Hill, Strategic Director

#### **Report Author:**

S Hill, Strategic Director

N Randle, Local Government Resource Centre

#### **Statutory Authority**

LGA 1972 – sections 123, 124 & 127

### **Purpose of Report**

- 1.1 WDDC Strategy Committee approved a package of service and assets transfers to Town and parish Councils at its meeting on 20 August 2018, approving the recommendations and agreeing a number of service/asset transfers to as described in the report; to give delegated authority to the Strategic Director to implement the transfers, in consultation with the lead WDDC Member for transfer of services/assets programme, and to allocate up to the remainder of the set aside £1.3m to facilitate the transfer.
- 1.2 This followed the decision of WDDC Full Council in January 2017 when it was agreed that preparation work with Town and Parish councils would be developed, and the WDDC Strategy Committee policy decisions of 12 September 2017 and 14 December 2017 to establish a programme for the Transfer of Services/Assets to Town and Parish Councils and to allocate up to £120k from the set aside of £1.3m revenue reserves to implement management of the Transfer of Services/Assets programme
- 1.3 The WDDC Strategy Committee decision was referred to Dorset Council Shadow Executive for approval in accordance with the principles for the transfer of assets established by them on 20 July 2018
- 1.4 The decision was not supported by the Dorset Council Shadow Executive on 17 September 2018 when it subsequently considered the programme against the principles it had adopted for service and asset transfers to Town and Parish Councils.
- 1.5 Further clarification was sought from the Interim Monitoring Officer as to the exact meaning and extent of the Shadow Executive decision, and the decision was subject to a request for call-in (not supported by the Interim

Monitoring Officer) and subsequently a Call to Account by the Shadow Overview and Scrutiny Committee.

- 1.6 At WDDC Full Council meeting on 18 October 2018, Members considered a report which provided a summary of the decisions taken to date with regard to the proposed transfer of services and assets. The report detailed a number of options for Full Council consideration and included advice from officers about the implications and risks associated with each option. Full Council was asked to determine the option that it wished to pursue.
- 1.7 Full Council decision was “To implement, through the agreement with Local Councils, transfers of services/assets compliant with the Shadow Authority transfer principles.”
- 1.8 Whilst delegated authority was given by the previous Strategy Committee decision, this report is to summarise the elements of the programme which are still able proceed within the limits established by the Shadow Executive principles, and to agree to move to implementation on the residual elements of the programme, based on previous decisions of the Committee, the limits established by the Shadow Executive principles, and priorities expressed by Town Councils.
- 1.9 S123 of the Local Government Act 1972 requires that disposals be effected for the best consideration that can reasonably be obtained unless consent for disposal at undervalue has been given by the Secretary of State. The Secretary of State has given a general consent which is embodied in Circular 06/03, that facilitates disposal at less than best consideration where the amount of the shortfall is less than £2m subject to valuation. The Circular sets out in detail the steps that have to be taken in order to comply with it and any final decision to dispose of assets will be taken and recorded following completion of the statutory process.

## **Recommendations**

- 2.1 (a) That Strategy Committee supports the revised packages of asset transfers to Town Councils as set out in the appendix to this report which is permissible within the Shadow Executive principles;  
(b) That authority is delegated to the Strategic Director, in consultation with the S151 Officer, to take all actions considered necessary or expedient to make a final decision to implement the asset transfers.  
(c) That approval is given to draw down up to a further £90k from WDDC Reserve to implement the transfers from £1.3m Services Transferred to Organisations Reserve.

## **Reason for Decision**

- 3.1 Due to the significant changes arising from the Shadow Executive decision in respect of the ‘in principle’ packages that had been negotiated with Town and Parish Councils and agreed by the Strategy Committee, the Committee is requested to confirm the revised packages.

- 3.2 To set the timetable for implementation to ensure that it is undertaken during the remaining lifetime of West Dorset District Council.

## **Background and Reason Decision Needed**

- 4.1 Following the decision of the Dorset Shadow Executive not to support the West Dorset District Council Transfer of Assets and Services programme, LGRC was tasked to make revised offers to Town and Parish Councils based on the following revised terms of reference:
- a) Total value of all asset transfers across the District could have a value of no more than £100,000;
  - b) Assets defined as having no value would remain available for transfer;
  - c) Public Conveniences could be transferred on a leasehold basis on the understanding that if the service was discontinued the asset would revert to the Principal Council;
  - d) No refurbishment or transitional operating amounts would be available on transfer, but the District Council would use its maintenance budget to address outstanding issues before transfer.

Summaries of the responses received are outlined below.

### **Beaminster Town Council**

- 4.2 The Town Council continues to seek to take over the lease for the Yarn Barton Community Centre – this would rationalise the current management of the centre.

### **Bridport Town Council**

- 4.3 Bridport Town Council has resolved that:
- *The current proposal to transfer responsibility for public conveniences from WDDC to Bridport Town Council should not be approved at this time.*
  - *The transfer of assets of low and no value be approved in principle, the land at Victoria Grove being subject to completion of a tree survey and consequent remedial works, and that detailed discussions be delegated to the Town Clerk and Town Surveyor.*
- 4.4 Some of the assets with value that had formed part of the original “in principle” agreement are associated with existing programmes of benefit to the community. The Town Council believe these merit transfer by the District Council due to the community benefit that exists within those programmes. These assets in priority order are:
- The Old Railway Line at West Bay and the Harbour Green. These are linked to an existing Coastal Conservation Project
  - The Old Dairy Site which is linked with a project to provide secure dry storage facilities for the Bridport Museum.
  - Priority Lane
  - Play area, West Bay

- Normandy Way
- Land at Victoria Grove

### **Dorchester Town Council (DTC)**

- 4.5 Dorchester Town Council remain interested in negotiating the transfer of the Market Charter originally held by the Borough of Dorchester from 1630, from WDDC to the Town Council, currently listed at nil value
- 4.6 The Market Charter only gives rights to hold the Town Market once a week.
- 4.7 WDDC have registered title to the freehold interest in all of the land at Fairfield. A lease was granted to 4 trustees (2 from WDDC, 2 from DTC) from 1<sup>st</sup> October 1978 for 99 years, and a sublease to Ensors from the Trustees dated for a term of 25 years from 2<sup>nd</sup> April 2001 until April 2026.
- 4.8 The main objective of DTC is to expand and reinvigorate the local market as they wish to see a flourishing market to further the economic development of the Town Centre.
- 4.9 DTC are seeking from WDDC/Dorset agreement to provide a site on which to hold the market in the town centre, as the market charter does not have any value if there is nowhere to hold the market. DTC does not have any suitable land or assets that would be large enough to accommodate the existing market.
- 4.10 It is proposed that the existing market Joint Informal Panel continues and the financial revenues continue to be split according to the current agreed formulas.
- 4.11 Dorchester Town Council remain interested in the transfer of land at Lubbecke Way. A professional valuation dated 1 April 2016 places a value of £6,000 on the land, which is currently subject to a 99 year lease from 1 January 1983 to the Dorset Association of Youth Clubs, who have a building on the land, at an annual rent of £275 (November 2018).

### **Lyme Regis Town Council (LRTC)**

- 4.12 LRTC have declined to accept the revised offer to transfer Public Conveniences and the transfer of the Tourist Information Centre under the revised conditions proposed.
- 4.13 LRTC might remain interested in the transfers of low or zero value assets listed below (decision to be taken at the December Town Council meeting).
- A long term management agreement to operate a market in Theatre Square and the walkway to Charmouth Road car park. This would require legal work due to the complexity of the shared ownership of the square and its sub structure.
  - Walkway from Cobb Road to Harbour Inn
  - Part Cobb Beach
  - Boat park storage currently managed by the Harbour Master



- Reduction of rental payments (£2188 pa as at November 2018) for the skate park which might be achieved through an amendment of the agreement
- Land swap for LRTC land used by the Harbour Master. This would require legal work based on establishing clear title to the Town Council of the reclaimed land.

### **Sherborne Town Council**

4.14 Sherborne Town Council has concluded that the change from freehold transfer to leasehold, together with the removal of all assets with a value from the programme led to it being no longer viable for them to participate.

### **Parish Councils**

4.15 LGRC has written to all the Parish Councils involved with the original programme advising them of the revised basis for transfer. Parish Councils that have responded have all declined the revised offer.

4.16 Charmouth PC has asked for clarification of the position on Foreshore Public Conveniences which it owns and leases to the District Council.

4.17 Chideock PC has asked whether the offer might be taken up by a local commercial enterprise.

### **Conclusion**

4.18 Formal responses from all Town and Parish Councils will not be available until all Councils have met again. However, it seems clear that the result of the Shadow Executive decision is that it is no longer viable to transfer any services to Town and Parish Councils under this programme.

4.19 It would still be possible under the Shadow Executive principles to transfer assets to Town Councils which either have zero value or which have values which fall within the £100,000 limit and for which a rationale exists.

4.20 A summary of assets within this category is laid out in the table below. Asset values are based on current information held, and could potentially be subject to revaluation.

### **Implications**

#### **Corporate Plan**

5.1 The four WDDC Corporate Plan 2016-17 objectives will be affected by this proposed programme:

- Contribute to a Stronger Local Economy;
- Empowering Thriving and Inclusive Communities;
- Improve Quality of Life; and
- Develop Successful Partnerships

### **Financial**

- 5.2 WDDC has already allocated £1.3m from Reserves for the programme to Strategy Committee on 14 December 2017. Some of that fund has already been allocated/spent on professional fees and this will continue through the implementation phase.
- 5.3 It is intended that some funds will be set aside for legal work in connection with the implementation of the scheme and to assist local councils with their reasonable legal costs.

### **Equalities**

- 5.4 Equality issues, in particular with respect to public conveniences, are likely arise and a full EiA will be prepared prior to transfer of those services.

### **Environmental**

- 5.5 The programme and retention of service is intended to continue to provide environmental benefits from for example provision of public conveniences. No adverse environmental issues have been identified to date but it is anticipated that some issues may arise during implementation. These will be addressed on an individual basis

### **Economic Development**

- 5.6 The implications arising from continuing to provide discretionary services with communities is likely to have a positive economic impact. Many public conveniences are located in holiday resorts and as such their continued provision can be regarded as directly supporting the local economy. Lyme Regis TIC is a key element of economic infrastructure in that location.

### **Risk Management (including Health & Safety)**

#### **Human Resources**

- 5.7 A new 2-year Public Convenience cleaning contract has been put in place but in anticipation of the devolution programme individual facilities can be withdrawn from it on six months' notice. To date no specific human resources implications would accrue to the District Council or to Local Councils although this needs to be kept under review as the transfer is implemented.

### **Consultation and Engagement**

- 6.1 The Programme Board was formally established following the 14 December 2017 Strategy Committee is made up of Mayors/Leaders and Town Clerks of West Dorset Town Councils, The West Dorset District Council Members and Officers and LGRC consultants, has met monthly since January 2018 and continues to meet monthly.
- 6.2 A meeting of all West Dorset Parish Councils was held on 2<sup>nd</sup> May to brief Parish Council Members and Clerks on the original Services and Assets transfer programme.

## **Background Papers**

WDDC Strategy Committee on 12 September 2017 – Devolution of services/ assets report

WDDC Strategy Committee on 14 December 2017 – Transfer of services/assets report

WDDC Strategy Committee on 20 August 2018 – Transfer of services/assets report

WDDC Full Council meeting on 18 October 2018 – Transfer of services/assets report

**Report Author:** Stephen Hill, Strategic Director

**Telephone:** 01258 484132

**Email:** [shill@dorset.gov.uk](mailto:shill@dorset.gov.uk)

**Date:** 28 November 2018

## Appendices

### APPENDIX 1

#### Summary of Assets of Low or Nil Value which can be transferred to Town Councils within Shadow Executive Principles

Council	Asset Description	Asset value	Reason
<b>Beaminster</b>	Lease - Yarn Barton Community Centre	£0	Rationalise management
<b>Bridport</b>	Play area - West Bay	£0	Already leased to BTC
	Land at Victoria Grove	£0	Wooded Land
	Priory Lane	£0	Community Orchard
	Normandy Way	£0	Access Road
	The Old Dairy Site	£30,000	Dry storage for Bridport Museum
	Old Railway Line, West Bay	£10,000	Coastal conservation project
	Harbour Green, West Bay	£20,000	Coastal conservation project
<b>Dorchester</b>	Market Charter	£0	Return Charter to the Town
	Land at Lubbecke Way	£6,000	Leased to Dorset Assoc. of Youth Clubs
<b>Lyme Regis</b>	Theatre Square	£0	Creation of Coastal market
	Walkway, Cobb Rd to Harbour Inn	£0	Rationalise management
	Cobb Beach	£0	Already operated by Tow Council
	Boat park storage	£0	Rationalise management
	Skate park, Charmouth Rd car park	£20,000	Notional cost of 10yr lease foregone
	Land Swap LRTC /Yacht Club	£0	Improve asset utilisation
	<b>Total</b>	<b>£86,000</b>	

## Strategy Committee

13 December 2018

## Request for grant from Beaminster Museum

### 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 present to the committee a request for funding from Beaminster Museum Trust for improvements to the museum and to help secure a grant from the Heritage Lottery Fund.

### Officer Recommendations

2. That the Committee approves request for a grant of £15,000 from the Beaminster Museum Trust (charity no. 299616) for the project to build a two-storey extension to Beaminster Museum (planning reference WD/D/18/001824).

### Reason for Decision

3. To enable the committee to respond to a funding request from the Beaminster Museum Trust.

### Background and Reason Decision Needed

4. Beaminster Museum is a volunteer-run facility that is owned and operated by Beaminster Museum Trust – a registered charity and accredited museum (via the national accreditation system operated by Arts Council England).
5. The Trust is now pursuing a project to build a two-storey extension in the courtyard of the museum that will be attached to the main building. This extension will provide an increased floor area to enable the Trust to expand its exhibition space.
6. The greater floor area will allow an expansion of the heritage and history displays and exhibits, to further enhance the Trust's reputation as a tourist

attraction. There is also an increased demand for using the museum's services as a family and local history 'hub', but currently the limited space prevents the Trust from being able to offer this at a satisfactory level. The main beneficiaries will be groups of local school children and students in full time education as well as groups of retired adults and the general public who wish to learn more about their local history.

7. The total cost of the project is estimated to be £155,000 (including VAT). The Trust is currently in the process of applying for a grant of £50,000 from the Heritage Lottery Fund and lesser amounts from trusts and funds, including the LEADER programme. As part of its fund-raising efforts, the Trust has asked the district council if it would consider awarding a grant to this project of £15,000.
8. It should be noted that the Trust does not receive any regular funding from the district council apart from small grants from the council's Leisure Development Fund and from Section 106 money for specific one-off projects.
9. The Committee is, therefore, invited to consider this request from the Trust for a one-off grant of £15,000. A grant of this amount could be accommodated with the remaining funds in the council's Leisure Development Fund budget but requires committee approval.

## Implications

10. **Corporate Plan.** *Empowering Thriving and Inclusive Communities.*
11. **Financial.** Any grant to the Beaminster Museum Trust will need to be derived from the council's Leisure Development Fund budget. The Fund has now closed but sufficient budget remains to accommodate this request.
12. **Equalities.** It is important to health and wellbeing that cultural and community facilities are sufficient to meet the needs of the local community and are in accessible locations.
13. **Economic Development.** Cultural facilities make a significant contribution to the local economy. The enhancement of these facilities can, therefore, benefit the community not only in terms of education and wellbeing, but also from an economic perspective.
14. **Risk Management (including Health & Safety).** Any grant to the Trust will be subject to a grant agreement (drawn up by Legal services) and funding will only be released once evidence of expenditure has been provided.

## Consultation and Engagement

15. The portfolio holder for Enabling (Cllr Mary Penfold), the ward members and the council's member representative to the Trust (Cllr Alford) have all been consulted on the proposals set out in this report. Beaminster Town Council has confirmed its support for the Museum's project.

## **Appendices**

16. None.

## **Background Papers**

17. None.

## **Footnote**

18. 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:** Tony Hurley (Leisure Commissioning Manager)

**Telephone:** (01305) 252317

**Email:** [thurley@dorset.gov.uk](mailto:thurley@dorset.gov.uk)

This page is intentionally left blank



## **Strategy Committee 13<sup>th</sup> December 2018 Homes Dorset Next Steps**

### **For Decision**

#### **Portfolio Holder**

Leader of the Council and Corporate Portfolio Holder

#### **Senior Leadership Team Contact:**

S Caundle, Assistant Chief Executive

#### **Report Author:**

Stuart Caundle

#### **Statutory Authority**

Localism Act 2011, Section 1(1) (General power of competence) and Section 4, (need for use of a company to achieve commercial purpose) Local Government Act 1972, Section 111(Subsidiary powers for discharge of functions)

#### **Purpose of Report**

1. To enable the next steps to be taken following the establishment of Homes Dorset Ltd.

#### **Recommendations**

2. (i) That pursuant to resolution 102 (a) and (b) of the Strategy Committee on 13<sup>th</sup> March 2018, the Council will subscribe to the entire shareholding of Homes Dorset Ltd in stages; and that the detail of the subscription is determine under the delegation in the following paragraph.

(ii) That authority is delegated to the S.151 Officer in consultation with the Leader and the portfolio holders for Housing and Corporate;

a) To determine the dates of each subscription referred to in the previous paragraph

b) To determine the number of shares to be acquired through each subscription

c) To take all action necessary to implement these share subscriptions and

d) To take any other action he considers necessary or expedient to ensure that Homes Dorset Ltd is able to function in accordance with and for the purposes set out in its memorandum and article of association.

e) For the avoidance of doubt, the above delegation includes authority to agree an interest free loan of up to twenty thousand pounds to Homes Dorset Ltd, for a period of up to three months.

## **Reason for Decision**

3. So that following the formation of Homes Dorset Ltd, arrangements are put in place to enable the Council to subscribe to the allocated shareholding in stages.

## **Background and Reason Decision Needed**

4. At its meeting on 13<sup>th</sup> March 2018, this committee resolved to establish a housing company in the manner described in the report contained in the agenda for that meeting and the published minutes. Members are referred to that report and minutes. The relevant minute from that meeting is numbered 102.
5. The company has now been established with the name Homes Dorset Ltd, a share capital of four million one pound shares; and directors have been appointed.
6. The purpose of this report is to provide some detail as to how the company may put itself in a position to carry out business as provided for in its memorandum and articles of association.
7. In order to ensure that the agreed shareholding is subscribed to in a manner that will provide capital to the company when required, the recommendations above provide for flexible subscription by the Council in stages.
8. Delegation number d) above is designed to ensure that where further actions are required of the Council in order to resolve its proper relationship with Dorset Homes Ltd and to secure the company's ability to do business, those actions can be taken expeditiously, subject to consultation with the leader and the portfolio holders responsible for this matter.
9. Before the Company is in a position to offer shares to the Council for subscription, it needs to put in place certain governance arrangements which will require specialist services to be acquired at cost. As the company will not acquire capital from the Council until shares have been subscribed to, a short term solution is required to allow these services to be accessed. This is the reason for the loan referred to in recommendation e) above.

## **Implications**

### **Financial**

10. Only those explained in the report.

### **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 Caundle

**Telephone:** 01258 484040

**Email:** SCaundle@dorset.gov.uk

**Date:** 5<sup>th</sup> December 2018

This page is intentionally left blank

## **Strategy Committee 13 December 2018 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 application 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 application is properly considered having regard to the individual merits of the 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 application for Council Tax discretionary discount which is 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

**Telephone:** 01305 211925

**Email:** [s.c.dawson@westwey.gov.uk](mailto:s.c.dawson@westwey.gov.uk)

## Application for Council Tax discretionary discount

### 1. XX, Redpoll Close, Broadway

An application for Council Tax discretionary discount has been received from the Council Taxpayer in respect of his property at XX Redpoll Close, Broadway.

The Council Taxpayer purchased the property in September 2018 as a holiday home for his family. The property needs to be refurbished in order to bring it up to standard and he has calculated that this will cost him approximately £25,000. He is looking to use local businesses to undertake the refurbishments.

The Council Taxpayer is looking for his purchase to be a long term commitment to the area and hopes to move permanently to the property on his retirement.

The Council Taxpayer accepted that he would need to pay Council Tax on the property but did not appreciate that this would be for the full charge. He is applying for the charge to be reduced due to the fact that he is not using all of the local services on a regular basis.

If his application is refused, the Council Taxpayer would have to undertake the refurbishment over a longer period. He was also looking at employing a local key holder company to attend, in the event of an alarm activation, so that the neighbours were not caused problems. However, he would not be able to afford this if his application was unsuccessful.

The Council Taxpayer has commented that he is aware that some Councils will award a discount of up to 50% on second homes. If a 50% discount was awarded in this case the cost to the Council would be as follows:

From 24/09/18 to 31/03/19

£ 360.83

This page is intentionally left blank



## **Strategy Committee 13 December 2018 Harbour Operations Annual Report 2018**

### **For Decision**

#### **Portfolio Holder**

Cllr M Penfold, Enabling

#### **Senior Leadership Team Contact:**

M Hamilton, Strategic Director

#### **Report Author:**

N Thornley, Head of Economy, Leisure and Tourism

#### **Statutory Authority**

Bridport Harbour Order 1921 and Cobb Act 1821

### **Purpose of Report**

1. The purpose of the report is to:
  - a) present information to Members on activities at Bridport and Lyme Regis harbours during the main 2018 season.
  - b) agree fees and charges for the 2019/20 year.
  - c) consider minor amendments to the Harbour Policy, Rules and Regulations as follows:
  - d) consider the annual reports from the Harbours' Designated Person and ensure compliance with the Port Marine Safety Code.

### **Recommendations**

2. That the Committee:
  - a) notes and endorses the annual report 2018.
  - b) approves the harbour fees and charges for 2019/20 (Appendix A).
  - c) approves minor amendments to the Harbour Policy, Rules and Regulations (Appendix B).
  - d) notes and endorses the reports of the Council's Health, Safety and Welfare Officer, in his role as Designated Person for the harbours (Appendix C (i) & C (ii) ).

## Reason for Decision

3. To inform Members about the performance of the harbours, to plan for next year and to ensure compliance with the Port Marine Safety Code.

## Background and Reason Decision Needed

4. The Strategy Committee is the nominated 'Duty Holder' for the harbours and there is a requirement under the Port Marine Safety Code for a report on the harbours to be presented at least annually to the Duty Holder. The Code also requires a Designated Person to inspect the harbour operation and to report on this at least annually to the Duty Holder. This person should be independent of the day-to-day harbour operation and may be an officer of the Council or appointed externally. The Council's Health, Safety and Welfare Officer has been nominated to perform this role.

### Annual performance

5. **Harbour usage:** The following tables show the level of use of the harbours over the 2018 season. Nearly all categories show an increase this year, which is partly down to the exceptional summer weather.

In Lyme Regis, visiting craft (overnight) to the harbour has increased by over 50%. An extra pontoon length was installed for the season which has proved to be popular. The extra length encourages both extra visiting craft and allows the harbour walls to be utilised by commercial fishing vessels offloading catch more easily.

Temporary moorings have been popular again this year with owners of boats outside of the catchment area using available space at a premium rate.

### Lyme Regis Harbour services

	2015	2016	2017	2018
Season Tickets	40	41	51	63
Single Launches	160	150	165	180
Visiting Boats [nights]	152	180	210	340
Boat Lifts	65	70	68	75
Waiting List	30	28	28	20
Private Moorings	208	208	206	208
Commercial Moorings	32	34	36	36
Quay side parking				£250

## Bridport Harbour services

	2015	2016	2017	2018
Season Tickets	100	97	98	118
Single Launches	460	522	513	415
Visiting Boats [nights]	82	88	136	138
Boat Lifts (new for 2018)				62
Waiting List	85	56	36	40
Private Moorings	143	141	141	141
Commercial Moorings	20	22	22	22
Quay Side Parking	£644	£3,935	£3,690	£4,566
Shop (new for 2018)				£7,917
Diving Air Fills	£3,968	£18,691	£19,455	£18352
Boat repairs (new for 2018)				£411

7. **Licensed activity:** There are 14 'ply for hire' licences available at each harbour. All 14 are in use at Lyme Regis and these offer trips out to sea for the public either mackerel fishing or sightseeing along the Jurassic coastline. 8 are currently in use at Bridport. These vary between coastal cruises, fishing trips and dive charters. In Bridport, there has been an increase in concession licences. There have been some new stalls on the harbour side including a new deck chair concession.
8. **Pontoons:** The pontoons at Bridport remained occupied to capacity for the majority of the season so there are plans to install an additional pontoon in 2019. In Lyme Regis, the pontoons have also been heavily utilised this season. Work is planned on a scheme to extend the floating system to its maximum length and it is hoped that planning permission will be granted for the installation of steel piles to be driven into the seabed at the seaward end of each finger. This would give the ability to install the pontoons earlier in the year and leave them in longer. The Marine Management Organisation (MMO) has agreed to fund 75% of the project
9. **Kayaks:** In Lyme Regis, the temporary storage racks have been full this year which in some part is down to the exceptionally fine weather. At Bridport, the installation of kayak racks is being looked into with the aim of having them available for the 2019 season.
10. **Boat storage:** At Lyme Regis, summer boat storage is available in the trailer park beach adjacent to the harbour. In the early summer, South West Water were using the trailer park as a working site whilst the storm water outfall pipe was being replaced. This did have a slight impact on storage but this quickly recovered. There is space for approximately 20 craft (depending on size) and this year all the spaces were filled. At Bridport, boat storage

remains in high demand with alternatives still being looked into for additional storage.

11. **Incidents:** Incidents that occurred at the harbours are reported as part of the Designated Person's report at Appendix C. The Harbour Masters continue to maintain health and safety risk assessments as part of the normal management arrangements of the harbour.
12. **Works:** Work is due to start on extending the harbour office in Lyme Regis early in 2019. The staff are currently located in temporary accommodation.
13. **Harbour vehicles:** New 4 x4's have recently been ordered to replace the existing vehicles that are over 11 years old with increasing maintenance costs.
14. **Boat Lifter:** At Bridport, a new boat lifting service has been introduced this autumn. This is partly in response to concerns raised at the 2017 harbour users meeting and to improve health and safety standards.
15. **Harbour launches:** The launches continue to be invaluable at each harbour and have been used extensively during the year. They are used to help with maintenance tasks, to collect fees and occasionally to recover vessels from inside or close to the harbour entrance when engines have broken down and for providing a towing service on/off the mooring and pontoons for harbour users.
16. **New Bridport Harbour Customer Event:** In October, the harbour hosted an event for all harbour users giving them the opportunity to come and talk to harbour staff on an informal basis. The business support team also attended which gave the harbour users a greater opportunity to find out more of what is happening behind the scenes. The event was very well attended and received very positive feedback. It gave the staff an opportunity to promote the shop and new boat repair service which was received very well with considerable interest being shown in the new service
17. **Harbour User Groups:** User group meetings were held in Bridport (22nd October) and Lyme Regis (24th October). Both meetings were very positive. These meetings gave an opportunity for harbour users to comment on a range of issues such as proposed fees and charges, maintenance works and dredging in the harbours. In Lyme Regis, all the main user groups of the harbour were represented. There is a significant amount of goodwill and cooperation between the many harbour users and the District Council in both harbours.
18. **Dredging:** The dredging of the Bridport outer harbour was completed in April and was carried out by a new company to a high standard. Attempts continue to find a cost effective way to dredge the outer pool at Lyme Regis that doesn't involve vehicles driving on the Cobb. Two attempts at suction dredging have not proved to be successful and have not moved enough sand/mud material. This limits the use of the pontoons.
19. **Events**

Bridport Harbour hosted the following events:

- Power Boat Racing - This event was very well attended with the weather being perfect for racing, flat seas and sunshine brought the crowds out to see the action. Unfortunately, on the last lap of the last race, there was a collision which resulted in a fatality. The driver was recovered very quickly and brought back to the harbour where medical teams were able to do their best but without success. Staff should be commended for their actions and professionalism shown in what was a very difficult and emotional day for them.
- Gig Regatta - The Gig Regatta attracted 16 clubs, with Bridport doing very well in their races. The racing was very well spectated.
- Water Ski Racing - This September saw the return of the water ski racing. The event was moved from Torquay due to engineering works and considering the short notice was very well attended. The event had all ages skiing and went very well.
- West Bay Days - The West Bay Days group hosted their events:
  - Pirates Day
  - West Bay Day
  - Bonfire By The Beach

and they will install the Christmas Tree on the Harbour Green for December. All the events were very popular and had good crowd numbers. The group will be donating £8000 to local groups and charities at the Christmas tree switch on which is on the 2<sup>nd</sup> December.

- RNLI - The RNLI had their Raft Race which had 20 rafts battling their way up the river. The excellent weather meant there were large crowds spectating.

Lyme Regis Harbour hosted the following events:

- The Merlin Rocket dinghy sailing national championships, with 65 teams taking part.
- The Lyme splash swimming event when over 200 people entered the water and swam to Charmouth
- A water polo event using the pontoons as a court with over twenty teams taking part.
- The gig club held a rowing regatta in August.
- There was also the very popular annual Lifeboat week, as well as the town carnival week with the parachute team from the RAF falcons dropping in.

## 20. **Proposed Harbour Fees and Charges for 2019/20**

Attached as **Appendix A** is a table of the proposed charges for the 2019/20 season for consideration. It is proposed to increase all charges by 5% to help cover some of the increased costs faced by the Council, particularly materials, and where demand is higher than supply. There are two exceptions which are not proposed to increase which are both admin charges and shown with an asterisk (\*). The approximate level of income from moorings and storage in each harbour is £100,000 and the level of demand for these services remains good and is not weather-dependant. The harbour masters are working well towards a break-even position (excluding central recharges) for both harbours by the end of the financial year.

### **Additions to Harbour Policy, Rules & Regulations**

21. Attached as **Appendix B** is a document listing three minor amendments to the 'Bridport & Lyme Regis Harbour Policy, Rules and Regulations' for consideration. The additions further clarify existing rules and are being proposed following consultation with the Harbour Masters and feedback from harbour users.

### **Port Marine Safety Code**

22. The Council's Health, Safety and Welfare Officer performs the role of Designated Person for the harbours, as required by the Port Marine Safety Code. His reports on the two harbours are presented as **Appendix C (i) & C (ii)**.

### **Staff resources**

24. At Bridport Harbour staffing has recently been increased to three full time and two seasonal staff. This includes the employment of a marine engineer and the offer of a new service which includes boat repairs, engine servicing and much more. This will work well with the shop that will be expanded ready for the 2019 season. The staff now at the harbours are:

Bridport Harbour:

James Radcliffe, Harbour Master

Ben Harvey, Deputy Harbour Master

Ben Renshaw, Harbour Assistant and Marine Engineer

Paul Attwell & John Hilton, Seasonal Harbour Assistant (40 hours per week, April – October)

Bridport also benefitted again this year from the assistance of two volunteers with the hope they will return and assist again next year.

Lyme Regis Harbour:

Grahame Forshaw, Harbour Master

Mike Higgs, Deputy Harbour Master

Allan Nation, Harbour Assistant (part time)

Mr Adam Parry and Mr Matthew Rattenbury, Seasonal – 20 hrs per week

May to October

Lyme Regis has two volunteers, Ms Sally Holman and Mr Richard Ford, who help out during busy periods. They act as ambassadors for the harbour on tasks such as assisting with the taking of mooring lines from visiting craft, and working as general hands keeping the harbour areas orderly.

## Implications

- 25 **Corporate Plan** Building a stronger economy.  
Improve quality of life.
- 26 **Financial:** Details are presented at Appendix D.
- 27 **Equalities:** No implications from this report.
- 29 **Economic Development:** The harbours play a significant role in supporting the economy of West Dorset, providing direct employment opportunities through fishing and tripping and supporting the tourism economy.
- 30 **Risk Management (including Health & Safety):** The harbours maintain full risk assessments and are monitored regularly by the Designated Person (the council's health, safety and welfare officer).

## Consultation and Engagement

- 31 External liaison with Bridport and Lyme Regis (including Town Council representation) harbour users groups.

## Appendices

- 32 **Appendix A** – Proposed Harbour Dues and Charges for 2019/20.  
**Appendix B** – Additions and amendments to Harbour Policy, Rules & Regulations  
**Appendix C (i) & (ii)** – Reports from the Designated Officer  
**Appendix D**– Financial Report

## Background Papers

- 33 None

## Footnote

- 34 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:**

N Thornley, Head of Economy, Leisure and Tourism.

Y Lester, Business Support Team Leader

G Forshaw, Lyme Regis Harbour Master

J Radcliffe, Bridport Harbour Master

R Noakes, Health, Safety and Welfare Officer

**Telephone:** 01305 252474

**Email:** [n.thornley@dorset.gov.uk](mailto:n.thornley@dorset.gov.uk)

**Date:** 22/11/18



<b>Moorings per metre</b>		<b>Existing 18/19</b>	<b>Proposed 19/20</b>
Private (April to September)		£82.50	<b>£86.50</b>
Note: This may be extended outside of the summer season at the discretion of the Harbour Master at £11.55 per month per metre			
		£14.00	<b>£14.50</b>
Commercial (April to March)		£68.50	<b>£72.00</b>
Temporary (April to September) per month		£20.00	<b>£21.00</b>
Private Outhaul		£75.00	<b>£79.00</b>
Commercial Outhaul		£67.00	<b>£70.50</b>
Private Tender Rack		£35.00	<b>£37.00</b>
Commercial Tender Rack		£31.50	<b>£33.00</b>
<b>Storage per metre</b>			
Weekly		£38.50	<b>40.50</b>
Annually		£102.50	<b>107.50</b>
Summer	Bridport	£89.50	<b>94.00</b>
	Trailers - Bridport	£89.50	<b>94.00</b>
	Lyme Regis	£89.50	<b>94.00</b>
	Kayaks (includes Licence)- Both Harbours	£35.70	<b>37.50</b>
Winter	Bridport	£54.00	<b>65.50</b>
	Lyme Regis	£57.50	<b>60.50</b>
<b>Commercial visiting craft fees</b>			
Registered Fishing Vessels - overnight		£41.50	<b>£43.50</b>
Landing catch - per landing		£41.50	<b>£43.50</b>
Note: Both fees payable if vessel does both			
<b>Launching fees - All sizes</b>			
Day launch for motorised vessels		£18.00	<b>£19.00</b>
Day launch for sailing/ non- motorised vessels		£10.00	<b>£10.50</b>
Launch & moor (2 days + 1 night)		£46.00	<b>£48.50</b>
Additional day & night		£28.00	<b>£29.50</b>
<b>Launching fees - All sizes</b>			
Season ticket holders - 1 night temp mooring		£10.00	<b>£10.50</b>
Mooring holders - 1 night temp mooring		£10.00	<b>£10.50</b>
Mooring holders that spend a minimum of 10 nights on the pontoon will receive 2 free			
<b>Slipway Launch Season Tickets</b>			
General public season ticket		£173.50	<b>£182.00</b>
Approved Gig Club members (gig) season ticket		£152.50	<b>£160.00</b>
Approved Lyme Regis Power Boat Club members season ticket (for use at Lyme Regis)		£110.50	<b>£116.00</b>
Approved Sailing Club members (dinghy up to 5.25m)		£41.50	<b>£43.50</b>
<b>Private visiting craft fees</b>			
Overnight	Up to 10 meters	£20.00	<b>£21.00</b>
	10-15 metres	£25.00	<b>£26.50</b>

This page is intentionally left blank

## **Appendix B**

Draft amendments to the Bridport & Lyme Regis Harbour Policy, Rules & Regulations

**2.5.6** *Add* application to go on the waiting list will carry an administration fee as designated in the fees and charges schedule.

**6.0.14** *Amend to* No type of net or line fishing in any part of the harbour approaches is permitted without prior permission of the Harbour Master.

**9.0.4** *Add* to include the right of appeal

This page is intentionally left blank

## **Bridport Harbour – Port Marine Safety Code**

Author: Richard Noakes (Designated Person)

Harbour Master: James Radcliffe

Date: 22 November 2018

### **1. Purpose of Report**

To report the findings of an assessment made against the Marine Safety Management System (MSMS) at Bridport harbour in support of the Harbour Operations Annual Report and in compliance with the Port Marine Safety Code.

### **2. Executive Summary**

Reporting as the Designated Person (DP) under the Port Marine Safety Code (PMSC), I am able to provide a reasonable assurance of safe harbour operations at Bridport and framework compliance with the PMSC through the Operations Plan and other documentation. Confirmation of PMSC compliance was issued to the Maritime and Coastguard Agency (MCA) in April 2018 as required by the code, this will again be required ahead of April 2021.

Evidence provided confirms that known risks of marine operations and land based activity at the harbour have been identified and assessed with precautions put in place to manage risk to a level that is considered to be as low as reasonably practicable. A number of compliance visits have been made to Bridport Harbour by the DP over the previous 12 months.

### **3. Safety Management System & Bylaws**

The MSMS is established by combining policies and procedures from both the Dorset Councils Partnership (DCP) and the marine based requirements derived from the PMSC that are contained within the harbour operations plan. The Operations Plan was reviewed in 2017 by the Harbour Master and no significant changes were identified.

Safety managements systems relevant to shore based activities are available through the intranet and hold many similarities to the requirements of the code.

There have been no changes to existing bylaws within the previous 12 months however a legal process to investigate the viability of introducing Harbour Revision Orders is currently underway.

### **4. Harbour Use**

A meeting of the Bridport Harbour users group was held in October 2018. Minutes from the meeting confirm that no safety concerns were raised by users concerning the harbour or harbour operations. Examples were provided of meritable and collaborative working in support of the Gig Club and other harbour users. A record of thanks to the harbour team was also noted.

Pontoon demand within the harbour remains strong with around 40 applicants waiting for a mooring and slipway usage is reported to be similar with that of previous years. A small fishing fleet working from the harbour still flourishes along with angling and sightseeing craft.

The diving air station having now been established for 3-4 years has seen a season of increased demand compared to last year. The station remains a well managed asset for local divers and visitors; it is fully equipped and maintained to a high standard.

The facility was last serviced in August 2018 by CS Services and revealed need for compressor repairs. Air quality was assessed by Dorset County Council on 20 September 2018 and this confirmed compliance with required standards.

The Harbour Master (HM) confirmed that a new boatlifter is due to be received at the harbour in December 2018. The lifter is expected to make boat lifting operations quicker and importantly reduce safety risks associated with the task. This machine is similar to that used at Lyme Regis harbour although the wheelbase has been designed to give a variable axle width to navigate the sluice-gate bridge. The lifter will have a maximum net loading capacity of 8.5 tonnes.

## **5. Harbour Staff**

Staff numbers at the harbour this year have increased slightly from 2.5 full time equivalent posts to 3.00 plus seasonal staff and volunteers.

## **6. Training**

Training this year has had focus in supporting seasonal staff and ensuring that they are able to work safely when undertaking operational tasks. In addition training for the operation of the JCB tele-handler and compressor dive station has been completed. All harbour staff are qualified with either powerboat advanced/level II certificate.

## **7. Risk Assessments**

Bridport harbour has been assessed as having a high health and safety risk profile that demands an effective and pro-active safety management system to mitigate risk. The risk profile is unchanged from 2017.

It is confirmed that there are a good number of risk assessments that demonstrate foreseeable hazards at the harbour have been addressed. Records identify that risk assessments remain unchanged from last year although the HM confirms they are currently being reviewed.

It is confirmed that risk assessments will be formulated for the new boatlifter and operational training will be completed by the harbour team prior to the machine coming into service.

Bridport harbour risk assessments will be subject to an independent risk assessment review undertaken annually by Dorset Councils Partnership.

Marine based risk assessments have also been reviewed and outcomes are unchanged from previous years.

## **8. Work Instructions**

The risk assessment process has led to a small number of work instructions in support of carrying out certain tasks.

The Harbour Master receives regular notification of industry best practice and governance from the United Kingdom Harbour Masters Association (UKHMA). This information is used to benchmark operations and is a source for receiving advisory alerts that can be used in the context of Bridport harbour operations.

## **9. Harbour Assets - Inspections**

The harbour operates with a strong established procedure for inspecting and reviewing harbour assets. Asset inspections are completed on either a daily or monthly basis depending on assessed priority or the likelihood of defects occurring.

Evidence suggests that should asset defects occur they would be detected within a reasonable timescale and properly managed to ultimate remedy. Sample records reviewed showed 13 satisfactory inspections for September 2018.

## 10. Emergency Planning

The Operations Plan provides insight of the process that should be followed if an emergency arises. Section 6 of the Port Marine Guide to Good Practice: Emergency Preparedness and Response; recommends that regular exercises are undertaken in preparation for a live emergency incident. No planned emergency exercises have been completed over the previous 12 months, however the HM confirms that harbour staff participate with post analysis reviews after significant incidents occur to allow opportunity for learning and improvement.

## 11. Accidents & Incidents

It is reported that:

- No RIDDOR incidents have occurred within the previous 12 months
- No harbour by-laws have been breached or warnings given to harbour users afloat
- The so called 'lithium ball' that had been recovered from the sea and that had been stored within the boatyard has been removed for incineration. Specialist contractors Adler & Allan were tasked to undertake the work. The process leading up to its disposal had been extremely complex because the ball and its purpose i.e. potentially explosive was unknown and as a consequence extreme caution was needed. It was initially hoped that the lithium could be recycled but after lengthy enquires it was deemed not to be possible. To enable safe extraction of the lithium material a large temporary structure was built within the boatyard and this caused significant disruption to boatyard users at that time.
- Two boats had taken on water and sank within the harbour confines. Explanations for both sinkings were that the boats had been stuck fast under harbourside ladders as the tide was rising. Both vessels were recovered by the harbour team.
- There have been no collisions between boats within the harbour or its approaches however in early summer there was a collision in Lyme bay between two racing powerboats that led to a fatality. The harbour team played an active part with coordinating the incident and recovering the vessels.
- Boarder force officers have made several visits to the harbour amid raised concerns of illegal immigration and attempts of immigrants to reach UK shores from France. No evidence of these attempts has actually been reported locally.

## 12. Pollution

No pollution events have occurred within the harbour or approaches. Pollution response equipment remains in store and ready for use should an incident arise.

## 13. Harbour Assurances

### Harbour Dredging and Beach Replenishment

Harbour dredging this year was undertaken in March by a Dutch contractor and was extremely successful. Surveys showed depths achieved to be around 2M below chart datum, one of the best results recorded in recent years.

### Navigational Aids

Trinity House made a visit to the harbour in April 2018. Their investigation revealed a fault with the sector light at the base of the pier which was subsequently repaired.

#### **14. Forward Assessments**

Surveillance visits at the Bridport harbour office are regularly scheduled by the DP and any significant findings from these visits will be reported as required to the Strategy Committee.

***Report prepared by: Richard Noakes (Designated Person)***

***Telephone: 01305 838356***

***E-mail: [rm.noakes@dorset.gov.uk](mailto:rm.noakes@dorset.gov.uk)***



## **Lyme Regis Harbour – Port Marine Safety Code**

Author: Richard Noakes (Designated Person)

Harbour Master: Grahame Forshaw

Date: 20 November 2018

### **1. Purpose of Report**

To report the findings of an assessment made against the Marine Safety Management System (MSMS) at Lyme Regis harbour in support of the Harbour Operations Annual Report and in compliance with the Port Marine Safety Code.

### **2. Executive Summary**

Reporting as the Designated Person (DP) under the Port Marine Safety Code (PMSC), I am able to provide a reasonable assurance of safe harbour operations at Lyme Regis and assessed compliance with the PMSC through the Operations Plan and other documentation. Confirmation of PMSC compliance was issued to the Maritime and Coastguard Agency (MCA) in April 2018 as required by the code, this will again be required ahead of April 2021.

Evidence provided confirms that known risks of marine operations and land based activity at the harbour have been identified and assessed with precautions put in place to manage risk to a level that is considered to be as low as reasonably practicable. A number of compliance visits have been made to Lyme Regis Harbour by the DP over the previous 12 months.

### **3. Safety Management System & Bylaws**

The MSMS is established by combining policies and procedures from both the Dorset Councils Partnership (DCP) and the marine based requirements derived from the PMSC that are contained within the harbour operations plan. The operations plan was reviewed in May 2017 by the Harbour Master and no significant changes were identified.

Safety management systems relevant to shore based activities are available through the intranet and hold many similarities to the requirements of the code.

There have been no changes to existing bylaws within the previous 12 months however a legal process to investigate the viability of introducing Harbour Revision Orders is currently underway.

### **4. Harbour Use**

This year has seen demand for day launches off the slipway to plateau maintaining a level similar to the previous season. Interest for permanent moorings within the harbour remains strong and visiting vessels wanting overnight moorings significantly increased from around 260 to 400 nights.

The pontoon mooring configuration within the 'Pool Area' has changed with the introduction of a pontoon finger dedicated to the fishing fleet. Ambition to sink six permanent anchor posts for the pontoon fingers is progressing with planning permission having been approved. The Maritime Management Organisation (MMO) has muted support for the project and has given a conditional offer to meet 75% of the installation costs. It is hoped that this work will be completed by the autumn of 2019 ready for the 2020 season.

The Lyme Regis Consultation Group that represents users and stakeholders of the harbour held their annual meeting on 23<sup>rd</sup> October 2018. Outputs from the meeting were reported to be positive and in support of the harbour team, current operations and future planning. No matters relating to harbour operations or concerns of safety were raised.

There appears to be many examples of collaborative working between the Harbour Master (HM) and different user groups. This year the harbour held a number of successful events including the Gig Regatta, Lyme Splash and Weekend Water Polo.

Lyme Regis harbour remains authorised to receive cruise ships of unlimited size however this approval is shortly to be reviewed by the Department of Transport and the HM. A visiting ship brings many mandatory obligations and a need to implement boarder controls. The review will make an assessment of whether this continuing status remains viable at Lyme Regis.

## **5. Harbour Staff and Facilities**

The Harbour team remains at the same strength as 2017 with 2.5 full time equivalent employees together with seasonal staff and volunteers.

The original harbour office adjacent to the slipway has now been fully vacated and operations have now moved to offices at the end of the Cobb. Work to extend the original site is due to start in January 2019 and expectation for completion is 6 months after commencement. Recognising this period will run into the start of next season the HM confirms need to establish a temporary site office near the slipway to enable safe operations. The new offices when completed will significantly improve the welfare facilities for the harbour team and importantly facilitate a more commanding view over the harbour and of its users.

To improve safety and lessen lifting risks from boat to shore a new davit is soon to be installed at the harbour edge. The davit will have an electric winch and a maximum load capacity of 250Kg. Barriers will act as guarding to protect Cobb users and limiters will restrict the radial movement of the davit arm.

## **6. Training**

Staff training with relevance to harbour operations and safety has been completed by the harbour team. This has included land base training for the JCB tele-handler and training afloat with relevance to safety-boat and powerboat handling. For one team member training in advance powerboat handling was completed allowing him to be commercially endorsed.

It was confirmed that training will be undertaken by all staff and users when the new harbour side davit has been installed.

## **7. Risk Assessments**

Lyme Regis harbour has been assessed as having a high health and safety risk profile that demands an effective and pro-active safety management system to mitigate risk. There have been no new risks introduced at the harbour since 2017 and the risk profile remains unchanged.

It is confirmed there are a good number of risk assessments to address foreseeable hazards at the harbour with these have been used to reduce and manage risk using ALARP principles. Assessments are currently being reviewed ahead of the DCP annual risk assessment audit.

The Harbour Master has obtained 3<sup>rd</sup> party risk assessments from the main users of the harbour i.e. gig, power and sailing boat groups. This demonstrates a more collective approach to managing safety risk at the harbour that is likely to increase operational effectiveness and lessen the frequency of incidents.

## **8. Work Instructions**

Outcomes of the risk assessment process have led to a small number of work instructions being developed in support of carrying out a number of certain tasks. Safe operational processes and procedures are closely linked to the outcomes of assessments and these are used in turn to provide necessary briefings for harbour staff.

The HM receives regular notification of industry best practice and governance from the United Kingdom Harbour Masters Association (UKHMA). This information is used to benchmark operations and is a source for receiving advisory alerts that can be used in the context of Lyme Regis harbour operations.

## **9. Harbour Assets - Inspections**

The deputy HM is tasked to undertake harbour asset inspections and maintain associated records. These records are only accessible on the deputy HM's computer and it is recommended that they

are placed upon a shared drive that can be accessed by others. This will increase resilience with the inspection process and provide added assurances that checks are being undertaken should the deputy HM be subject to unplanned absence.

Evidence provided for October 2018 confirmed that inspections had been completed and no issues had been raised. It was confirmed that a recent inspection had identified a missing floatation aid from the north wall housing, this having since been replaced.

Non fixed assets including the JCB and boat-lifter are all subject to checking by the user before being taken into service.

## 10. Emergency Planning

The Operations Plan provides insight of the process that should be followed if an emergency arises. The PMSC promotes need for routine emergency planning and practice and it is recommended that Lyme Regis links with Bridport Harbour to plan a joint exercise.

Some assurance of preparedness is demonstrated by managing real time events to a satisfactory conclusion, an example of a recent slipway oil spill and the cleaning up operation was provided. It was confirmed by the HM that when unusual events or circumstances arise all staff are collectively addressed with lessons learnt briefings.

## 11. Accidents & Incidents

It is reported that:

- No RIDDOR incidents have occurred within the previous 12 months.
- No harbour by-laws have been breached although some verbal warnings for excessive speeding were given to boats within the harbour.
- There have been no collisions between boats within the harbour or its approaches.
- No boats are reported as having sunk in the harbour.
- Because of inadequate dredging within the pool area a number of boats had grounded throughout the season, on one occasion boat occupants had to disembark due to their boat listing.
- Border force officers have made 3 visits to the harbour amid raised concerns of illegal immigration and attempts of immigrants to reach UK shores from France. There is no evidence that attempts to land at Lyme Regis have been made.

## 12. Pollution

No significant pollution incidents have occurred within the harbour or approaches although a slipway oil spill incident brought need for intervention by the harbour team.

## 13. Harbour Assurances

### Harbour Dredging and Beach Replenishment

Harbour dredging of the 'pool area' this year again yielded inadequate results because sand removal from the seabed was too localised rather than being collected from a wider area. This was confirmed by the subsequent survey results that showed depths staying approximated the same aside from potted areas that had greater depth.

Dredging this area for 2019 is expected to follow the same successful process deployed at Bridport harbour this year. It is estimated that the 'pool area' is 1.3M shallower than level seen in 2010.

Bed levels of the inner harbour have already reached a point where dredging is desirable, it is likely that this will form part of the works by the Environment Agency and the £2.8M project to resurface the Cobb and support the structure walls by low level sheet piling.

### Navigational Aids

Trinity House made a visit to the harbour in February 2018 and confirmed that arrangements were satisfactory with no improvements or remedial action being needed.

#### **14. Forward Assessments**

Surveillance visits at the Lyme Regis harbour office are regularly scheduled by the DP and any significant findings from these visits will be reported as required to the Strategy Committee.

***Report prepared by: Richard Noakes (Designated Person)***

***Telephone: 01305 838356***

***E-mail: [rm.noakes@dorset.gov.uk](mailto:rm.noakes@dorset.gov.uk)***

## **Strategy Committee 13th December 2018 Holwell Neighbourhood Plan – Independent Examiner’s Report**

### **For Decision**

#### **Portfolio Holder**

Cllr Ian Gardner - Planning

#### **Senior Leadership Team Contact:**

S Hill, Strategic Director

#### **Report Author:**

J.Langrish-Merritt, Senior Planning Officer

#### **Statutory Authority**

The various stages for preparing and making a neighbourhood plan are prescribed in the Town and Country Planning Act 1990 and Planning and Compulsory Purchase Act 2004, as amended. More detail is set out in the Neighbourhood Planning (General) Regulations 2012, as amended, and the Neighbourhood Planning (Referendum) Regulations 2012, as amended.

#### **Purpose of Report**

- 1 To consider and decide what action to take in response to each of the recommendations (and the reasons for them) in the independent examiner’s report as set out in Appendix A including each of the modifications to the policies and text of the Holwell Neighbourhood Plan as submitted (Appendix B) to ensure the neighbourhood plan would meet the ‘basic conditions’ and other legal requirements.

#### **Recommendations**

- 2 The following recommendations are made:
  - a) Agreement is sought for the Holwell Neighbourhood Plan, to be amended to reflect the recommendations in the examiner’s report (Appendix A);
  - b) That a referendum on the amended neighbourhood plan is held over the neighbourhood area and is arranged as soon as possible; and
  - c) That a recommendation to ‘make’ the Holwell Neighbourhood Plan be made to the next Full Council meeting after the referendum, if the results of the referendum are in support of the making of the plan and there are no other issues identified that would go against such a decision.

## Reason for Decision

- 3 To progress the Holwell Neighbourhood Plan to referendum so that pending a favourable vote, the plan can be 'made'.

## Background and Reason Decision Needed

- 4 In August 2018 the Holwell Parish Council submitted the draft Holwell Neighbourhood Plan and supporting evidence to the District Council. The plan was subject to significant public consultation during its production.
- 5 Consultation on the submitted draft plan and supporting documents was undertaken between 6<sup>th</sup> September 2018 and 19<sup>th</sup> October 2018. An independent examiner, Mr Andrew Mead, was appointed to undertake the examination of the neighbourhood plan with the agreement of the Holwell Parish Council. The results of this formal consultation were sent to him.
- 6 The examiner's role was to check that the plan meets the 'basic conditions' which includes consideration of whether the plan breaches or is incompatible with EU obligations or Convention Rights. In doing so, the examiner has three options:
  - To conclude that the plan meets all legal requirements and should proceed to referendum;
  - To suggest some modifications to the plan to ensure legal compliance and that the plan as modified should proceed to referendum; or
  - To conclude that the plan does not meet the legal requirements and that it should not proceed.
- 7 If the examiner recommends that the plan should proceed, he or she must also state the area in which the referendum should be held, which may be extended beyond the area to which the plan applies.
- 8 The District Council, as the local planning authority, is required to consider each of the recommendations in the examiner's report and decide what action to take in response to each recommendation.
- 9 The examiner issued his report on the examination of the Holwell Neighbourhood Plan to the council on 28<sup>th</sup> November 2018. This report is included in Appendix A. The report was forwarded to the Parish Council for their consideration.
- 10 The examiner, in his report states that no issues have been raised in relation to the possible contravention of the human rights in consultations undertaken in preparation of the Plan. The examiner also raised no concerns with EU Obligations.
- 11 The examiner made a series of recommendations to modify a number of policies and the text to ensure that the neighbourhood plan would meet the 'basic conditions' and other legal requirements. In his report, the examiner recommended that:
  - a. The plan, once modified, should proceed to referendum; and

- b. The referendum should be held over the neighbourhood area only (i.e. the parish of Holwell)
- 12 Therefore it is proposed to amend the neighbourhood plan, as submitted, to reflect the modifications recommended by the examiner (See Appendix A Examiners Report). The Plan as submitted, prior to amendment to reflect the examiners recommendations, is included as Appendix B.
- 13 The Parish Council formally considered the changes detailed in the examiner's report at their meeting earlier this week. Subject to the result of this meeting, confirmation that the changes were agreed will be given verbally at the Strategy Committee meeting on 13<sup>th</sup> December 2018. The Parish Council will then be notified of the Committee's decisions.
- 14 The referendum will be organised by the Returning Officer of the District Council, with the Parish Council, local members and Planning Portfolio Holder being kept informed of the arrangements. It is hoped that the Referendum could be in early 2019.
- 15 Should the referendum return a positive result, the council must make the plan (bring it into legal force) within 8 weeks of the referendum date unless legal issues arise which are unresolved by the end of this 8 week period.
- 16 Subject to the result of the referendum and any legal issues, the intention is for the plan to be brought to the next available full council meeting after the referendum with a recommendation that the plan be made.

## **Implications**

### **Corporate Plan**

- 17 The Holwell Neighbourhood Plan, once made, will form part of the development plan and will be used when making decisions on planning applications within the Holwell Neighbourhood Area. It will therefore help to achieve the following priorities:
- Build strong inclusive and sustainable communities that empower local people to influence and provide the services that matter most to them;
  - Increase the number of new homes built within the district; and
  - Safeguard and provide opportunities to enjoy the natural and built environment now and in the future.

### **Financial**

- 18 There is a cost associated with holding the referendum. This is estimated as being in the region of £4,000. However now that the examination on the neighbourhood plan has been completed successfully, the District Council will be eligible for a Government grant of £20,000 once a date for the referendum has been set. This will be sufficient to cover the costs associated with the examination and referendum

### **Equalities**

- 19 Part of the role of the independent examiner is to consider whether the neighbourhood plan would breach, or otherwise be incompatible with the

European Convention on Human Rights. The examiner was satisfied that the neighbourhood plan meets this requirement.

### **Environmental**

- 20 Part of the role of the independent examiner is to consider whether the neighbourhood plan contributes towards achieving sustainable development. Sustainable development as defined in the National Planning Policy Framework includes an environmental element and therefore consideration has been given to the environment by the examiner. The examiner was satisfied that the neighbourhood plan meets this requirement and does contribute towards achieving sustainable development.
- 21 In addition, during the early stages of its production, the neighbourhood plan was subject to a Strategic Environmental Assessment (SEA) screening which looked at the aims of the plan and the environmental constraints in the area. The conclusion of this screening was that a full SEA, to assess potential significant environmental effects, was not required.

### **Economic Development**

- 22 The examiner has concluded that the neighbourhood plan contributes towards achieving sustainable development. There are three dimensions to sustainable development including an economic role and therefore consideration has been given to this aspect of sustainability by the examiner

### **Risk Management (including Health & Safety)**

- 23 No risks identified for this stage. Neighbourhood plans will become part of the development plan and therefore this plan will be used in future planning decisions in the parish of Holwell

### **Human Resources**

- 24 The referendum will be organised by Electoral Services. Ongoing support for the plan will be provided by the Local Plans Team.

### **Consultation and Engagement**

- 25 The independent examiner for the neighbourhood plan has considered the consultation undertaken to date and is satisfied that this has met the legal requirements. The examiner's report has been published on the District Council's website and is included in Appendix A.
- 26 The publicity for the referendum will be in accordance with the Neighbourhood Planning (Referendum) Regulations 2012, as amended.
- 27 It is important that the District Council is seen to be making timely progress on the stages for which it is responsible, particularly given the amount of local community effort that has gone into the project

### **Appendices**

Appendix A: Examiners Report



Appendix B Holwell Neighbourhood Plan - available at:  
<https://www.dorsetforyou.gov.uk/holwell-neighbourhood-plan>

### **Background Papers**

Documents relating to the Howell Neighbourhood Plan are available at  
<https://www.dorsetforyou.gov.uk/holwell-neighbourhood-plan>

### **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:** J. Langrish-Merritt, Senior Planning Officer

**Telephone:** 01305 252505

**Email:** [jlangrish-merritt@dorset.gov.uk](mailto:jlangrish-merritt@dorset.gov.uk)

**Date:** 5<sup>th</sup> December 2018

This page is intentionally left blank



**Intelligent Plans**  
and examinations

# **Report on Holwell Neighbourhood Plan 2017 - 2031**

**An Examination undertaken for West Dorset District Council with the support of the Holwell Parish Council on the Submission Draft version of the Plan.**

Independent Examiner: Andrew Mead BSc (Hons) MRTPI MIQ

Date of Report: 28 November 2018

Intelligent Plans and Examinations (IPE) Ltd, Regency Offices, 37 Gay Street, Bath BA1 2NT

Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

## Contents

	Page
<b>Main Findings - Executive Summary</b>	3
<b>1. Introduction and Background</b>	3
• Holwell Neighbourhood Plan 2017 – 2031	3
• The Independent Examiner	4
• The Scope of the Examination	4
• The Basic Conditions	5
<b>2. Approach to the Examination</b>	6
• Planning Policy Context	6
• Submitted Documents	7
• Site Visit	7
• Written Representations with or without Public Hearing	7
• Modifications	7
<b>3. Procedural Compliance and Human Rights</b>	7
• Qualifying Body and Neighbourhood Plan Area	7
• Plan Period	8
• Neighbourhood Plan Preparation and Consultation	8
• Development and Use of Land	9
• Excluded Development	9
• Human Rights	9
<b>4. Compliance with the Basic Conditions</b>	9
• EU Obligations	9
• Main Issues	10
• Issue 1: Housing Growth and the Local Economy	11
• Issue 2: Community Facilities and Infrastructure	13
• Issue 3: Landscape, Environment and Design	14
<b>5. Conclusions</b>	16
• Summary	16
• The Referendum and its Area	16
• Overview	17
<b>Appendix: Modifications</b>	18

## **Main Findings** - Executive Summary

From my examination of the Holwell Neighbourhood Plan (the Plan/HNP) and its supporting documentation, including the representations made, I have concluded that, subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – the Holwell Parish Council;
- The Plan has been prepared for an area properly designated – the whole of the Parish of Holwell as shown on page 8 of the submitted Plan;
- The Plan specifies the period in which it is to take effect: 2017 – 2031; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## **1. Introduction and Background**

### *Holwell Neighbourhood Plan 2017 - 2031*

- 1.1 Holwell, with a parish population of 370<sup>1</sup>, is a small rural parish located south of the A3030 between Sherborne, 11km to the north west and Sturminster Newton, 12km to the east. The majority of the built up area is based on an intersection of minor roads at Holwell village. The parish church of St Laurence is located in open countryside at The Borough, about a kilometre from the village centre.
- 1.2 The intention to produce the HNP was established in 2012 by the Parish Council, followed by the first meeting of the HNP Working Group in 2013. The preparation of the Plan gathered momentum from October 2015, through 2016 and 2017 to its submission in 2018. Consultations and engagement took place throughout the process, including with West Dorset District Council (WDDC). The HNP now represents over five years' work by those involved.

---

<sup>1</sup> 2011 Census.

- 1.3 The vision for the area, which was prepared by the Working Group envisages maintaining Holwell Parish as a thriving rural community and ensuring its long term future by working towards meeting the needs of those who wish to live and work in this community.
- 1.4 Five strategic objectives for the HNP were developed from the vision which concerned local housing; businesses; local services and infrastructure; design; and vulnerability to severe weather. The objectives constitute the sub headings for the groups of policies.

#### *The Independent Examiner*

- 1.5 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Holwell Neighbourhood Plan by WDDC, with the agreement of the Holwell Parish Council (the Parish Council).
- 1.6 I am a chartered town planner and former government Planning Inspector with previous experience of examining neighbourhood plans. I am an independent examiner and do not have an interest in any of the land that may be affected by the draft Plan.

#### *The Scope of the Examination*

- 1.7 As the independent examiner, I am required to produce this report and recommend either:
  - (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.8 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
  - Whether the Plan meets the Basic Conditions;
  - Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
    - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;

- it sets out policies in relation to the development and use of land;
  - it specifies the period during which it has effect;
  - it does not include provisions and policies for 'excluded development';
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
  - whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.9 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

#### *The Basic Conditions*

1.10 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the HNP must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations; and
- Meet prescribed conditions and comply with prescribed matters.

1.11 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the neighbourhood plan should not be likely to have a significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2017) or a European Offshore Marine Site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007), either alone or in combination with other plans or projects.

## 2. Approach to the Examination

### *Planning Policy Context*

- 2.1 The development plan for this part of WDDC, not including documents relating to excluded minerals and waste development, is the West Dorset, Weymouth and Portland Local Plan (WDW&PLP) adopted in December 2015. The Local Plan was produced jointly by West Dorset District Council and Weymouth and Portland Borough Council. The Local Plan is being reviewed and consultation closed on 15<sup>th</sup> October 2018 on the Preferred Options.
- 2.2 The adopted Local Plan establishes the overall development strategy for the two Councils which, within the period 2011 – 2031, is to deliver projected needs of about 60ha of employment land and 15,500 new homes across the Local Plan area. Strategic allocations provide the main opportunities for development which are located at Beaminster, Bridport, Chickerell, Crossways, Dorchester, Lyme Regis, Portland, Sherborne and Weymouth. The main towns and smaller settlements with defined development boundaries also provide a considerable supply of smaller sites through redevelopment and infill opportunities that will contribute towards meeting the requirements.
- 2.3 The Local Plan indicates that development opportunities in the more rural areas will be focused primarily at the larger villages, and should take place at an appropriate scale to the size of the village (unless identified as a strategic allocation). It is expected that neighbourhood development plans and other appropriate planning tools will be used to help bring forward new development, and may allocate additional sites, or extend an existing (or add a new) development boundary to help deliver this growth.
- 2.4 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 24 July 2018, replacing the previous 2012 NPPF. The transitional arrangements for local plans and neighbourhood plans are set out in paragraph 214 of the 2018 NPPF, which provides 'The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019'. A footnote clarifies that for neighbourhood plans, 'submission' in this context means where a qualifying body submits a plan to the local planning authority under Regulation 15 of the 2012 Regulations. The HNP was submitted to WDDC in August 2018. Thus, it is the policies in the previous NPPF that are applied to this examination and all references in this report are to the March 2012 NPPF and its accompanying PPG.



### *Submitted Documents*

- 2.5 I have considered all policy, guidance and other reference documents which I consider relevant to the examination, including those submitted which comprise:
- the Holwell Neighbourhood Plan 2017 – 2031;
  - the map on page 8 of the Plan which identifies the area to which the proposed HNP relates;
  - the Consultation Statement submitted with the draft Plan dated 1 August 2018;
  - the Basic Conditions Statement July 2018;
  - all the representations that have been made in accordance with the Regulation 16 consultation; and
  - the Strategic Environmental Assessment (SEA) Screening Opinion: July 2017.

### *Site Visit*

- 2.6 I made an unaccompanied site visit to the HNP area on 2 November 2018 to familiarise myself with it, and visit relevant sites and areas referenced in the Plan and evidential documents.

### *Written Representations with or without Public Hearing*

- 2.7 This examination has been dealt with by written representations. I considered hearing sessions or an accompanied site inspection to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. No requests for a hearing were received.

### *Modifications*

- 2.8 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

## **3. Procedural Compliance and Human Rights**

### *Qualifying Body and Neighbourhood Plan Area*

- 3.1 The Holwell Neighbourhood Plan has been prepared and submitted for examination by Holwell Parish Council, which is a qualifying body. It extends over the whole of the Holwell Parish which constitutes the area of the Plan designated by WDDC in June 2014.

- 3.2 It is the only neighbourhood plan for Holwell Parish and does not relate to land outside the designated HNP Area.

#### *Plan Period*

- 3.3 The Plan specifies clearly the period during which it takes effect, which is from 2017 to 2031. The period aligns with the end date of the WDW&PLP, which is also 2031.

#### *Neighbourhood Plan Preparation and Consultation*

- 3.4 The comprehensive Consultation Statement submitted with the draft Plan, especially the Journal of Events, indicates that the Parish Council first considered producing a neighbourhood plan in February 2013<sup>2</sup>. A Working Group was formed and met three times in that year. The Working Group liaised with WDDC officers and circulated a letter to all residents.
- 3.5 Following the designation of the HNP area in 2014 and three further meetings of the Working Group in 2014 and 2015, preparation of the HNP accelerated in 2016, when fourteen Working Group meetings were held. In the same year, a flyer and a letter to all households were distributed and liaison meetings took place with WDDC officers. Village Open Meetings were held in April, June and December 2016. A call for sites for housing development was made in late summer and a household questionnaire was also circulated in September 2016 from which there was a 74% return. Progress on the Plan was regularly reported to the Parish Council.
- 3.6 The results of the housing site assessments were discussed at Village Open Meetings in July, August and September 2017 and also with WDDC officers in November 2017. A Neighbourhood Plan web site was re-launched in April 2018. Consultation with WDDC officers has continued throughout the Plan preparation process as have progress reports to the Parish Council. The Journal of Events chronicles 42 meetings of the Working Group from the first meeting on 6 February 2013 to the last on 19 July 2018, albeit one was cancelled on 1 March 2018 due to heavy snow.
- 3.7 The draft HNP was published for consultation under Regulation 14 of the 2012 Regulations for seven weeks from 21 May 2018 to 9 July 2018. Consultation in accordance with Regulation 16, when the Plan was submitted to WDDC, was carried out for a period of just over six weeks from 6 September to 19 October 2018. Nine responses were received. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the HNP, that has had regard to advice in the PPG on plan preparation and is procedurally compliant in accordance with the legal requirements.

---

<sup>2</sup> The Consultation Statement included Appendices C1 – C18 detailing such items as the terms of reference, letters to the public, the questionnaire, etc.

### *Development and Use of Land*

- 3.8 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

### *Excluded Development*

- 3.9 The Plan does not include provisions and policies for 'excluded development'.

### *Human Rights*

- 3.10 The Basic Conditions Statement comments that no issues have been raised in relation to the possible contravention of the human rights in consultations undertaken in preparation of the Plan. Furthermore, given the conclusions on the Plan's general conformity with the strategic policies of the Local Plan and regard to national planning policy, it is reasonable to conclude that the making of the Plan should not breach human rights. No objections have been made by WDDC on the basis that the policies might infringe, or be incompatible with, any human rights under the EU Obligations and Convention rights (within the meaning of the Human Rights Act 1998). I have considered the matter independently and I have found no reason to disagree with those conclusions.

## **4. Compliance with the Basic Conditions**

### *EU Obligations*

- 4.1 The HNP was screened for SEA, the report of which was submitted with the Plan in accordance with the legal requirement under Regulation 15(e)(i) of the 2012 Regulations. In its Regulation 16 Consultation response, WDDC concluded that due to the scale of development being considered in the HNP, in combination with that already having planning permission, there is unlikely to be any significant effects on the environment and therefore a full SEA is not required. Historic England (HE) did not respond to the consultation about the Screening Report. However, both Natural England (NE) and the Environment Agency (EA) agreed with the conclusion that the HNP is unlikely to have any significant effects on the environment. Having read the SEA Screening Opinion, and considered the matter independently, I agree with that conclusion.
- 4.2 The HNP was further screened by WDDC for Habitats Regulations Assessment (HRA). The Assessment considered the potential impacts of the proposals upon European Sites within 20km of the Plan area. It concluded that the HNP is unlikely to result in an adverse effect upon the integrity of a European Site. Therefore, there is no requirement to

undertake any further stages of HRA, such as Appropriate Assessment. On the basis of the information provided and my independent consideration development, I support the conclusions of WDDC.

### *Main Issues*

4.3 Having considered whether the Plan complies with various procedural and legal requirements, it is now necessary to deal with whether it complies with the Basic Conditions; particularly the regard it pays to national policy and guidance, the contribution it makes to the achievement of sustainable development and whether it is in general conformity with strategic development plan policies. I test the Plan against the Basic Conditions by considering specific issues of compliance with all the Plan's policies.

4.4 As part of that assessment, I consider whether the policies are sufficiently clear and unambiguous, having regard to advice in the PPG. The HNP should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence<sup>3</sup>.

4.5 Having regard to the HNP, the consultation responses, written evidence and the site visit, I consider that there are three main issues for this examination. These are:

*Issue 1: Whether the Plan policies for future housing growth and supporting the local economy are in general conformity with the adopted strategic planning policies, whether they would contribute to the achievement of sustainable development and whether they have regard to national policy and guidance?*

*Issue 2: Whether the Plan policies for community facilities and infrastructure for Holwell have regard to national guidance, contribute to sustainable development and generally conform with strategic statutory planning policies?*

*Issue 3: Whether the Plan policies for landscape, environment and design have regard to national guidance, contribute to sustainable development and generally conform with strategic statutory planning policies?*

4.6 Before considering the policies, I need to draw attention to the three Maps which illustrate and define the HNP policies. The Map at Appendix P5 shows the policies for the majority of the Plan area, including the dispersed parts of the settlement. Appendix P6 shows the detailed policies for Fosters Hill, which many would describe as the central part of Holwell village. Appendix P7 shows the detailed policies for The Borough. Each

---

<sup>3</sup> PPG Reference ID: 41-041-20140306.

Intelligent Plans and Examinations (IPE) Ltd, Regency Offices, 37 Gay Street, Bath BA1 2NT

Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

map is at a different scale, but that is not an issue. They are appropriate for their particular function.

- 4.7 However, the details on the Holwell Policies Map (Appendix P5) for the areas covered by the Maps at Appendices P6 and P7 are too small scale to be effective for development management purposes and risk causing confusion given the presence of the two larger scale Policy Maps. Therefore, I recommend that Appendix P5 is modified by (i) the use of a border to delineate the outline of the Maps at Appendices P6 and P7, (ii) the description of the two larger scale Maps in Appendix P5 as Insets and (iii) the deletion of the policy details from Appendix P5 within the Insets. **(PM1)**
- 4.8 In addition, the Appendices form a mixture of general Policy Maps, maps or lists giving details necessary for implementing a policy, and information which was used in support of producing the Plan. In order to make the Plan effective for development management, the Policy Appendices should be part of the Plan, and either bound into it within a printed version or seen together with the Plan if a web version. Accordingly, I recommend that Appendices P5, P6, P7, P9 and P13, which all relate to policies should be included within the Plan. **(PM2)** The remaining Appendices should be classified separately as supporting information.

#### Issue 1: Housing Growth and the Local Economy

- 4.9 Local Plan Policy SUS2 states that development in rural areas will be directed to the settlements with a defined development boundary, and will take place at an appropriate scale to the size of the settlement. Nevertheless, the policy adds that settlements with no defined development boundary may also have some growth to meet their local needs. Holwell has no defined development boundary, nor is one proposed in the HNP but, as indicated in Local Plan Policy SUS5, specific sites for new development may be identified in neighbourhood plans, provided they do not undermine the strategic objectives and approach of the Local Plan.
- 4.10 HNP Policy H1 proposes up to three open market dwellings in the village during the Plan period and lists three allocated sites, together with a reserve site. There is no evidence to suggest why the reserve site should have lower priority for development than the three allocated sites. The reserve site adjacent to Gunville House scored just as well against the initial selection criteria and, based on my site inspection, all four sites appeared to be within frontages which were otherwise built up<sup>4</sup>. Moreover, using the failure of granting planning permission at an allocated site as the proposed trigger for releasing the reserve site seems to me to be

---

<sup>4</sup> HNP Appendices P3 and P4.

unreasonable considering the small numbers involved. The effects on infrastructure or environmental constraints are frequently used as reasons for phasing such housing development in development plans, but the allocation of four dwellings in the Plan period as opposed to three would be insignificant. Therefore, based on the evidence before me, there is no technical reason to differentiate the reserve site from the three allocated sites and I consider the "site adjacent to Gunville House" should be converted to the list of allocated sites.

- 4.11 The Plan notes that, if the projected housing needs of the wider market area were distributed on a pro rata basis, the target for the parish would have been about 26 dwellings, albeit without taking into account the lower sustainability of Holwell compared to other tiers of settlements. The HNP states that the formula for calculating the housing target proposed in the emerging Local Plan Review (Preferred Options) would indicate a minimum target of 3 dwellings in the period 2016 to 2031. I note that with 20 dwellings already in the supply chain, the minimum target has been exceeded and, therefore, I am content with the phrasing in Policy H1 as "... up to ...".
- 4.12 Accordingly, I shall recommend that Policy H1 is further modified by the inclusion of the phrase "... up to four new build, open market houses ..." and convert the "... site adjacent to Gunville House ..." to the list of allocated sites. **(PM3)**
- 4.13 Policy H2 seeks to prevent backland development and has regard to government advice resisting inappropriate development of residential gardens where development would cause harm to the local area<sup>5</sup>. The policy is also in general conformity with Local Plan Policy HOUS6 which deals with residential development outside defined development boundaries.
- 4.14 Policy H3 allocates an area of land for affordable housing, described as The Plot on the Policies Maps (Appendices P5 and P6). This allocation would be additional to the planning permission granted on appeal nearby at Crouch Lane, Holwell in 2017 for fourteen affordable houses. The policy aims to provide affordable accommodation when there is an identified need and when the Crouch Land site is fully occupied. It has regard to national policies<sup>6</sup> and is in general conformity with Local Plan Policy HOUS2.
- 4.15 The strategic objective for employment and business development is to support existing businesses and encourage new enterprises and facilities which will enhance commercial effectiveness and employment

---

<sup>5</sup> NPPF paragraph 53.

<sup>6</sup> NPPF paragraphs 47 and 50.

opportunities. The objective is given effect through Policy EB1 which considers locations for employment and business and Policy EB2 which deals with new camping and caravan sites.

- 4.16 Both policies have regard to the advice to support a prosperous rural economy in NPPF paragraph 28. Local Plan Policy ECON1 lists the areas where economic development will generally be supported. Local Plan Policy ECON7 provides locational guidance for caravan and camping sites. I consider HNP Policies EB1 and EB2 are in general conformity with Local Plan Policies ECON1 and ECON7. However, NPPF advises that development should only be prevented or refused on transport grounds where the residual impacts of development are severe<sup>7</sup>. Therefore, to ensure that the policies have full regard to national advice, I shall modify both Policy EB1 and Policy EB2 by the addition of the qualification “severely” to the detrimental effects of traffic movements on living conditions. **(PM4)**
- 4.17 Accordingly, with the recommended modifications, I consider that the HNP policies for housing and supporting the local economy would generally conform with strategic statutory policies, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

#### Issue 2: Community Facilities and Infrastructure

- 4.18 An objective of the HNP is to preserve the long term future of the area by retaining and, if possible, enhancing local services and infrastructure and facilities. The HNP lists three community facilities in the Plan area: the Church and churchyard located at The Borough and the Village Hall and Nursery School, both located in Holwell village area. HNP Policy C1 seeks to retain the facilities wherever possible and also to support new facilities subject to various criteria.
- 4.19 The retention of community facilities would have regard to government policies<sup>8</sup> and be in general conformity with Local Plan Policy COM3. HNP Policy C1 also supports proposals for new facilities. Whereas the policy would still generally have regard to national advice, it states that the provision of the facility is subject to being well related to an existing building. Given that buildings are scattered throughout the HNP area, that element of the policy would not have regard to the aims for sustainable transport and accessibility as described in NPPF, nor would it be in general conformity with Local Plan Policy COM2 which seeks the location of new facilities within or on the edge of an existing settlement. Therefore, to enable Policy C1 to meet the requirements of the aforementioned Basic Conditions, I shall modify it by the substitution of “within or on the edge

---

<sup>7</sup> NPPF paragraph 32.

<sup>8</sup> NPPF paragraphs 28 (bullet point 4) and 70 (bullet point 1).



of the built-up area of Holwell” for “well-related to an existing building”. In addition, in recognition of the contribution which The Borough makes to Holwell, in that it is the location of the Church of St Laurence, is a well-formed hamlet with several buildings and has sufficient presence to be given one of the detailed policy maps (Appendix P7) alongside Holwell (Appendix P6), I shall make reference to The Borough being included with the built-up area of Holwell. **(PM5)**

- 4.20 HNP Policy C1 seeks to safeguard and improve public rights of way. The policy has regard to national policy which aims to protect and enhance public rights of way<sup>9</sup>. The policy is in general conformity with Local Plan Policy COM7 v).
- 4.21 Accordingly, with the recommended modification, I consider that the HNP policies for community facilities and infrastructure would have due regard to national policy, would generally conform with strategic statutory policies, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

### Issue 3: Landscape, Environment and Design

- 4.22 The landscape of the parish is predominantly rural and agricultural with occasional long views across attractive, gently undulating countryside. The first sentence of HNP Policy E1 states that the design and layout of development should minimise adverse impacts on views from public rights of way over open countryside and preserve and maintain such views where possible. This part of the policy has regard to national advice in PPG<sup>10</sup>.
- 4.23 However, the Plan selects three views across open countryside which it seeks to protect by the policy. The views are shown on Appendix P5 of the Plan and in Table 1 of the Plan and subsequent photographs. The policy states that development which would adversely impact the visual quality of the views, or undermine, or adversely affect the rural setting of the village will not be supported.
- 4.24 Having visited the HNP area and looked over the countryside from vantage points along various public rights of way, I agree that the views identified are impressive. Nevertheless, the views as delineated on Appendix P5 are not suitable for development management. The splay of the view is implied by the photographs on page 19 of the Plan, but the zone of visibility could be so extensive that virtually any change could be interpreted as adverse. Moreover, views V1 and V2 reach out well into adjoining parishes. Each of the locations photographed may well be

---

<sup>9</sup> NPPF paragraph 75.

<sup>10</sup> PPG Reference ID: 26-007-20140306.



attractive but they are already safeguarded by policies in the Local Plan, such as Policy SUS2, which seek to protect the countryside outside defined development boundaries. Accordingly, because this part of the policy lacks the clarity necessary for the effective management of development, it should be deleted. I shall recommend a rephrasing of Policy E1 which would retain the generality of the protection of views from public rights of way and would also prevent development which would adversely affect the rural setting of the village. **(PM6)**

- 4.25 HNP Policy E2 seeks to protect locally important woodlands, wildlife and landscape features as shown on Appendix P5. The components of the policy would each have regard to national advice as described in paragraphs 109, 113, 114 and 117 of NPPF. Policy E2 would also generally conform with Local Plan Policies ENV1, ENV2, ENV3 and ENV10.
- 4.26 Table 2 of the HNP describes the 23 Listed Buildings in the parish. The Plan rightly states that the Listed Buildings are given strong protection under relevant legislation and national and Local Plan policies. Nevertheless, the HNP has listed locally important buildings and structures for which protection is sought under Policy E3. The policy appropriately seeks to avoid harm to these non-designated heritage assets but fails to note that a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset<sup>11</sup>. The policy also uses the likely public benefits of the proposed development as a test of acceptability which is more appropriate to the consideration of a designated heritage asset.
- 4.27 Therefore, I shall modify the policy to introduce the requirement for a balanced judgement and to delete the reference to the likely public benefits. **(PM7)** In addition, I note that the list includes oak trees noted on Appendix P13 as Map Reference 115. The list describes two locations, one near Little Westrow, and the other opposite Hillfield, off Stony Lane. The former is referenced 115 on the Policies Map Appendix P5. The latter appears to be referenced 116 on the Policies Map Appendix P5, but is not individually referenced in Appendix P13. However, the features are trees and, in my opinion, do not fall within the definition of locally important features and structures. There is a separate strand of legislation for dealing with trees worthy of protection<sup>12</sup>. However, Policy E2 seeks to protect locally important woodland features and landscape features, categories which would include the aforementioned trees. Therefore, the trees should be deleted from Appendix P13 which relates to Policy E3 and also have the numbered references removed from Policy Map P5. **(PM8)** Subject to the above modifications, HNP Policy E3 would have regard to

---

<sup>11</sup> NPPF paragraph 135.

<sup>12</sup> PPG Reference ID: 36-003-20140306.

national policy and advice and generally conform with Local Plan Policy ENV4.

- 4.29 HNP Policy E4 is sub-headed "Design" and seeks to safeguard the distinctive rural character of the parish. The policy refers to Table 3 which lists various characteristics of design such as density, scale and orientation, building line and materials. The subsequent section of the Plan contains useful photographs illustrating examples of the range of buildings and design styles in Holwell. I consider that Policy E4 is a useful tool in the design process and, as stated in the supporting text of the Plan, innovation would not be stifled, thereby having regard to national policy<sup>13</sup>. The policy would also generally conform with Local Plan Policies ENV1, ENV11, and ENV12.
- 4.30 Accordingly, with the recommended modifications, I consider that the HNP policies for landscape, environment and design would have due regard to national policy, would generally conform with strategic statutory policies, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

## 5. Conclusions

### *Summary*

- 5.1 The Holwell Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the responses made following consultation on the Neighbourhood Plan, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum. I am content to leave consequential changes to the supporting text to be made at the discretion of the Parish Council and WDDC.

### *The Referendum and its Area*

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Holwell Neighbourhood Plan, as modified, has no policy which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the boundary of the Plan.

---

<sup>13</sup> NPPF paragraph 58: bullet point 4; paragraph 60.

Intelligent Plans and Examinations (IPE) Ltd, Regency Offices, 37 Gay Street, Bath BA1 2NT

Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

## Overview

- 5.4 In conducting the examination, I enjoyed reading the Plan and found it captured the character and appearance of the parish. The Basic Conditions Statement was well presented and extremely helpful. The Statement of Consultation was very thorough and showed a commendable extent of contact with the public and the Parish Council during the preparation of the Plan. The Working Group and the Parish Council are to be congratulated for their efforts in producing a comprehensive and well-illustrated document which, incorporating the modifications I have recommended, will make a positive contribution to the development plan for the area and will assist in creating sustainable development.

*Andrew Mead*

Examiner

## Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Appendices P5, P6 & P7.	Delineate the Policy Maps Appendices P6 and P7 as Insets on Appendix P5 and delete the policy details for those Insets from Appendix P5.
PM2	Appendices P5, P6, P7, P9 & P13.	Include Appendices P5, P6, P7, P9 & P13 as Policy Appendices within the Plan. Combine the other Appendices into separate supporting information.
PM3	Policy H1.	Alter the first sentence to <b>“Provision is made for up to four new build, open market houses ...”</b> .  Add to the list of sites selected for new build, open market housing: <b>“Site adjacent to Gunville House”</b> .  Delete the final sentence of the policy.
PM4	Policies EB1 a) and EB2 (second bullet point).	Add the qualification <b>“... severely ...”</b> to “... detrimental to the living conditions of residents ...”.
PM5	Policy C1.	Delete: “... well-related to an existing building...”.  Insert: <b>“... within or on the edge of the built-up area of Holwell, which includes The Borough, ...”</b> .
PM6	Policy E1.	Delete the second sentence.  Amend the third sentence by the deletion of “... adversely impact on their visual quality, or undermine or ...”.
PM7	Policy E3.	Rephrase as follows: <b>“... having regard to the contribution the asset makes to the historic and architectural character of the area balanced against the scale of any</b>

		<p><b>harm or loss taking into account the potential to avoid the harm through changes to the scheme design.”</b></p> <p>Delete the final phrase of the policy: “and the likely public benefits of the proposed development.”</p>
PM8	Appendices P5 & P13.	Delete the numbers from the trees at Map References 115 and 116 on Appendix P5. Delete the reference to the trees from Appendix P13.

This page is intentionally left blank

## **Strategy Committee 13 December 2018 Dorset Statement of Common Ground on Strategic Planning Matters**

### **For Decision**

#### **Portfolio Holder**

Cllr I Gardner

#### **Senior Leadership Team Contact:**

S Hill, Strategic Director

#### **Report Author:**

H Jordan, Corporate Manager, Planning (Community & Policy Development)

#### **Statutory Authority**

Localism Act 2011

#### **Purpose of Report**

- 1 To approve the Statement of Common Ground as part of the supporting documentation for local plans across Dorset

#### **Recommendations**

- 2 That the draft Statement of Common Ground, attached as Appendix 1, be approved

#### **Reason for Decision**

- 3 To ensure that the requirement for a Statement of Common Ground to be prepared in association with the development of local plans is met.

#### **Background and Reason Decision Needed**

- 4 The Localism Act 2011 includes the Duty to Cooperate between local planning authorities and other organisations in preparing local plans. The new National Planning Policy Framework 2018 and its associated Planning Practice Guidance introduced a new requirement for a Statement of Common Ground to be prepared.
- 5 A Statement of Common Ground is a written record of progress made on planning for strategic matters across local authority boundaries. It is intended to record where effective cooperation is or is not taking place, demonstrate that plans are deliverable, and provide evidence that the duty to cooperate has been fulfilled. **Page 87**

- 6 Statements should be jointly produced by those authorities which have agreed to collaborate with each other to address strategic matters across local authority boundaries.
- 7 In Dorset there is a Strategic Planning Forum comprising member representatives of all the local planning authorities, together with representatives of the Local Enterprise Partnership and Local Nature Partnership. This group meets regularly to discuss strategic planning matters on which the authorities need to work jointly.
- 8 The Forum agreed a 'Summary of Cross-Boundary Planning Issues in Dorset' paper in 2015 and this was taken through all of the individual councils at the time for approval. The Forum agreed at its meeting in June this year that a single Statement of Common Ground would be prepared across the Dorset area, based on this earlier paper. The draft Statement of Common Ground was prepared by officers of the Dorset councils working together, and was discussed by the Strategic Planning Forum at its meeting in September 2018, where members agreed that the document would be brought to the individual councils for approval.
- 9 The Statement of Common Ground needs to be in place at the time of each local plan examination, and the first agreed Statement therefore needs to be in place in time for the submission of the Purbeck local plan review in February/March 2019. The draft Statement has already been published with the other supporting documents during the publication of the draft Purbeck local plan in October 2018.
- 10 The draft Statement will need to be reviewed regularly. In particular, it will be reviewed when any significant changes to local housing requirements are made, as this will affect the extent to which cooperation will be necessary to meet housing needs across the area. It will also need to be reviewed soon after its first publication in order to reflect the new council areas.

## **Implications**

### **Corporate Plan**

The Statement is required as part of the process of local plan preparation, which relates to the corporate plan priorities of helping to stimulate economic growth, increasing the number of new homes built, and safeguarding the natural and built environment.

### **Financial**

There are no financial implications arising from the approval of the Statement.

### **Equalities**

There are not considered to be any equalities implications from the approval of the Statement. Equality impact assessments will be undertaken on the local plans.



## **Environmental**

Cooperation between the local planning authorities will include work on environmental matters such as the protection of the internationally important heathlands in Dorset. Environmental designations will be taken into account in considering the appropriate distribution of development.

## **Economic Development**

Cooperation between the local planning authorities will include work on the identification of the appropriate locations for new housing and employment development to support economic growth.

## **Risk Management (including Health & Safety)**

There is the risk of the Statement not being considered adequate on local plan examinations. In particular, there is a risk that councils may not be able to reach agreement, particularly if the housing needs of one area cannot be met there and need to be met in other council areas. Future versions of the Statement would need to record this position, and it would increase the risk of local plans not being found sound on examination.

## **Human Resources**

The Statement has been prepared by officers of all the Dorset councils working together. It will continue to be reviewed by the officer group (the Strategic Planning Policy Managers' Forum) and brought to committees for approval.

## **Consultation and Engagement**

The Statement has been through the Strategic Planning Forum for consideration prior to being brought to committees. There is no requirement for public consultation, though the involvement of a wider number of adjoining councils is likely to be required in future and this liaison will take place.

## **Appendices**

Appendix 1 – Draft Statement of Common Ground

## **Background Papers**

National Planning Policy Framework 2018

National Planning Practice Guidance 2018 (online)

## **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:** Hilary Jordan  
**Telephone:** 01305 252303  
**Email:** [hjordan@dorset.gov.uk](mailto:hjordan@dorset.gov.uk)  
**Date:** 30 October 2018

# Statement of Common Ground between local planning authorities in Dorset (DRAFT 3 October 2018)

## Contents

<b>Executive Summary .....</b>	<b>2</b>
<b>Introduction.....</b>	<b>3</b>
<b>Plan-making authorities and governance arrangements.....</b>	<b>3</b>
<b>Geographical areas covered.....</b>	<b>4</b>
<b>Key strategic matters covered.....</b>	<b>4</b>
<b>Current and emerging local plans in Dorset.....</b>	<b>5</b>
<b>Providing the homes and jobs needed in Dorset.....</b>	<b>7</b>
<b>Provision of retail, leisure and other commercial development.....</b>	<b>17</b>
<b>Provision of infrastructure .....</b>	<b>18</b>
<b>Provision of health, security, community and cultural infrastructure .....</b>	<b>22</b>
<b>Addressing climate change and conservation and enhancement of the natural and historic environment.....</b>	<b>25</b>
<b>Summary and priorities for joint working.....</b>	<b>28</b>

## Executive Summary

The revised National Planning Policy Framework published in July 2018 introduces the requirement for a Statement of Common Ground to be prepared jointly by local planning authorities.<sup>1</sup> This is intended as an enhancement of the duty to cooperate that is already a legal requirement of the plan making process.

The Dorset Strategic Planning Forum was established to consider strategic planning issues that affect cross boundary matters, and to guide strategic planning at the 'larger than local' scale through effective policy development across boundaries, in order to help ensure that each of the Dorset local planning authorities could meet the duty to cooperate. The local planning authorities are currently at various stages in reviewing their local plans, and the Statement of Common Ground will be required evidence at each local plan examination.

This Statement of Common Ground has been prepared jointly by the local authorities within Dorset, all of which are represented on the Strategic Planning Forum, and will be extended to include the surrounding authorities. It describes the geographical area covered by the statement; the plan-making authorities responsible; and the proposed governance arrangements for joint working. The main body of the Statement provides a summary of the key strategic planning matters in Dorset on which cooperation is intended. This has taken account of the guidance in national planning policy on strategic issues where cooperation might be appropriate. These include the need for homes and jobs; provision of shops and leisure facilities; ensuring that supporting infrastructure is in place; promoting healthy communities; and protecting and enhancing the natural environment.

The revised National Planning Policy Framework introduces a new standard methodology for the assessment of housing requirements at district level. It states that strategic plans should be based upon a local housing need assessment conducted using this standard methodology, unless there are exceptional circumstances that justify an alternative approach. It also states that in establishing this figure, any needs that cannot be met within neighbouring areas should also be taken into account.<sup>2</sup>

The standard methodology is due to be reviewed again and so the housing figures to be planned for are not fully confirmed. It is likely however that there will be an increase in the requirements for the area, compared with the combined current adopted local plan targets. As a result, there is a key requirement for the local planning authorities to work together to set out a strategic approach to the provision of additional homes in Dorset. This will need to be informed by an appraisal of all reasonable options for the distribution of growth. Joint working is already taking place on the provision of accommodation for gypsies and travellers.

In addition to the provision of new homes, the local planning authorities will need to work together to address any cross-boundary issues relating to employment land. A range of related matters also need to be considered as an integral part of planning for new homes and jobs. These include highlighting the importance of providing services and facilities to support growth, supporting healthy communities through effective planning, and the need to continue with effective joint working to protect Dorset's outstanding natural environment, including internationally protected sites.

---

<sup>1</sup> Paragraph 27, National Planning Policy Framework 2018

<sup>2</sup> Paragraph 60, National Planning Policy Framework 2018

## Introduction

1. The requirement for the preparation of a Statement of Common Ground to demonstrate effective and ongoing joint working on strategic matters that cross administrative boundaries was introduced in the revised National Planning Policy Framework published in July 2018.<sup>3</sup> This is intended as an enhancement of the 'duty to cooperate' introduced in the Localism Act 2011 as a legal requirement of the plan making process<sup>4</sup>. The duty requires councils and public bodies to '*engage constructively, actively and on an ongoing basis*' to develop strategic policies on cross boundary matters.
2. The Statement of Common Ground is intended as a written record of progress made on planning for strategic matters across local authority boundaries. It is intended to record where effective cooperation is or is not taking place, demonstrate that plans are deliverable, and provide evidence that the duty to cooperate has been fulfilled.

## Plan making authorities and governance arrangements

3. This Statement has been jointly prepared by the nine local authorities within Dorset, including the Bournemouth and Poole unitary authorities: Bournemouth Borough Council; Christchurch Borough Council; Dorset County Council; East Dorset District Council; North Dorset District Council; Borough of Poole; Purbeck District Council; West Dorset District Council and Weymouth & Portland Borough Council. After 1 April 2019, these local authorities will be replaced by two new unitary authorities: Bournemouth, Christchurch and Poole Council; and Dorset Council. The Statement has also been prepared in discussion with the adjoining local authorities of New Forest District Council; Wiltshire Council; South Somerset District Council; and East Devon District Council.
4. There is a strong history of effective joint working between the planning authorities in Dorset, and continued cooperation will be essential to support sustainable economic growth in the area. Cooperation on planning matters can also contribute to wider partnership working, helping to deliver mutually beneficial objectives for a range of stakeholders
5. The Dorset Strategic Planning Forum was established in 2015 to ensure that cooperation on strategic issues continues on an open and constructive basis across Dorset even where individual authorities may have different points of view. This approach will ensure that constructive cooperation on strategic matters is achieved in accordance with the statutory requirements.
6. Terms of Reference for the Strategic Planning Forum state that the main purpose of the Forum is to fulfil obligations under the legal duty to cooperate. The Terms of Reference go on to state that the Forum will guide strategic planning at the 'larger than local' scale through effective policy development across boundaries, and will work with the Local Enterprise Partnership (LEP) and the Local Nature Partnership

---

<sup>3</sup> Paragraph 27, National Planning Policy Framework 2018

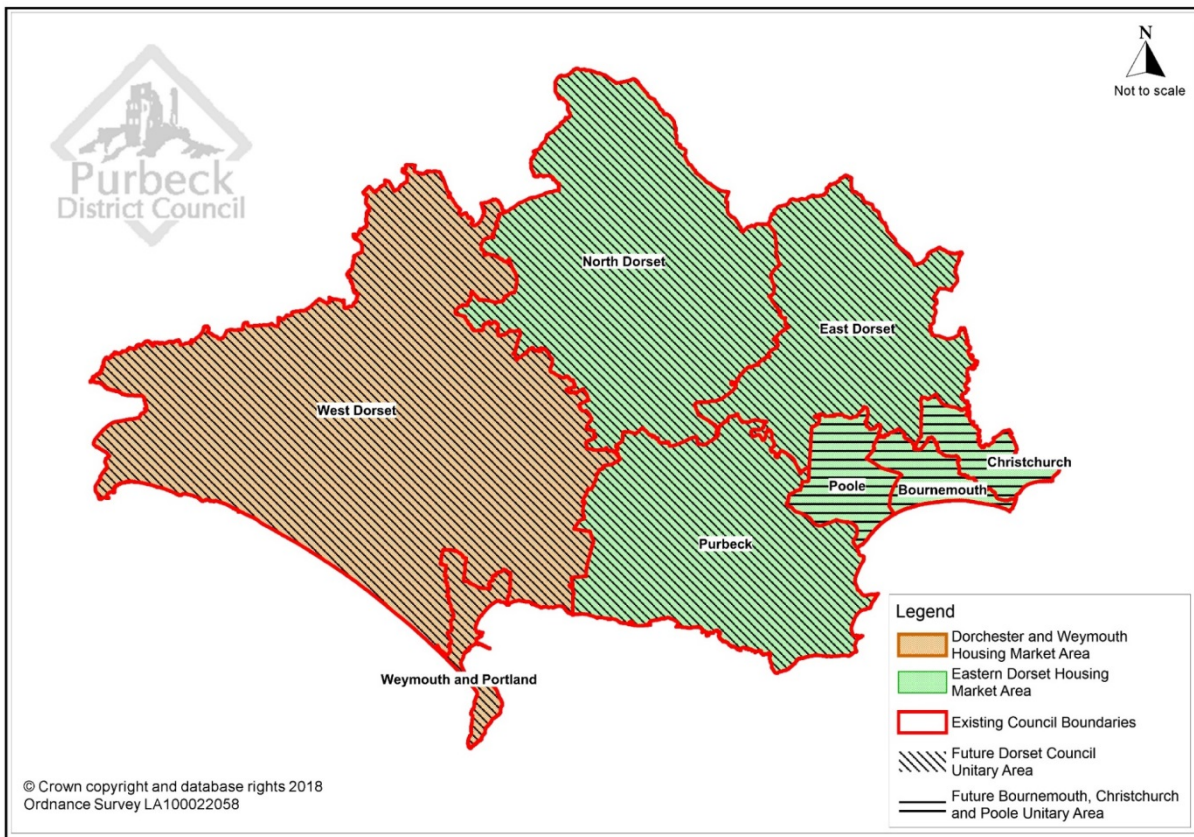
<sup>4</sup> The duty to cooperate is set out in Section 110 of the Localism Act 2011, available at: <http://www.legislation.gov.uk/ukpga/2011/20/section/110/enacted>

(LNP) in the development of strategy to inform and align spatial and investment priorities.

7. The Statement of Common Ground will be maintained and kept up to date through joint working between the plan-making authorities in the area. This will be overseen by the Strategic Planning Forum and the drafts of any revisions to the Statement will be considered by that joint body before being taken to the individual local authorities for approval.

### Geographical Area covered by this Statement

8. This statement covers the whole of the Dorset Local Enterprise Partnership area: the whole area of Dorset, Bournemouth and Poole. The area is shown on the plan below, which also indicates the current and future local authority boundaries and the housing market areas. It is important to note that the housing market areas do not coincide with the new unitary council boundaries and may be reviewed in future. This geography may be extended in future to include the adjoining authorities of New Forest, Wiltshire, South Somerset and East Devon.



### Key Strategic Matters Addressed by this Statement

9. The revised National Planning Policy Framework (NPPF) sets out that the strategic policies required for the area of each local planning authority should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

- housing (including affordable housing), employment, retail, leisure and other commercial development;
  - infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
  - community facilities (such as health, education and cultural infrastructure); and
  - conservation and enhancement of the natural, built and historic environment, including landscape and green infrastructure, and planning measures to address climate change mitigation and adaptation.<sup>5</sup>
10. These strategic policy areas are those for which joint working across local authority boundaries are most likely to be necessary. This Statement considers each of these broad themes in turn, and identifies broad cross boundary issues and opportunities affecting Dorset planning authorities in relation to each theme. The Statement concludes with a summary of the intended scope for joint working, highlighting the importance of cross-boundary working in supporting economic growth and directing development to the most sustainable locations. Joint working on strategic planning matters will have an important role in helping to deliver the LEP’s Strategic Economic Plan, and any future revisions of this. It will also be influenced by sub-regional issues, such as plans for growth in Portsmouth and Southampton, and the proposed establishment of sub-national transport bodies to formulate and potentially deliver transport strategies for wider areas. Sub-regional issues are not considered in detail in this paper, but will form part of the wider context for strategic joint working in Dorset.

## Current and emerging local plans in Dorset

11. The Dorset local planning authorities are currently at various stages in reviewing their local plans, as summarised in table 1. Work on the local plan reviews will both inform, and be informed by, joint working and cooperation across the whole Dorset area.

Local Plan	Plan period	Current status	Progress with review
<b>Eastern Dorset Housing Market Area</b>			
Bournemouth Local Plan Core Strategy 2012	2006 - 2026	Adopted October 2012	Issues consultation took place winter 2017; Issues and Preferred Options consultation due to take place late 2018. Review to run to 2033
Christchurch and East Dorset Core Strategy	2013 - 2028	Adopted April 2014	Separate local plan reviews now taking place for Christchurch and East Dorset. Options consultation on both plans July-September 2018, and pre-submission

<sup>5</sup> Paragraph 20, National Planning Policy Framework 2018



			consultation March 2019. Reviews to run to 2033.
North Dorset Local Plan – 2011 to 2026 Part 1	2011 - 2026	Adopted January 2016	Issues & Options consultation took place winter 2017-18; Preferred Options consultation likely early 2019. Review to run to 2033 but may be extended to 2036.
Poole Core Strategy Site Specific Allocations and Development Management DPD & Poole Infrastructure Plan DPD	2006 - 2026	Adopted February 2009 (Core Strategy) Site Specific Allocations and Development Management DPD & Poole Infrastructure Plan DPD adopted 2012	Plan is due to be adopted in November 2018. Runs to 2033.
Purbeck Local Plan Part 1	2006 - 2027	Adopted November 2012	Options consultations completed. Pre-submission publication autumn 2018, submit by March 2019 and adopt by end of 2019. Runs to 2034.
<b>Western Dorset Housing Market Area</b>			
West Dorset, Weymouth and Portland Local Plan	2011 - 2031	Adopted October 2015	Issues and Options consultation early 2017; Preferred Options consultation place August-October 2018 and pre-submission consultation 2019. Review to run to 2036.
<b>Pan-Dorset</b>			
Bournemouth, Dorset and Poole Minerals Strategy	2014 - 2028	Adopted May 2014	No review currently scheduled in Local Development Scheme.
Bournemouth, Dorset and Poole Mineral Sites Plan	Likely to be 2018 - 2033	In preparation	Plan submitted March 2018. Examination 2018 (hearings September – October 2018)
Bournemouth, Dorset and Poole Waste Plan	Up to 2016: policies saved in 2009	Adopted June 2006	Plan submitted in March 2018. Examination 2018
Joint Gypsy and Traveller Site Allocations Development Plan Document	In preparation: timetable currently under review.		

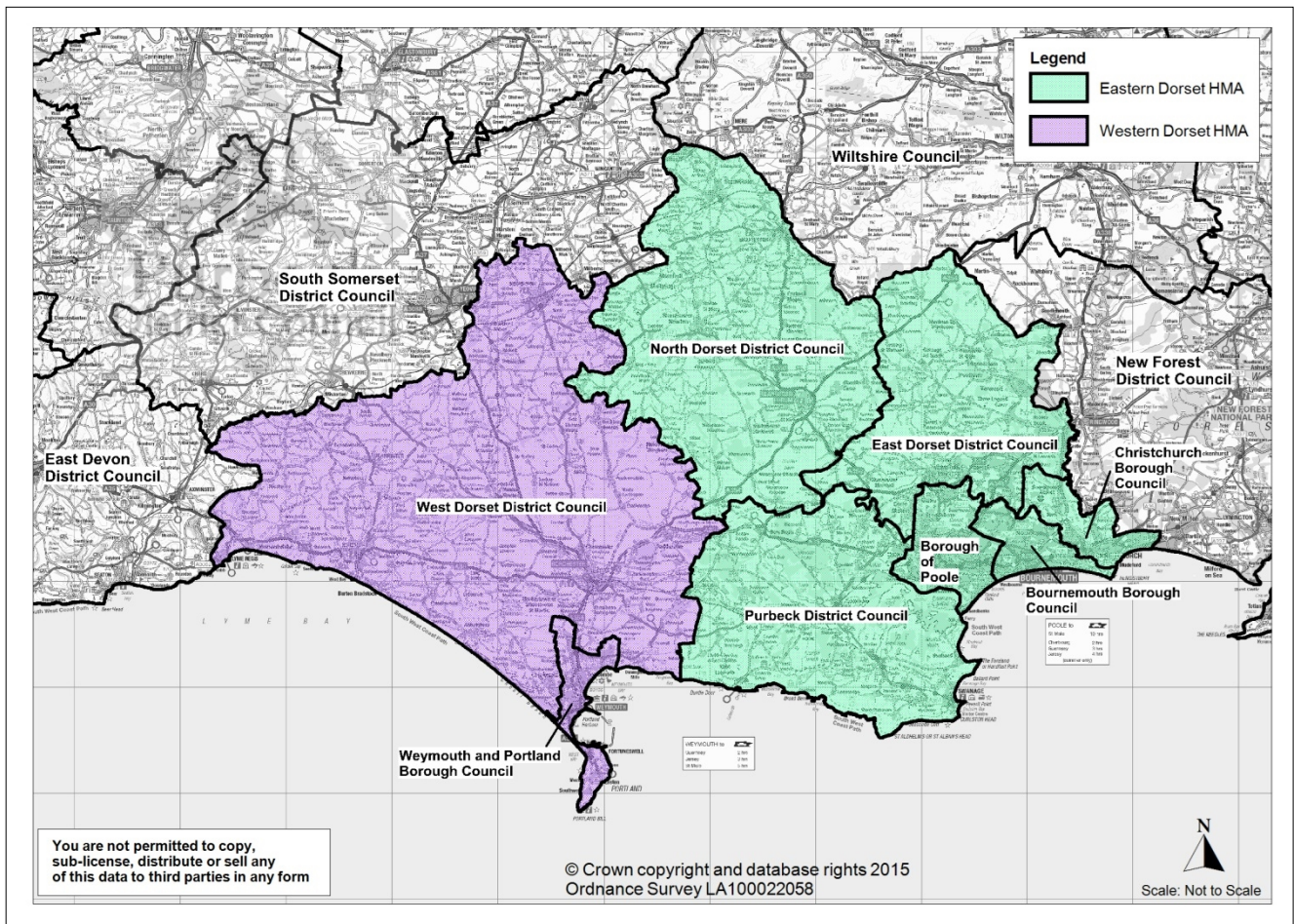
Table 1: Status of current and emerging local plans in Dorset (September 2018)



## Providing the homes and jobs needed in Dorset

### Housing need within Dorset

12. Significant changes have been made in the revised NPPF to the method for assessing housing need.
13. The previous NPPF required local planning authorities to meet '*the full, objectively assessed needs for market and affordable housing in the housing market area*', as far as was consistent with other policies set out in the NPPF<sup>6</sup>. It went on to state that '*joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas*'<sup>7</sup>. Two housing market areas (HMAs) were identified in Dorset, as shown on map 1. The Eastern Dorset HMA includes Bournemouth, Christchurch, East Dorset, North Dorset, Poole and Purbeck, whilst the Western Dorset HMA includes West Dorset and Weymouth and Portland.



Map 1: Dorset housing market areas

14. The objectively assessed housing needs for the Dorset authorities, assessed under the previous national policy requirements, were identified in the Eastern Dorset

<sup>6</sup> Paragraph 47 of the National Planning Policy Framework 2012

<sup>7</sup> Paragraph 179 of the National Planning Policy Framework 2012

Strategic Housing Market Assessment (SHMA) (December 2015, and since reviewed), and the Weymouth and Portland and West Dorset Strategic Housing Market Report (July 2014, with the conclusions reviewed in 2017 during the early stages of preparing the revised local plan).

15. The revised NPPF however introduces a new standard methodology for ‘*local housing need assessments*’ for each local planning authority area. This standard method should now be used unless there are exceptional circumstances that justify an alternative approach which also reflects current and future demographic trends and market signals. In establishing this figure, any needs that cannot be met within neighbouring areas should also be taken into account.<sup>8</sup>
16. Table 2 sets out the current adopted local plan housing targets, the local housing needs assessment figures published with the consultation on the new methodology (in September 2017). The Government has already indicated that, following the release of the latest household forecasts (September 2018), the methodology is likely to be reviewed as a result of the reduction in these latest figures for many local authorities across the UK. Accordingly, the local housing needs assessment figures will be calculated and the table below revised once the Government’s intentions are known and any changes made to the methodology confirmed.

<b>Local planning authority</b>	<b>Current local plan housing target</b>	<b>Local Housing Needs Assessment based on published figures from new methodology (September 2017)</b>
Bournemouth	<b>730</b> homes per annum (2006 to 2026)	<b>1,022</b> homes per annum
Christchurch	<i>Joint target for <b>566</b> homes per annum in Christchurch and East Dorset (2013 to 2028)</i>	<b>352</b> homes per annum
East Dorset		<b>442</b> homes per annum
<i>Christchurch and East Dorset (joint)</i>		<i>(or <b>792</b> homes per annum joint target)</i>
North Dorset	<b>285</b> homes per annum (2011 to 2031)	<b>366</b> homes per annum
Poole	<b>500</b> homes per annum (2006 to 2026) or <b>710</b> per annum, 2013 to 2033, from about-to-be-adopted local plan)	<b>782</b> homes per annum
Purbeck	<b>120</b> homes per annum (2006 to 2027)	<b>168</b> homes per annum

<sup>8</sup> Paragraph 60, National Planning Policy Framework 2018

<b>Total for Eastern Dorset HMA</b>	<b>2,201 homes per annum (plan periods not aligned)</b>	<b>3,130 homes per annum</b>
West Dorset	775 homes per annum in West Dorset and Weymouth and Portland (2011 to 2031)	780 homes per annum in West Dorset and Weymouth and Portland (joint OAN) (2011 to 2031)
Weymouth and Portland		
<b>Total for Western Dorset HMA</b>	<b>775 homes per annum (2011 to 2031)</b>	<b>780 homes per annum</b>
<b>Total for Dorset</b>	<b>2,976 homes per annum (plan periods not aligned)</b>	<b>3,910 homes per annum</b>

Table 2: Comparison of current adopted local plan housing targets and published figures resulting from the new standard methodology (2017)

17. This demonstrates that the housing needs for the whole Dorset area have risen significantly from those in the adopted local plans, in particular in the Eastern Dorset HMA, where the new methodology demonstrates a need to provide between 323 and 1,723 additional homes per year in the Eastern Dorset HMA, over and above the current local plan housing targets. The most significant increase, in the 2017 figures, is in the figure for Bournemouth, where the demographic forecasts are particularly affected by the rate of international migration. The household forecasts published in September 2018 show a reduction from the 2017 figures, but the Government has indicated that the methodology will be adjusted<sup>9</sup> in order to ensure that the figures are sufficient to meet the national target. The figures arising will be the basis for joint working between the local authorities on the distribution of housing within the area.
18. Recent housing delivery rates across Dorset as a whole have fallen significantly short of the local plan figures. Table 3 shows the housing completions for each local planning authority in 2016/17 and 2017/18. This highlights the need for a step change in housing delivery rates if the housing needs resulting from the new standard methodology are to be met.

Local planning authority	Housing completions (net)	
	2016/17	2017/18
Bournemouth	581	635
Christchurch & East Dorset	430	407
North Dorset	142	152
Poole	570	307
Purbeck	89	124
<b>Total for Eastern Dorset HMA</b>	<b>1,812</b>	<b>1,625</b>

<sup>9</sup> Covering notes at <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

West Dorset and Weymouth & Portland	<b>772</b>	<b>613</b>
<b>Total for Western Dorset HMA</b>	<b>772</b>	<b>613</b>
<b>Total housing completions for Dorset</b>	<b>2,584</b>	<b>2,238</b>
<b>Total requirement under new standard methodology 2017</b>	<b>3,910</b>	

Table 3: Recent housing completions in Dorset

19. The local housing needs assessments resulting from the new standard methodology do not take account of constraints, such as Green Belt, Areas of Outstanding Natural Beauty, and internationally protected heathlands, which may restrict the ability of the Eastern Dorset authorities in particular to plan for their housing requirements within their areas. Previous Government guidance was clear that assessing need through the SHMA was just the first stage in developing the appropriate housing requirements in a local plan, and that SHMA figures should not be seen as a proxy for the final requirement in the plan.<sup>10</sup>
20. The introduction of the new standard methodology places greater emphasis on the importance of cooperation and meeting needs within adjoining local authority areas where they cannot be met in the area in which they arise. The revised presumption in favour of sustainable development in the 2018 NPPF states that strategic plans should, as a minimum, provide for objectively assessed needs for housing and other development as well as any needs that cannot be met within neighbouring areas (as established through statements of common ground).<sup>11</sup>

### Proposed approach to meeting housing needs

21. There is a key requirement for the Dorset local planning authorities to work together to set out a strategic approach to the provision of additional homes in Dorset, seeking to meet the assessed local housing needs, and this is the greatest priority for joint working. The increased housing targets resulting from the new standard methodology, together with the sensitive and nationally and internationally recognised environmental assets in the area, make this particularly challenging.
22. The starting point for this work is the aim that each local planning authority will seek to meet its housing requirements within its own boundaries. At present, the extent to which each authority can meet its own needs is not fully understood, as the work on assessing potential development options in each area is at different stages, and in particular, the housing requirements are not yet confirmed. The latest household forecasts, published in September 2018, were lower than previously forecast, resulting in lower housing need across most local authorities under the new methodology, compared with those published in 2017. The Government has stated in the updated NPPG on 'housing and economic development needs assessments' that the new

<sup>10</sup> This was clarified in a letter from Brandon Lewis to the Chief Executive at the Planning Inspectorate about strategic housing market assessments (19 December 2014) which can be accessed online at:

<https://www.gov.uk/government/publications/strategic-housing-market-assessments>

<sup>11</sup> Paragraph 11(b), National Planning Policy Framework 2018



methodology is likely to be reviewed very shortly, in order to avoid the requirements falling short of the national 300,000 target by the mid-2020s. This Statement will therefore need to be updated as soon as possible after any change in the methodology is finalised. That update will set out an indicative assessment of each area's likely ability to meet its own needs. In the meantime, the table below sets out the interim position at September 2018. This indicates that there is a strong possibility that Bournemouth and Christchurch will be unable to meet their needs as a result of their limited geographical areas and significant environmental constraints. There is also a risk of unmet need arising from the adjoining New Forest District (see paragraphs 29-32 below). These risks will increase if the housing requirements are raised.

23. Should it prove to be the case that some authorities in the area are unable to meet their identified needs, the local planning authorities are committed to working together to assess the potential for some or all of this need to be met within other authorities' areas. This work will need to be informed by an appraisal of all reasonable options for the distribution of growth across Dorset, taking account of issues such as land availability, infrastructure capacity, and development constraints.

Local plan review	Current/last stage	Proposed figure in local plan review	Likelihood of OAN being met in local plan review
Bournemouth	Reg 18 Issues and Preferred Options to go to Cabinet for approval	Not yet determined	Risk of not being met
Christchurch	Reg 18 Options consultation July-September 2018	5,270 (2013-2033): 263 per annum	Not being fully met (up to 2033)
East Dorset	Reg 18 Options consultation July-September 2018	8,854 (442.7 per annum)	Being met up to 2033
North Dorset	Reg 18 Issues and Options consultation	Not yet determined (but aiming to meet in full)	Not yet known
Poole	Post-examination	14,200 (2013-2033): 710 per annum	SHMA figures being met (to 2033) but new methodology figures to be considered in next review
Purbeck	Preparing for pre-submission	2,688 (168 per annum)	Intending to meet requirements up to 2034
West Dorset and Weymouth & Portland	Reg 18 Preferred Options consultation	Supply 19,116 (2016-2036): 955.8 per annum, against target of 15,880 or 794 per annum	Likely to be fully met or exceeded (to 2036)

Table 4: Latest housing numbers in local plans

## Strategic Green Belt Review

24. The South East Dorset Green Belt extends over some 168 square kilometres of open land in and around Upton, Wimborne, Ferndown, Poole, Bournemouth and Christchurch and stretching south-west as far as Wareham. As highlighted above, land allocated as Green Belt can be a constraint which may prevent local planning authorities from meeting their full objectively assessed housing needs. National policy refers to '*policies in this Framework that protect areas or assets of particular importance*' and defines these as including '*land designated as Green Belt*'. Where such policies provide a clear reason for refusing development, this is justified under the presumption in favour of sustainable development even if development plan policies are out of date.<sup>12</sup>
25. National policy states that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.<sup>13</sup>
26. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development, including making best use of brownfield sites, optimising the density of development, and discussing with neighbouring authorities whether they could accommodate some of the identified need, as demonstrated through the statement of common ground.<sup>14</sup> Before any amendment to Green Belt boundaries in South East Dorset, therefore, it will need to be demonstrated that this latter solution has been properly considered through joint working.
27. When considering whether or not to allocate land for development within the South East Dorset Green Belt, it is important to recognise the potential sustainability benefits of providing new homes in close proximity to the conurbation, within easy reach of jobs and services. Not developing in the Green Belt would displace development pressure to elsewhere in Dorset. This is not to say that all areas outside the Green Belt are inherently unsustainable, but there are some more remote parts of the county where development could result in less sustainable commuting patterns and an increase in congestion. There is also the risk of market demand in these areas being lower, so that development might be less likely to be implemented.
28. It will therefore be important for joint working on strategic planning issues across Dorset to be informed by an appraisal of all realistic options for development, including the option of releasing land from the Green Belt. Green belt boundaries have been reviewed in the emerging local plan reviews, on an individual local authority basis, but a Strategic Green Belt Review will be required to help inform this options appraisal. The Strategic Green Belt Review will need to consider whether or not the current extent of the Green Belt remains fit for purpose, and whether changes may be appropriate to help accommodate the county's development needs. Any Green Belt

---

<sup>12</sup> Paragraph 11 (d) National Planning Policy Framework 2018

<sup>13</sup> Paragraph 136, National Planning Policy Framework 2018

<sup>14</sup> Paragraph 137, National Planning Policy Framework 2018

reviews across South East Dorset will need to be assessed against the following five purposes of Green Belt as set out in paragraph 134 of the NPPF 2018:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into each other;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

### **Unmet housing need from areas adjoining Dorset**

29. The Eastern Dorset SHMA considers housing provision in local authority areas which adjoin the Eastern Dorset HMA and concludes that the principal issue of potential unmet housing need is likely to arise from New Forest District<sup>15</sup>. This relates partly to Eastern Dorset and partly to South Hampshire.
30. New Forest District Council has an adopted Core Strategy (adopted in 2009)<sup>16</sup> which covers the area outside the National Park, whilst the National Park Authority has an adopted Core Strategy and Development Management Policies DPD (adopted in 2010)<sup>17</sup>. Both authorities are preparing local plan reviews. The District Council's Local Plan Review was published for pre-submission public consultation on 29 June 2018. It proposes 10,500 additional homes between 2016-2036, based on a 2017 Objectively Assessed Need assessment for the New Forest area, which identified needs of 521 per annum (10,420) for the New Forest District outside the national park, and 63 per annum (1,260) within the National Park. The National Park Authority's Local Plan Review was submitted in May 2018 and examination hearings will take place in November 2018. The submission Local Plan proposes an additional 800 dwellings, rather than the objectively assessed need of 1,260 identified in the SHMA, which cannot be met without conflict with statutory National Park purposes. There is therefore an unmet need in the National Park. The new standard methodology also results in significantly higher figures (965 per annum for New Forest District including that part within the National Park).
31. The Eastern Dorset HMA also adjoins Wiltshire and South Somerset, whilst the Western Dorset HMA adjoins South Somerset and East Devon. Officers have not identified any current issues of unmet need arising from East Devon, South Somerset, or Wiltshire, but discussions with these adjoining authorities will continue through the local plan preparation process and this situation could change.

---

<sup>15</sup> See paragraphs 10.53-10.58 of the Eastern Dorset SHMA (2015)

<sup>16</sup> The Local Plan Part 1: Core Strategy for New Forest District (outside the National Park) (2009) can be accessed online at: <http://www.newforest.gov.uk/index.cfm?articleid=14183>

<sup>17</sup> The New Forest National Park Core Strategy and Development Management Policies DPD (2010) can be accessed online at: [http://www.newforestnpa.gov.uk/info/20040/planning\\_policy/23/core\\_strategy](http://www.newforestnpa.gov.uk/info/20040/planning_policy/23/core_strategy)

32. The Dorset local planning authorities will need to consider any issues of unmet need arising from neighbouring local authority areas. At this stage, it is likely that the principal issue of potential unmet housing need will arise from New Forest District.

### Housing mix

33. The NPPF requires local planning authorities to address the need for all types of housing, including affordable housing and the needs of different groups in the community<sup>18</sup>. The Eastern Dorset SHMA identifies a recommended housing mix across the HMA for the period 2013-2033, as set out in table 4. This shows a higher need for one and two bedroom properties for affordable homes, and a higher need for two and three bed properties on the open market. However, this will vary by location. The SHMA also includes recommendations for the appropriate housing mix in each local authority area, and goes on to state that local authorities should consider detailed evidence for their areas when setting policies for the future mix of housing.

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4+ bed</b>
<b>Market</b>	10%	45%	35%	10%
<b>Affordable</b>	35-40%	30-35%	20-25%	5-10%
<b>All dwellings</b>	20%	40%	30%	10%

Table 4: Recommended Housing Mix for Eastern Dorset HMA, from 2015 SHMA

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4+ bed</b>
<b>Market</b>	0-5%	30-35%	40-45%	20-25%
<b>Affordable</b>	20-25%	45-50%	20-25%	5-10%
<b>All dwellings</b>	30-35%	35-40%	20-25%	5-10%

Recommended Housing Mix for Eastern Dorset HMA, from emerging SHMA update 2018

34. The Western Dorset SHMA<sup>19</sup> indicates a greater need for two and three bedroom homes on the open market, but again this will vary according to location, and will change over the plan period.
35. The mix of homes needed across the Eastern Dorset HMA is likely to have implications for the most appropriate strategy for housing. As an example, family housing is unlikely to be provided in the more central areas of the conurbation, where flats are more viable, and hence a need for family housing may lead to pressure for development on the edges of the conurbation. This relationship between housing mix and the appropriate location of development will need to be considered as part of the appraisal of options for future growth in Dorset.
36. Local authorities will also need to consider the need for different types of affordable housing (intermediate housing and social or affordable rented homes), specialist housing and accommodation for older persons (sheltered housing and extra care provision), registered care provision (for households who live in care homes), student housing provision, and wheelchair accessible homes. The Eastern Dorset SHMA

<sup>18</sup> See paragraphs 59-62 of the National Planning Policy Framework 2018

<sup>19</sup> The Weymouth and Portland and West Dorset Strategic Housing Market Report (2014) can be accessed online at: <https://www.dorsetforyou.com/article/410419/Local-Plan-Examination-Documents-Other-Evidence---Sustainable-Pattern-of-Development>



considers each of these matters and includes recommendations for the individual local authorities to consider through their local plans.

37. The Government has widened the definition of 'affordable housing' which now includes; affordable housing for rent; starter homes; discounted market sales housing; and other affordable routes to home ownership (the latter including shared ownership and 'rent to buy').<sup>20</sup> The revised NPPF states that where major housing development is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, as part of the overall affordable housing contribution from the site.<sup>21</sup>
38. The issue of housing mix will be considered in more detail by individual local authorities through their local plans, though there may be a need to consider the broad mix of housing types needed across the whole area, and issues around consistency of approach, as part of any joint working.

### **Gypsy and Traveller provision**

39. The Dorset local authorities are all working together to prepare a Dorset-wide Gypsy and Traveller (including Travelling Showpeople) Joint Development Plan Document (DPD). An updated needs assessment was completed in 2017, taking into account changed definitions in Government guidance, and the pre-submission DPD is currently in preparation. It is anticipated that this issue will be dealt with through the joint DPD.

### **Dorset's economy and employment land requirements**

40. The NPPF sets out that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt, and that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.<sup>22</sup> Planning policies should set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration.
41. Dorset is covered by a single Local Enterprise Partnership (LEP). A 'Review of Economic Evidence' undertaken for the Dorset Leaders Growth Board in February 2015<sup>23</sup> notes that 'the issue of Dorset as a functional economic market area was fully addressed when the establishment of the Dorset [LEP] was proposed and approved by government'. It goes on to state that 'whilst, like all LEP areas, there is diversity within Dorset, it does function as a specific business location with its own identity and as an economic area, whilst also having links to the wider locality and their economies'.

---

<sup>20</sup> Annex 2: Glossary, National Planning Policy Framework 2018

<sup>21</sup> Paragraph 64, National Planning Policy Framework 2018

<sup>22</sup> Paragraph 80, National Planning Policy Framework 2018

<sup>23</sup> The Dorset Leaders' Growth Board 'Review of Economic Evidence' (February 2015) can be viewed online at: [https://www.dorsetforyou.com/media/201819/Dorset-Review-of-Economic-Evidence/pdf/Dorset\\_Review\\_of\\_Economic\\_Evidence.pdf](https://www.dorsetforyou.com/media/201819/Dorset-Review-of-Economic-Evidence/pdf/Dorset_Review_of_Economic_Evidence.pdf)

42. The Dorset LEP area consists of a range of distinct geographical areas which all play a key part in Dorset's economy<sup>24</sup>:
- The **Conurbation** (Bournemouth, Poole, Christchurch and parts of East Dorset and Purbeck) contains the majority of Dorset's population and employment. It benefits from an airport, a major port, two universities and a strong business services and visitor economy.
  - The **Central Area** is based on the twin towns of Dorchester and Weymouth and their immediate hinterland, around which major employment sites, two ports and county wide services are based.
  - **Rural Dorset** is characterised by coastal and market towns, including Blandford Forum, Shaftesbury, Gillingham, Wareham, Swanage, Portland, Bridport, Sherborne and Lyme Regis, as well as the wider countryside. This area accommodates a diverse range of businesses in manufacturing, technology, tourism, retail, accommodation and food services.
  - The '**Jurassic Coast**' between Swanage and Lyme Regis (and beyond into Devon) has World Heritage Status and serves as a major attractor of visitors to the area. This rural and semi-rural area is typified by a diverse range of small and micro businesses delivering retail and accommodation and food services.
43. The Dorset LEP has prepared a Strategic Economic Plan (SEP), Transforming Dorset, which outlines ambitions and aspirations for transformative change to the Dorset economy<sup>25</sup>. This was launched in 2014 and refreshed in 2016. The SEP identifies four thematic priorities (Connected Dorset, Talented Dorset, Responsive Dorset, and Competitive Dorset) and emphasises that partners in Dorset are committed to ensuring that the LEP area can deliver the local growth potential suggested by economic forecasts.
44. Local planning authorities have a key role in helping to deliver the priorities of the LEP through the identification of employment land (for use classes B1: Business, B2: General industrial and B8: Storage or distribution) in their local plans.
45. The Bournemouth, Dorset and Poole Workspace Strategy was prepared in 2016, updating the previous 2008 and 2012 reports.<sup>26</sup> This provides projections of the amount of B1, B2 and B8 employment land required in the period up to 2033, for the Dorset LEP area and the Eastern and Western Dorset HMAs (as functional urban areas). It also provides recommendations regarding the provision and distribution of land and premises across the Dorset LEP area and Eastern and Western Dorset HMAs. The Workspace Strategy forms part of the evidence base for the emerging local plans.

---

<sup>24</sup> See 'Review of Economic Evidence' at link above.

<sup>25</sup> The Dorset Strategic Economic Plan, Transforming Dorset (March 2014), is available online at: <http://dorsetlep.co.uk/local-delivery/strategic-economic-plan/>

<sup>26</sup> The 2016 Workspace Strategy is available online at <https://www.dorsetforyou.gov.uk/planning-buildings-land/planning-policy/joint-planning-policy-work/bournemouth-dorset-and-poole-workspace-strategy-and-study.aspx>

## Provision of retail, leisure and other commercial development

### Town centres

46. National planning policy states that local planning authorities should allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres<sup>27</sup>.
47. Table 5 sets out the town centres, district centres and local centres across Dorset, as identified in current and emerging local plans.

Local planning authority	Town, district and local centres
Bournemouth	<b>Town centre:</b> Bournemouth <b>District centres:</b> Castlepoint; Boscombe; Westbourne; Winton; Boscombe East; Charminster; Holdenhurst Road; Kinson; Moordown; Southbourne Grove; Tuckton; Wallisdown
Christchurch and East Dorset	<b>Town centres:</b> Christchurch; Ferndown; Verwood; Wimborne Minster <b>District centres:</b> West Moors; Highcliffe <b>Local centres:</b> Purewell; Barrack Road; Corfe Mullen; West Parley
North Dorset	<b>Town centres:</b> Blandford Forum; Gillingham; Shaftesbury; Sturminster Newton <b>District centre:</b> Stalbridge
Poole	<b>Town centre:</b> Poole <b>District centres:</b> Broadstone; Ashley Cross; Ashley Road (there are also a number of smaller local centres in Poole)
Purbeck	<b>Town centres:</b> Swanage; Wareham; Upton <b>Key service villages:</b> Bere Regis; Bovington; Corfe Castle; Lytchett Matravers; Sandford; Wool
West Dorset and Weymouth and Portland	<b>Town centres:</b> Weymouth; Dorchester; Bridport; Sherborne; Lyme Regis <b>Local centres:</b> Easton (Portland); Fortuneswell (Portland); Beaminster

Table 5: Town, district and local centres in Dorset

48. There are many instances across the county where town centres in neighbouring local planning authorities have an influence on one another (e.g. the town centres in North Dorset are each influenced by larger centres in neighbouring authorities, such as Poole, Salisbury and Yeovil), and this is reflected in recent retail needs assessments.
49. It is also important to recognise that retail need is likely to be driven by the location of future housing. The identification of the most sustainable broad locations for additional housing could therefore have implications for the retail hierarchies identified in the current and emerging local plans. Any cross-boundary issues identified through the retail need assessment updates will need to be considered jointly.

<sup>27</sup> Paragraph 85(d) of the National Planning Policy Framework 2018

## Tourism

50. Tourism makes an important contribution to Dorset's economy. Around 8% of all Dorset employees work in tourism, with the highest proportions seen in Weymouth and Portland (14%) and Purbeck (13%)<sup>28</sup>. The current and emerging local plans include policies to support and guide tourism related development, such as tourist accommodation and new tourist attractions. The Dorset strategic planning work offers an opportunity to highlight the importance of planning for sustainable tourism across the area.

## Provision of infrastructure

### Transport

51. National planning policy sets out that local planning authorities should seek to support a pattern of development which facilitates the use of sustainable modes of transport. In addition, local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable transport infrastructure to support sustainable development<sup>29</sup>.
52. The Bournemouth, Poole and Dorset Local Transport Plan (LTP) 3 sets out the strategy for the management, maintenance and development of the area's transport system. LTPs explain how funds, largely allocated by the Government, will be used to deliver improved transport and help meet the key objectives for transport established by both government and local authorities.
53. The LTP3 came into effect from April 2011, and covers the period 2011 to 2026. The plan identifies five goals to guide the approach to transport in Dorset:
- Supporting economic growth
  - Tackling climate change
  - Equality of opportunity
  - Better safety, security and health
  - Improved quality of life.
54. Key solutions are identified for each of the five goals. The Strategic Economic Plan (SEP), and future reviews, also have important implications for transport priorities.
55. The need for strategic transport infrastructure to support the delivery of future development across the area, in particular the potential increase in the rate of housing development, is a critical issue that needs to be addressed jointly as part of an integrated strategy to deliver infrastructure improvements alongside new homes and

---

<sup>28</sup> Dorset in Profile 2014 (based on data from 2012), available online at:

<https://www.dorsetforyou.com/article/339782/District-profile-leaflets-and-documents>

<sup>29</sup> Paragraphs 103-104 of the National Planning Policy Framework 2018.

jobs. Proposals are currently being put forward to the Local Enterprise Partnership for funding to prepare integrated transport studies for both South East Dorset and western Dorset.

### **Telecommunications**

56. National planning policy states that, in preparing local plans, local planning authorities should support the expansion of electronic communications networks, including next-generation mobile technology such as 5G and full fibre broadband connections<sup>30</sup>.
57. The Superfast Dorset project is currently progressing across the whole of Dorset, Bournemouth and Poole, and aims to provide as close as practicably possible to 100% superfast broadband connectivity at 30Mbps by 2020, as well as 50% connectivity to ultrafast services and businesses able to access faster services as required, and 50% take up of superfast services by residents and businesses. These aims are set out in the Digital Infrastructure Strategy for Dorset (September 2015). So far, access to superfast broadband has dramatically improved, with 620 structures across the county, 83,633 properties with access to superfast broadband and 96% of the county able to get superfast broadband.
58. No specific cross boundary issues have been identified in relation to telecommunications infrastructure, but there may be opportunities in any joint working to emphasise the importance of improving telecommunications across the area, through projects such as Superfast Dorset.

### **Waste Management**

59. A new Waste Plan is currently being prepared to provide for Bournemouth, Dorset and Poole's waste management needs. This is at an advanced stage with examination hearings taking place in 2018. The Waste Plan identifies sites for new waste management facilities to meet the county's needs. Once adopted, it will provide the policy framework for determining planning applications for waste management facilities.
60. Any cross boundary issues relating to waste management will be dealt with through the emerging Waste Plan, which covers the whole of the area. It is important to recognise the importance of sustainable planning for waste to maximise its value as a resource and as a key supporting element for economic competitiveness.

### **Water supply and wastewater**

61. The Dorset local planning authorities have contacted water suppliers and wastewater treatment providers during the preparation of each of the current and emerging local plans, in order to ensure that any issues arising can be addressed. Joint working on the options for development across the area will need to be informed by a similar exercise, to ensure that any proposed development strategy can be accommodated in terms of water supply and wastewater infrastructure.

---

<sup>30</sup> Paragraph 112 of the National Planning Policy Framework 2018.

62. At this stage, officers have not identified any specific cross boundary issues in relation to water supply and wastewater provision. However, it is important to ensure that appropriate infrastructure is provided alongside development.

### **Flood risk**

63. The current and emerging local plans in Dorset are each supported by Strategic Flood Risk Assessments(SFRAs), as required by national planning policy<sup>31</sup>. As an example, a joint Strategic Flood Risk Assessment (Level 1 SFRA) was prepared in 2007 for Bournemouth, Christchurch, East Dorset, North Dorset and Salisbury. The study area for the SFRA was defined by the main river catchments of the Stour and the Avon, and the SFRA formed part of the evidence base for the participating local planning authorities. The 2007 SFRA has subsequently been replaced in 2017 by jointly-procured SFRAs for Bournemouth, Christchurch, East Dorset and North Dorset councils, providing updated evidence to underpin local plan production.
64. Another example of cross boundary work in relation to flood risk is the Dorset Stour Catchment Flood Management Plan (CFMP) (2009), which gives an overview of flood risk in the Dorset Stour catchment and sets out a preferred plan for sustainable flood risk management over the next 50 to 100 years. The Management Plan was produced by the Environment Agency and Christchurch and East Dorset Councils, and informed the preparation of the Christchurch and East Dorset Core Strategy.
65. It is worth noting that flood risk is a significant constraint to development within the urban areas of Christchurch, Poole and Weymouth. This has implications for the appropriate location of future development and will affect decisions about the distribution of growth across the area. There may also be opportunities for joint working on strategic scale flood attenuation and mitigation infrastructure. No other specific cross-boundary issues relating to flood risk have been identified.

### **Coastal change management**

66. The Dorset coast is covered by two shoreline management plans<sup>32</sup> which set out policies to assist decision making on flooding from the sea and coastal erosion risk management over the next 20, 50 and 100 years. The original shoreline management plans (SMP1) have been reviewed and updated to produce SMP2.
67. The Poole and Christchurch Bays SMP2 (October 2010) covers the length of coast between Hurst Spit near Milford-on-Sea and Durlston Head near Swanage, and includes the harbours of Poole and Christchurch. The Durlston Head to Rame Head SMP2 (June 2011) covers the length of coast from Durlston Head (near Swanage) to Rame Head (near Plymouth).
68. National planning policy states that local planning authorities should identify Coastal Change Management Areas to cover any area which is likely to be affected by physical changes to the coast. In addition, local authorities should be clear about what development will be appropriate in such areas and in what circumstances, and they

---

<sup>31</sup> Paragraph 156 of the National Planning Policy Framework 2018.

<sup>32</sup> Information about the Shoreline Management Plans can be accessed online via:

<https://www.dorsetforyou.com/article/408559/Shoreline-Management-Plans---round-2-SMP2>



should also make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas<sup>33</sup>.

69. This matter is being addressed in the local plan reviews of each of the coastal local authorities in Dorset. The local planning authorities will however liaise with each other to ensure that a consistent approach is taken along the full length of the Dorset coastline.

### **Provision of minerals**

70. The Bournemouth, Dorset and Poole Minerals Strategy was adopted in May 2014 and sets out the strategy for quarrying stone, sand and gravel, ball clay and other minerals within the county, taking into account the need to meet requirements in a sustainable manner. The plan contains the policies and criteria used for considering planning applications for mineral developments. The Minerals Sites Plan, allocating suitable sites for quarrying of sand, gravel, building stones and ball clay to meet requirements, is currently going through its public examination.
71. Officers envisage that any cross boundary issues relating to the provision of minerals will be dealt with through the adopted and emerging minerals plans. Future joint work however offers the opportunity to ensure effective integration of minerals planning with growth and infrastructure needs in Dorset. There is also an opportunity to ensure the restoration of quarries has regard to economic, social and environmental opportunities that support sustainable economic growth.

### **Provision of energy (including heat)**

72. National planning policy states that local planning authorities should have a positive strategy to promote energy from renewable and low carbon sources, and design policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily<sup>34</sup>.
73. The Bournemouth, Dorset and Poole Renewable Energy Strategy to 2020 is being implemented by the Dorset Energy Partnership<sup>35</sup>. The strategy sets out the agenda for renewable energy in Bournemouth, Dorset and Poole and identifies six priority areas:
- Supporting the development of community renewable energy;
  - Maximising the local economic benefits of renewable energy generation;
  - Creating a more supporting planning system for renewable energy;
  - Developing locally appropriate technologies;
  - Delivering leadership and partnerships that support renewable energy; and

---

<sup>33</sup> Paragraph 167 of the National Planning Policy Framework 2018.

<sup>34</sup> Paragraph 151 of the National Planning Policy Framework 2018.

<sup>35</sup> The Bournemouth, Dorset and Poole Renewable Energy Strategy to 2020 is available online at: <https://www.dorsetforyou.com/renewable-energy-strategy-2020>

- Improving renewable energy communications and learning.
74. The Renewable Energy Resource Assessment for Bournemouth, Dorset and Poole (March 2012) supports the Renewable Energy Strategy and summarises local renewable energy resources, based upon a national methodology<sup>36</sup>. The assessment covers onshore wind, biomass, microgeneration, hydropower and offshore (wind, tidal and wave) resources.
75. In addition, the local planning authorities for Christchurch, East Dorset, North Dorset and Purbeck commissioned Land Use Consultants Ltd to undertake studies to assess landscape sensitivity to wind and solar energy development in each district. The studies were published in April 2014 and can be accessed on the relevant local planning authority pages of the Dorsetforyou website.
76. National planning policy states that planning applications for wind energy developments should not be considered acceptable unless it is in an area identified as suitable for wind energy in a development plan; and following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing.<sup>37</sup> This is reflected in current and emerging local plans across the area. There may be a role for joint working to help ensure a consistent approach to renewable energy provision, including exploring the potential for cross boundary district heating.

## Provision of health, security, community and cultural infrastructure

### Promoting healthy communities

77. Councils have a legal duty to take appropriate steps to improve the health and wellbeing of residents<sup>38</sup> and in April 2015, Public Health Dorset launched the LiveWell Dorset lifestyle service, which provides a single point of contact to help people with their health and wellbeing across Dorset, Bournemouth and Poole<sup>39</sup>.
78. National planning policy highlights the role of planning in facilitating social interaction and creating healthy, inclusive communities<sup>40</sup>. This should include consideration of how best to promote:
- Opportunities for meetings between members of the community who might not otherwise come into contact with each other;

---

<sup>36</sup> The Renewable Energy Resource Assessment for Bournemouth, Dorset & Poole can be accessed online at: <https://www.dorsetforyou.com/renewable-energy-strategy-2020>

<sup>37</sup> Footnote 49, paragraph 154b of the National Planning Policy Framework 2018

<sup>38</sup> See Section 12 of the Health and Social Care Act 2012, available online at: <http://www.legislation.gov.uk/ukpga/2012/7/contents/enacted>

<sup>39</sup> Further information on the LiveWell Dorset service can be accessed at: <http://www.livewelldorset.co.uk/index.html>

<sup>40</sup> Paragraph 91 of the National Planning Policy Framework 2018.



- Safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- Safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

79. This also includes planning positively for the provision and use of shared space, community facilities and other local services; guarding against the loss of valued facilities and services; ensuring that established shops, facilities and services are able to develop and modernise in a way that is sustainable; and ensuring an integrated approach to considering the location of housing, economic uses and community facilities and services.
80. These matters are considered through the current and emerging local plans of each of the local planning authorities in Dorset. However, the Strategic Planning Forum is also working with Public Health Dorset and the Dorset Clinical Commissioning Group to improve the links between planning and health systems in Dorset, foster shared understanding and identify opportunities for future collaboration. The aim of this is to highlight the importance of promoting healthy communities through planning, thus contributing to the wider duty on Councils to take steps to improve health and wellbeing. A joint workshop between officers from the planning and health systems was held on 25 June 2018 and the health authorities are regularly invited to the Strategic Planning Forum meetings.

### **Green infrastructure**

81. Green infrastructure can be defined as a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities<sup>41</sup>. National planning policy states that local planning authorities in their local plans should take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure, and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.<sup>42</sup>
82. The South East Dorset Green Infrastructure Strategy (Investing in Green Places, July 2011) was jointly prepared by the councils in South East Dorset (Bournemouth, Christchurch, Dorset, East Dorset, Poole and Purbeck) in partnership with Natural England, the Environment Agency and the Forestry Commission<sup>43</sup>. The Strategy provides a non-statutory framework for green infrastructure across South East Dorset. It sets out a vision for the area which seeks to co-ordinate the planning for, and investment in, parks, open spaces, wildlife corridors, street trees and other green spaces.
83. The Stour Valley forms an important sub-regional area of green infrastructure, and the South East Dorset Green Infrastructure Strategy identifies a key strategic project to

---

<sup>41</sup> Page 67 (Glossary) of the National Planning Policy Framework 2018.

<sup>42</sup> Paragraph 171 of the National Planning Policy Framework 2018.

<sup>43</sup> The South East Dorset Green Infrastructure Strategy, Investing in Green Places, can be accessed online at: <https://www.dorsetforyou.com/greeninfrastructure>

develop a strategy for the Lower Stour Valley. The project aims to develop a strategy for the river Stour and its floodplain from Sturminster Marshall to Christchurch. Key aspects include provision of an accessible route for walking and cycling, encouraging access to existing 'hubs' (recreational facilities, greenspace, visitor centres, etc) and encouraging multifunctional uses via provision of footpaths, cycle routes, access to river, flood attenuation and biodiversity and landscape enhancements.

84. Suitable Alternative Natural Greenspaces (SANGs) have a key role in heathland mitigation in the eastern Dorset area, and this is discussed further below, in the section on the conservation and enhancement of the natural environment.
85. Green infrastructure networks are being identified within the current round of local plan reviews.
86. The councils will consider jointly whether any update is needed to the South East Dorset Green Infrastructure Strategy, and whether there could be merit in preparing a single joint Green Infrastructure Strategy to cover Dorset in future.

### **Housing Standards Review**

87. The Housing Standards Review highlighted the issue of councils imposing a range of local technical requirements on the construction of new dwellings (e.g. requiring specific levels of the Code for Sustainable Homes or different wheelchair accessible housing standards). The recommendations of the review have been encompassed in the Deregulation Act which received royal assent in March 2015<sup>44</sup>.
88. The Deregulation Act provides a set of national standards (space, water efficiency and accessibility) that can only be applied if they are included in an adopted local plan. The Act also ended the Code for Sustainable Homes (Part L of the Building Regulations is now the only energy efficiency delivery mechanism) and replaced 'Secured by Design' with Part Q (Security) of the Building Regulations. This means that existing local plan policies which seek to set standards for new development in relation to these matters are now likely to be out of date.
89. Each local planning authority will consider the implications of these changes within their local plan reviews, but the Strategic Planning Forum and joint officer working may offer an opportunity to consider the consistency of approaches to the new national standards across Dorset.

## **Addressing climate change and conservation and enhancement of the natural and historic environment**

### **Climate change mitigation and adaptation**

90. National planning policy highlights the role of planning in helping to shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and

---

<sup>44</sup> The Deregulation Act 2015 can be accessed online at: <http://services.parliament.uk/bills/2014-15/deregulation.html>

providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure<sup>45</sup>. Climate change mitigation and adaptation are broad ranging topics, encompassing issues of flood risk, coastal change management, water supply and demand, green infrastructure, and planning positively for renewable energy provision. These issues are each considered in more detail elsewhere in this paper, but joint working across Dorset offers an opportunity to re-emphasise the role of planning in supporting climate change mitigation and adaptation.

## Conservation and enhancement of the natural environment

91. Dorset has a high quality natural environment. Around 55% of Dorset is covered by an Area of Outstanding Natural Beauty (AONB), whilst 19,000 hectares of the county (7% of the land area) are designated as Sites of Special Scientific Interest<sup>46</sup>. The county also includes a number of internationally protected sites (Special Areas of Conservation and Special Protection Areas) including the Dorset Heathlands and Poole Harbour.
92. The Dorset Local Nature Partnership (LNP) has adopted a vision and strategy for enhancing 'natural value' in Dorset<sup>47</sup>. The strategy identifies six strategic priorities which will guide the LNP's actions:
- Natural capital – investing in Dorset's natural assets;
  - Natural value – adding value to the local economy;
  - Natural health – developing Dorset's 'natural health service';
  - Natural resilience – improving environmental and community resilience;
  - Natural understanding – improving understanding of, and engagement in, Dorset's environment;
  - Natural influence – integrating natural value in policy and decision-making, locally and beyond.
93. The Dorset AONB stretches from Lyme Regis in the west, along the coast to Poole Harbour in the east, and north to Hambledon Hill near Blandford Forum. It covers parts of North Dorset, Purbeck, West Dorset and Weymouth and Portland. The current Dorset AONB Management Plan (2014 to 2019)<sup>48</sup> sets out the AONB Partnership's vision for the landscape and describes how the area's authorities, communities and businesses might work together to achieve that vision.
94. The Cranborne Chase AONB extends from Wimborne Minster in the south to Warminster in the north, and covers parts of North and East Dorset. The current

---

<sup>45</sup> Paragraph 148 of the National Planning Policy Framework 2018.

<sup>46</sup> Dorset in Profile (2014), available online at: <https://www.dorsetforyou.com/article/339782/District-profile-leaflets-and-documents>

<sup>47</sup> Dorset Local Nature Partnership: A vision and strategy for enhancing 'natural value' in Dorset (March 2014) can be accessed online via: [http://www.dorsetwildlifetrust.org.uk/dorset\\_local\\_nature\\_partnership.html](http://www.dorsetwildlifetrust.org.uk/dorset_local_nature_partnership.html)

<sup>48</sup> The Dorset AONB Management Plan can be accessed online at: <http://www.dorsetaonb.org.uk/the-dorset-aonb/management-plan>

Cranborne Chase AONB Management Plan (2014 to 2019)<sup>49</sup> sets out objectives and policies to help conserve and enhance the AONB.

95. Joint working on strategic planning matters will be an opportunity to highlight the importance of the natural environment and nature conservation issues across the county, and to ensure that these are given full consideration when appraising options for future growth.

### **Dorset Heathlands**

97. The Dorset Heathlands cover an extensive area of South East Dorset, with many sites designated as Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar sites. The local authorities of Bournemouth, Christchurch, Dorset County, East Dorset, Poole and Purbeck have been operating a strategy for the protection of heathland since 2007. During this time the local authorities and Urban Heath Partnership have been gathering evidence into the effects of urban pressures on the protected heaths to inform the future strategy for avoiding and mitigating the significant adverse effects of development.
98. Local plans and any other planning strategies will need to be accompanied by a Habitats Regulations Assessment (HRA) to demonstrate that any proposed development strategy will not adversely affect the ecological integrity of the European designations (SAC, SPA and Ramsar). The HRA will test growth options, and will include consideration as to whether appropriate mitigation is achievable for the level of growth proposed.
99. The local planning authorities in south east Dorset have jointly produced a planning framework to manage pressures on sensitive heathlands resulting from development. Joint working on the topic has been taking place since 2006 and the latest Dorset Heathlands Supplementary Planning Document (SPD), covering Bournemouth, Christchurch, East Dorset, Poole and Purbeck, was published in January 2016. The SPD aims to ensure that there continues to be a strategic approach to the protection of the internationally important heathlands in South East Dorset. The updated SPD is based on the current local plan housing requirements, and a further update is likely to be required following adoption of any revised local plans by any of the local authorities.
100. Strategic Alternative Natural Greenspaces (SANGs) can be provided alongside development to mitigate adverse effects on the Dorset heathlands. The identification of broad locations for strategic SANGs will need to be considered alongside the locations for additional housing development, through local plans and any joint working on the distribution of development.

### **Poole Harbour**

101. Poole Harbour is an outstanding natural feature and is designated as a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Ramsar site for its nature conservation importance. Increasing nitrogen levels from sewage and agriculture are

---

<sup>49</sup> The Cranborne Chase AONB Management Plan can be accessed online at:  
<http://www.ccwdaonb.org.uk/publications/aonb-management-plan/>

contributing to the growth of algal mats in the harbour, restricting the growth, distribution and variety of important food available for wading birds protected under European law and smothering estuarine habitats.

102. As with the Dorset Heathlands, it will be necessary to demonstrate that any proposed development strategy will not adversely affect the integrity of the Poole Harbour SPA/Ramsar. Adverse effects could arise in relation to recreational pressures and/or impacts on water quality. Habitats Regulations Assessments will need to be prepared alongside local plans and any other relevant planning strategies, to include consideration as to whether appropriate mitigation can be provided.
103. A joint 'Nitrogen Reduction in Poole Harbour' SPD has been adopted, providing detailed guidance to ensure that development does not lead to an increase in the level of nitrates in Poole Harbour. The SPD covers the catchment for Poole Harbour, which incorporates parts of North Dorset, Poole, Purbeck and West Dorset<sup>50</sup>. It has been adopted by all four local authorities in 2017.
104. One of the options for providing mitigation is to purchase agricultural land and change the use to a sparsely treed landscape. This leads to a reduction in the amount of nitrogen which is being spread onto the land within the catchment from agriculture, which offsets the additional nitrates arising due to residential development. It is worth noting that land purchased for nitrogen mitigation can also be considered for SANGs or more general green infrastructure, thus offering multiple benefits. Nitrogen mitigation can be delivered anywhere within the catchment, and local authorities will work together to ensure that appropriate mitigation is delivered.

## Conservation and enhancement of the historic environment

105. Dorset has a rich historic environment, and includes 5% of the nationally scheduled monuments<sup>51</sup>. 95 miles of the Dorset and Devon coast, between Orcombe Point near Exmouth and Studland Bay near Poole, are protected under World Heritage status as the Jurassic Coast. The county also includes numerous other heritage assets, including listed buildings, conservation areas, and parks and gardens of special historic interest.
106. The current Jurassic Coast World Heritage Site (WHS) Management Plan (2014 – 2019)<sup>52</sup> outlines aims and policies for managing the WHS over the coming years, and indicates a range of activities for achieving them.
107. National planning policy states that local planning authorities should set out in their local plan a positive strategy for the conservation and enjoyment of the historic

---

<sup>50</sup> A small part of the Poole Harbour catchment falls within East Dorset, but as it is protected habitat where no development is planned, mitigation is not necessary.

<sup>51</sup> Dorset in Profile (2014, data from 2013) available online at:

<https://www.dorsetforyou.com/article/339782/District-profile-leaflets-and-documents>

<sup>52</sup> The Jurassic Coast World Heritage Site Management Plan (2014 - 2019) can be accessed online at:

<http://jurassiccoast.org/conserving-the-coast/management-files/category/14-management-plan-current>

environment, including heritage assets most at risk through neglect, decay or other threats<sup>53</sup>. Each of the Dorset local planning authorities will have considered these issues through the preparation of the current and emerging local plans, but there is an opportunity for joint work to reinforce the importance of conserving and enhancing the historic environment through planning policy. There may also be scope to develop a positive strategy for conserving the historic environment across Dorset as a whole.

## Summary and Priorities for joint working

108. This paper has summarised broad cross boundary matters which affect the local planning authorities in Dorset, many of which are already the subject of joint policies or joint evidence base studies. Joint working through the Strategic Planning Forum provides the opportunity to highlight key planning themes and issues across the area, and to promote continued effective joint working. There is also an opportunity for this joint working to develop further, to set out a positive planning strategy to provide for additional growth in Dorset, including additional homes. The priorities for future strategic planning work are set out in table 6. It is important to emphasise that at this stage the suggested scope of the work is necessarily broad. Each of the issues will require further investigation, and further issues may arise, as the work progresses.
109. At the time of preparing this first Statement of Common Ground, the local planning authorities are all in the process of moving towards the establishment of two new unitary councils in Dorset in April 2019. Decisions about the geography of future local plans have not yet been made, and such decisions will need to include the consideration of how best to achieve joint working between the two unitary councils on strategic planning matters including the distribution of development.
110. The table below summarises the issues raised in the main body of this Statement, identifying the potential scope for joint working between the local planning authorities. As described earlier in this Statement, the most significant challenge remains that of meeting the housing needs under the new standard methodology: whether these can be met within individual local authority areas; if not, whether they can be met within neighbouring areas of Dorset; and what the most sustainable and appropriate distribution of development across the area would be. This will be the highest priority for joint working between the local planning authorities.

Theme	Potential scope for joint working
Overall strategy	<ul style="list-style-type: none"> <li>Determining the most sustainable pattern of growth to meet future needs, taking account of objectively assessed needs, environmental and other constraints including Green Belt</li> </ul>
Homes and jobs	<ul style="list-style-type: none"> <li>Setting out a positive planning strategy to provide for additional growth in Dorset, including additional homes.</li> <li>Setting out a strategic approach to the provision of additional homes in Eastern Dorset, to meet objectively assessed needs. This strategy will need to be informed by an appraisal of all reasonable options for the distribution of growth, taking account of</li> </ul>

<sup>53</sup> Paragraph 185 of the National Planning Policy Framework 2018.



	<p>issues such as housing mix, land availability, infrastructure capacity, and development constraints. It will need to include consideration of all options including urban potential, urban extensions and new settlements.</p> <ul style="list-style-type: none"> <li>• A Strategic Green Belt Review to help inform the strategy.</li> <li>• Identifying and addressing any issues of 'unmet' housing need arising from areas adjoining Dorset.</li> <li>• Providing an overview of the broad mix of housing types needed</li> <li>• Addressing any cross boundary issues relating to employment land provision identified through the Workspace Strategy.</li> <li>• Addressing any strategic issues relating to education and skills.</li> </ul>
<p>Retail, leisure and other commercial development</p>	<ul style="list-style-type: none"> <li>• Identifying key relationships between town centres, both within Dorset and in neighbouring areas.</li> <li>• Emphasising the importance of a 'town centre' first approach to new retail development.</li> <li>• Considering any implications of the location of additional housing for the retail hierarchies identified in the current and emerging local plans.</li> <li>• Addressing any cross-boundary issues that may be identified through updates to existing retail studies.</li> <li>• Highlighting the importance of planning for sustainable tourism across Dorset.</li> </ul>
<p>Infrastructure and resources</p>	<ul style="list-style-type: none"> <li>• Emphasising the importance of improving infrastructure, including improvements to transport, telecommunications, water supply and wastewater infrastructure.</li> <li>• Ensuring effective integration of minerals planning with growth and infrastructure needs in Dorset.</li> <li>• Ensuring sustainable planning for waste to maximise its value as a resource and as a key supporting element for economic competitiveness.</li> <li>• Ensuring the restoration of quarries has regard to economic, social and environmental opportunities that support sustainable economic growth, where appropriate.</li> <li>• Highlighting the importance of avoiding inappropriate development in areas at risk of flooding.</li> <li>• Exploring opportunities for strategic scale flood attenuation and mitigation infrastructure.</li> <li>• Developing a consistent approach to Coastal Change Management Areas, to be applied along the full length of the Dorset coastline.</li> <li>• Ensuring a consistent approach to renewable energy provision, including wind energy, across Dorset.</li> <li>• Exploring the potential for cross boundary district heating.</li> </ul>
<p>Health, security, community and cultural infrastructure</p>	<ul style="list-style-type: none"> <li>• Highlighting the importance of promoting healthy communities through planning.</li> <li>• Encouraging a consistent approach across Dorset to the new national standards for space, water efficiency and accessibility.</li> <li>• Considering whether any update is needed to the South East Dorset Green Infrastructure Strategy, and whether there could be</li> </ul>

	<p>merit in preparing a single joint Green Infrastructure Strategy to cover Dorset.</p>
<p>Climate change and historic and natural environment</p>	<ul style="list-style-type: none"> <li>• Emphasising the role of planning in supporting climate change mitigation and adaptation.</li> <li>• Highlighting the importance of nature conservation issues across the county, and ensuring that these are given full consideration when appraising options for future growth.</li> <li>• Securing renewed commitment to the existing joint approaches to address heathlands and nitrates mitigation.</li> <li>• Identifying broad locations for strategic SANGs (Suitable Alternative Natural Greenspaces), to link in with the preferred strategy for additional housing, once this is identified.</li> <li>• Habitats Regulations Assessments (HRA) to demonstrate that any proposed development will not adversely affect the ecological integrity of the European designations.</li> <li>• Reinforcing the importance of conserving and enhancing the historic environment through planning policy, and developing a positive strategy for conservation of the historic environment across Dorset as a whole.</li> </ul>

Table 6: potential scope for joint working