

**WEYMOUTH & PORTLAND BOROUGH COUNCIL
MANAGEMENT COMMITTEE**

MINUTES OF MEETING HELD ON TUESDAY 20 SEPTEMBER 2016

Present: Cllrs J Cant (Chair), K Brookes (Vice-Chair), A Blackwood, F Drake, J Farquharson, C Huckle, C James, R Nowak, J Osborne and G Taylor

Apologies: There were no apologies to report.

Also present: Cllr O Kanji

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

Kate Critchel (Democratic Services Officer), Jacqui Andrews (Corporate Manager Democratic Services and Elections), David Brown (Head of Assets & Infrastructure), Graham Duggan (Head of Community Protection), Robert Firth (Corporate Manager Legal Services), Martin Hamilton (Strategic Director), Stephen Hill (Strategic Director), Matt Prosser (Chief Executive), Julie Strange (Head of Financial Services), Jason Vaughan (Strategic Director), Nick Cardnell (Senior Planning Officer) and Andrew Galpin (Implementation Team Leader)

40. Minutes

The minutes of the meeting held on 16 August 2016 were confirmed as a correct record and signed by the Chairman.

41. Code of Conduct

Cllr R Nowak declared an interest in respect of item 17 on the agenda – Management of the Verne Common Nature Reserve and High Angle Battery, Portland.

42. Public Participation

Mr and Mrs Underwood addressed committee raising concerns about the traffic jams in Weymouth every time the harbour side was closed and the lack of proactive response from the responsible authorities. The situation caused frustration to residents and tourists alike and hindered local business.

Mr Underwood indicated that they were not against events that were properly managed, but recent occasions such as the Dunkirk filming, Water Fest and the Ironman had all caused intolerable traffic management issues.

Mrs Underwood cited two occasions where tourists and local residents had been detained in traffic for hours causing frustration with no-one able to offer appropriate advice on the ground during these events.

Cllr Huckle, Transport and Infrastructure Brief holder acknowledged that there had been problems and he had arranged a date to meet with officials for the

County Council to talk about transport issues. Some of the problems faced in this areas did not exclusively occur during special events and he concurred that the situation needed to be addressed.

Members agreed that although these occasions were good for the town's economy, such events needed to be organised properly so as not to have a negative impact on the local community.

A written response would be forwarded to Mr and Mrs Underwood.

Honorary Alderman A Hutching addressed the committee and welcomed the long awaited, new temporary Greenhill North Snack Bar. This was an excellent facility. However he did question, what was the loss of income for Car Parking due to the recent events such as the Ironman competition.

In response to members request, the Strategic Director, M Hamilton confirmed that he would email the Management Committee with these details.

Mr P Say spoke on the Town Centre Masterplan report for the Peninsula. He advised members that he welcomed the proposals, but greater consideration to car parking would be required.

43. Questions by Councillors

Cllr O Kanji addressed the committee regarding the recent community events and traffic management issues; he suggested that some the problems might be resolved if coaches were not allowed to park outside hotels on the Esplanade as this caused traffic congestion.

Members concurred that coaches should only be dropping off or picking up passengers whilst parked on the Esplanade, they should then move off. The rules for on-street parking needed to be enforced in this area and Cllr C Huckle agreed to take up this matter when he met with officials from the County Council to discuss traffic management for the area.

44. Management Committee Action Plan

That the Management Committee Action Plan be received and noted.

45. Budget & Financial Strategy 2017-18

The committee considered a report which provided an update on balancing the 2017/18 budget. Members were asked to consider the options, set out in appendix 1 for the 2017/18 budget proposals and the updated position on Reserves as set in appendix 4 to the report.

Cllr J Cant, Brief holder for Finance and Assets invited members to consider accepting the government's offer of a '4 year' financial settlement as he considered this to be the most appropriate course of action.

In response to questions and concerns, the Strategic Director, J Vaughan indicated that central government had provided details of funding up to 2019/2020. By accepting the 4 year settlement this provided the Council with some certainty. If the Council did not accept the 4 year settlement it was likely that funding would reduce further in future years.

It was proposed by Cllr J Cant and seconded by Cllr K Brookes

Decision

- (a) That the budget options requiring member approval set out in appendix 1 be included within the 2017/18 budget proposals.
- (b) That the updated position on Reserves as set out in appendix 4 be approved.
- (c) That the Council accepts the governments offer of a '4 year' financial settlement and that the Section 151 officer submits the required efficiency plan.

46. Treasury Outturn Report 2015/16

Decision

That the changes to the treasury portfolio be noted.

47. Joint Anti Fraud and Corruption Strategy

The committee considered a report that set out the updated Anti Fraud and Corruption Strategy for the Partnership. Members were advised that at the last meeting of the Joint Advisory Accounts and Audit Committee members were content that the strategy be adopted.

Decision

That the Joint Anti Fraud and Corruption Strategy be adopted.

48. Whistle Blowing Policy

Members were advised that there had been some minor amendments to the Whistleblowing Policy since it was last adopted. In response to a question, it was confirmed that all allocations were investigated by the partnership's internal audit team.

Decision

That the updated policy and procedure for confidential reports of concerns ("Whistleblowing") be noted and the Whistleblowing Policy be approved.

49. Community Infrastructure Levy - Exceptional Circumstances Relief

Cllr R Nowak, Brief holder for Environment and Sustainability presented a report on the reasons for offering Exceptional Circumstances relief and sought the committee agreement for officers to implement the relief in accordance with nationally prescribed regulations.

It was proposed by Cllr R Nowak seconded by Cllr J Cant

Decision

- (a) That Exceptional Circumstances Relief from the Weymouth & Portland Community Infrastructure Levy be offered.
- (b) That authority be delegated to the Head of Planning (Development Management and Building Control and the Corporate Manager – Planning (Community and Policy Development) in consultation with the Brief holder for Environment and Sustainability to decide when to activate and deactivate the offer of relief.
- (c) That authority be delegated to the Head of Planning (Development management and Building Control) and the Corporate Manager – Planning (Community and Policy Development) in consultation with the Brief holder for Environment and Sustainability to consider claims for relief and determine whether or not to grant relief from CIL on a case by case basis.

50. Procedure for approving Neighbourhood Forums including agreement of Sutton Poyntz neighbourhood forum and area designation

Members were informed of a report that set out a revised general procedure for approval of neighbourhood forums and a reduction in the consultation period for area applications this would bring them in line with statutory changes.

Approval was also sought for the designation of Sutton Poyntz neighbourhood /area and forum.

The Brief holder for Environment and Sustainability welcomed the proposed Sutton Poyntz neighbourhood forum stating that it would be good for local community engagement. In proposing the recommendation Cllr R Nowak asked that the brief holder be added to the consultations set out in 2 (b) of the recommendations. This motion was supported by the committee.

Decision

- (a) That the minimum consultation period for publicising neighbourhood forum and area applications be altered from the current 8 weeks to the

statutory period of 4 weeks where the area follows a parish boundary (ie for Portland) and 6 weeks in all other cases.

- (b) That authority be delegated to the Corporate Manager Planning (Community and Policy Development), in consultation with the relevant local ward councillors and the Brief holder, to approve neighbourhood forums where certain criteria are met. In all other cases the decision on neighbourhood forum applications would be brought to the next available Management Committee.
- (c) That the Sutton Poyntz Neighbourhood Forum and the Sutton Poyntz Neighbourhood Area be agreed and designated.

51. Delegating authority to enforce the provisions of the Microchipping of Dogs (England) Regulations 2012

The committee considered a report to enable officers to be authorised to enforce the provisions of the Microchipping of Dogs (England) regulations. Members were advised that dogs seized as strays were already routinely scanned both by the Dog Warden and when received at kennels. Owners of unchipped dogs would be offered the opportunity to have a chip implanted and should they decline the council would serve a Regulation 12(a) Notice to require them to do so within 21 days or face prosecution.

The Head of Community Protection confirmed that by identifying the owners of dogs seized as strays may also reduce the number impounded in kennels and reduce costs both to the authority and the dog owners.

It was proposed by Cllr F Drake seconded by Cllr G Taylor

Decision

That authority be delegated to the Head of Community Protection to authorise officers to enforce the Microchipping of Dogs (England) Regulations 2015.

52. Minutes of Dorset Waste Partnership Joint Committee

Cllr R Nowak updated the committee on the position regarding the Dorset Waste Partnership Joint Committee. In response to questions regarding proposed charges at civic amenity sites, litter bin provision and gull proof bags. The Brief holder and Head of Community Protection advised that concern regarding charging at sites was in part shared and would need to be carefully monitored to see if there was any increase in fly tipping. The DWP was increasing resources in waste enforcement for fly tipping and any prosecutions would send a strong message.

In respect of litter bin provision, members were advised that it was important to ensure that litter facilities were placed in the right area and existing provision would be moved if that was appropriate. The survey results with proposals would be available shortly. Members were further advised that as

there was a higher level of turnover of residents at the Park District, gull proof bags were available for free and accessible via the DWP or at the Community Centre.

Decision

That the minutes of the meeting held on 13 June 2016 be received and noted.

53. Update to the Constitution

Cllr K Brookes introduced a report that set out updates to the partnership's constitutions by introducing changes to reflect variations to legislative requirements, sought to secure the better alignment of various existing policies and powers across the partnership and develop clearer interaction between existing provisions within the constitution. The report also sought to give further clarity to officer powers and responsibilities.

In response to questions the Corporate Manager (legal) advised that the report aimed to incorporate a uniform delegation in relation the planning applications and aimed to empower members to act on behalf of their community by enabling them to call-in an application for consideration by committee, if this was deemed appropriate.

It was proposed by Cllr K Brookes seconded by Cllr J Cant

Recommendation to Council

- (a) That updates to the Constitution as set out in Appendices 1 to 4 in the report to Management Committee of 20 September 2016 be approved.
- (b) To update the Constitution to incorporate a uniform delegation relating to planning applications as set out in Appendix 5, part 1 of the report.
- (c) That authority be delegated to the Monitoring Officer to make further consequential changes to the Constitution as are necessary to reflect the changes as set out in the appendices to the report.

54. Creation of a Town Council

The committee considered an information report that set out the process to create a Town Council for Weymouth following the Local Government Reorganisation.

In response to a question, members were advised that that the option of town council status could not be included in the Local Government reorganisation (LGR) consultation as it would presume that unitary status was agreed. The Chief Executive also advised that the option of town council status did not relate to all the local authority areas that were involved in the LGR debate.

Members were informed that once a decision had been made on unitary authority proposals, the most appropriate mechanism to establish a town council would be then discussed with the Department of Community and Local Government.

Decision

That the report be received and noted.

55. Management of the Verne Common Nature Reserve and High Angle Battery, Portland

Approval was sought to adopt a work plan and the continued implementation of the Higher Level Stewardship Agreement for the Verne Common Nature Reserve. Members were also asked to consider the approval of funds to address investment for fencing and scrub clearance and it was proposed that officers investigate the costs and options of future land management.

The Brief holder welcomed the report and the proposal to consider options for land management or transfer with the opportunity for the site to be managed by more appropriate local expertise.

It was also suggested that the project be added to the committee's action plan.

Decision

- (a) That the Council approves the continued implementation of the Higher Level Stewardship Agreement for the Verne Common Nature Reserve and High Angle Battery for the years 2016 to 2019 inclusive.
- (b) That an initial budget of £95,000 be approved and funded from the general reserves to address the investment required this year for fencing and scrub clearance.
- (c) That officers investigate costs of future land management and options for possible land transfer and/or management of this property and report back to the committee with recommendations

56. 47 The Esplanade, Weymouth

The Head of Assets and Infrastructure set out the current condition and the possible future of 47 The Esplanade, Weymouth. Members were also asked to consider the closure of the associated public toilets and the future re-provision of these facilities.

The property was a listed building and sat within the town centre conservation area. The building was in poor condition and access to the upper residential level was problematic. It was not considered practical to separate the building into different parts so as to be able to separate the ownership. Such

separation would have been to allow the continued use of the public toilet but without this a sale of the building and re-provision of facilities might be considered the most sensible way forward.

Although members understood the reasons given, some expressed concern at the closure of these facilities prior to new provision being identified. It was also considered that a toilets policy should be in place of the whole of Weymouth so facilities could be reviewed.

However other members felt that the facilities gave a poor impression of the area and added little to the local street-scene. It was considered that a sale of the building was the most sensible approach. The committee were reminded that if they were minded to close the toilets and sale the building, a temporary arrangement would be put into place prior to finding a final solution.

Decision

- (a) That the public toilets in the building be closed at the end of October 2016.
- (b) That the property be placed on the open market and sold.
- (c)
 - (i) to use temporary facilities to cater for the summer season for 2017 and that a budget cost of £5,000 to be provided from the property reserve fund, for funds to allow for the connection provision of the temporary toilet facilities;
 - (ii) That the appointment of an external consultant to explore feasibility options for a suitable location, service availability, draw up initial plans and obtain budget costs for the future re-provision of permanent toilet facilities within the seafront area be agreed. A budget cost of £5,000 be provided from the property reserve fund to allow for the feasibility work to be undertaken.
 - (ii) To revert to committee for a decision as to whether any scheme, if feasible, should proceed.

57. Weymouth Town Centre Master Plan Sites Update - Peninsula

The committee considered a report on determining the next steps for the re-development of the Peninsula site. The Strategic Director (Martin Hamilton) reminded members that the Peninsula was a man-made structure extending to approximately 5ha in size in a strategically important location close the Weymouth town centre. It was currently occupied by the Jurassic Skyline, Pavilion Theatre, pleasure pier and car park. There were also a large number of redundant buildings associated with the previous ferry operation. The site had been identified in the Weymouth Town Centre masterplan for mixed use development.

Cushman & Wakefield had been commissioned to undertake a study to establish the feasibility of developing the site and the outcome of the study was set out within the officer's report. Members noted that two options were set out a "residential led" option which would be high risk or a "leisure led" option.

Overall members welcomed the report and emphasised the importance for the Borough Council to lead on this project from the start. Members further agreed that due to the complexity of the site a leisure led scheme was the only viable scheme if a council led scheme was to progress. Therefore the proposals to progress the Leisure scheme to the next stage were supported.

Decision

- (a) That the feasibility study prepared by Cushman & Wakefield on the Peninsula site be noted and that officers be instructed to progress a leisure led development as outlined in this report;
- (b) As set out in section 31 of the report to Management Committee, a budget allocation of £200,000 from the Borough Development Reserve for more detailed reports and information be agreed;
- (c) That a report be brought back to Management Committee in December with the findings obtained;
- (d) Progress a "meanwhile uses" strategy for the existing peninsula buildings to bring buildings back into use pending redevelopment.

58. 4 Month Forward Plan

Decision

That the Forward Plan be received and noted.

59. Urgent Business

There was no urgent items of business to report.

Duration of meeting: 9.30 am - 12.00 pm

Chairman

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