

**WEYMOUTH & PORTLAND BOROUGH COUNCIL MANAGEMENT
COMMITTEE**

MINUTES OF MEETING HELD ON TUESDAY 19 SEPTEMBER 2017

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

Apologies: Cllrs

Also present: Cllr I Bruce

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

Kate Critchel (Democratic Services Officer), Stuart Caundle (Assistant Chief Executive), Peter Davies (Licensing and Community Safety Manager), Martin Hamilton (Strategic Director), Stephen Hill (Strategic Director), Hilary Jordan (Head of Planning Community & Policy Development), Clive Milone (Head of Housing), Greg Northcote (Estates Manager), Matt Prosser (Chief Executive) and Jason Vaughan (Strategic Director)

1. Apologies

There were no apologies to report.

2. Minutes

The minutes of the meetings held on 15 August and 11 September 2017 were agreed as a correct record and signed by the Chair.

3. Code of Conduct

Cllr J Cant declared an interest in item 15 as a private landlord.

4. Public Participation

Rachel Partridge, Assistant Director, Public Health Dorset spoke to the committee in support of item 7 on the agenda and in support of selective licensing scheme. This scheme would demonstrate commitment, support for local housing; and health and well-being within the area of Melcombe Regis.

Mr Farn addressed the committee regarding maintenance issues across the borough. He also expressed his concern regarding blocked drains which he had passed to Dorset County Council. Mr Farn also requested an update on the allocation of section 106 monies.

Darren Stanton, Deputy Inspector Dorset Police addressed the committee in support of item 8 on the agenda, Community Safety Accreditation Scheme. He set out the principles of the scheme and reported the success of other

seaside resort areas. If supported by the Council, feedback would be reported via the Melcombe Regis Board.

Mr Whatley addressed the committee regarding the reports on Melcombe Regis, as a resident of the area he was keen to see more action and less talk. He also expressed concerns regarding the signage to the subway, and that there was still signs in place for directions to the ferry terminal.

5. Questions by Councillors

In addressing the committee Councillor I Bruce declared an interest as a private landlord and in respect of the housing licensing scheme. The council already had a great deal of power to act and challenged if more was required at this time. He asked members to consider the proposal carefully.

With winter around the corner, Councillor K Wheller asked members to reconsider the council's position regarding the homeless shelter bus. However the briefholder for Housing confirmed that the Council's position was unchanged, nevertheless discussions continued with the appropriate parties in how the council could help the charity find a suitable site. It was also important to advise individuals to approach the council direct for guidance and support.

Prior to considering the reports on the agenda, the Chair invited the Strategic Director to update members on the current financial situation. J Vaughan advised that a number of once-off projects had been committed and with the sale of North Quay still pending, the committee needed to make careful and considered decisions going forward.

6. Consideration of once-off funding to purchase two residential properties

The briefholder for Housing set out a report on the rationale for the council to purchase two homes that could be used as an alternative to more expensive bed and breakfast (B&B) accommodation to temporarily house homeless individuals, and sought approval to allocate funds to facilitate these purchases. She asked members to see the proposal as an 'invest to save' project. There had been significant changes to the benefits system and young people under 35 years could only claim up to £114.23pw to cover accommodation costs. A typical B&B bill was approximately £350pw and the local authority would need to pick up this shortfall.

Members were advised that a budgetary allocation of up to £450,000 from the council's capital receipts would enable Housing to purchase two houses on the open market to meet local housing need. It was expected that these properties would enable eight occupants to be housed instead of being placed in B&B, which would result in significant year-on-year savings to accrue to Council Tax Payers in the Borough.

In response to questions, the Head of Housing and the briefholder advised that the Dorset Councils Partnership had the skills and processes in place to manage such properties and move young people on to the next step to secure and permanent accommodation solutions.

Members also expressed concern and impact regarding the Homelessness Reduction Act. This act would required the council to support homeless individuals, even if not from the local area, for up to 56 days and there was concern regarding workforce capacity and financial implications of this change.

Most members supported the principle of the proposal, although there was some concern in respect of the current economic situation of the council and whether all other alternatives had been considered.

In light of the current financial uncertainty it was proposed that the briefholder for Finance and Assets be added as a consultee in recommendation (3) of the report. This was agreed.

It was proposed by Cllr G Taylor seconded by Cllr R Kosior

Decision

- (i) That the committee agrees to the release of up to £450,000 from capital receipts to fund the acquisition of two residential properties within the Borough for use as short-term temporary accommodation.
- (ii) In order to speed up the offer and purchase process, that the Chief Executive's current delegated authority should be used to proceed with the purchase of suitable properties, in consultation with the Head of Housing, the Housing Briefholder, the Finance and Assets Briefholder and Section 151 Officer.
- (iii) That the council's Steering Group for Democratic Improvement be asked at its earliest opportunity to consider that new delegations be added to the council's Scheme of Delegation as follows:

Delegations to the Head of Housing

In consultation with the Housing Briefholder and Section 151 Officer, and subject to funding having been agreed, to purchase properties suitable for short term temporary accommodation.

Manage a portfolio of owned and leased temporary accommodation.

Offer occupation agreements to homeless households in owned and leased accommodation.

Set charges for owned and leased accommodation.

- (iv) That Management Committee agrees to the release of up to £16,000 from the Direct Leasing Reserve in order to equip and furnish the two properties prior to their being let.

7. **Addressing issues affecting the residents of Melcombe Regis**

The committee considered a report on the work undertaken by the Melcombe Regis Board (MRB) which was established in recognition of the serious issues facing the Ward of Melcombe Regis. The Board's vision for the area was a "safe, healthy and great place to live and work" and members were asked to endorse the proposed objectives for the Ward designed to address those issues.

The briefholder for Housing advised that the MRB were keen to explore the options for a private sector housing initiative. An evidence pack had been produced which identified the issues to be addressed and a summary of the findings were detailed within the report to the Committee.

It was proposed to introduce a selective licensing scheme for the Private Rented Sector (PRS) to help improve the quality and condition of PRS and the level of deprivation and crime recorded within the Ward.

Should the committee support the proposal, it would be necessary to draft a fully costed proposal with other partner agencies, setting out clear objectives and risks associated with the scheme and this would be presented to a future meeting of the Committee.

In response to questions, the Head of Housing confirmed that there were other authority's in the country that had established similar successful schemes and the outcomes had been very positive.

Overall members supported the proposal and the work carried out by the MRB to date. It was also hoped that once established and lessons learnt, the scheme could be rolled out to other areas across the borough.

It was proposed by Councillor G Taylor seconded by Councillor C James.

Decision

- (i) That the committee endorse the five objectives for the Ward proposed by the Melcombe Regis Board.
- (ii) That the Head of Housing be authorised to progress work necessary to develop a discretionary licensing scheme for the Melcombe Regis Ward in accordance with Section 80 of the Housing Act 2004, designed to deliver the agreed objectives for its residents.
- (iii) That the Head of Housing be requested to present to a future Management Committee a fully costed, risk assessed proposal for the

licensing of privately rented housing within Melcombe Regis, this proposal to have been reviewed by the Policy Committee prior to the Management Committee agreeing to the commencement of any formal consultation exercise.

8. Proposal for a Community Safety Accreditation Scheme in Weymouth Town Centre

As this report related to work of the Melcombe Regis Board, Cllr G Taylor outlined the benefits that a Community Safety Accreditation Scheme would bring for community safety in Weymouth town centre.

Members were advised that as the most densely populated area in rural Dorset and as a seaside resort, levels of alcohol related crime and ASB were proportionally higher than elsewhere, but is more comparable to Bournemouth; Poole and other resort towns. A similar successful scheme already operated in the Boscombe area of Bournemouth.

The proposed scheme would see two uniformed officers, Community Safety Patrol Officers, employed by the council to work closely with Dorset Police during the daytime economy.

In response to concerns about the town's night-time economy and issues with anti-social behaviour, the Licensing and Community Safety Manager advised that improvement to the area's day-time economy would have a positive impact on the night by creating a positive family friendly area. The two issues could not be separated and the initiative was in direct response to local business concerns.

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

Decision

- (i) To support in principle the introduction of a Community Safety Accreditation Scheme in Weymouth town centre for an initial period of two years.
- (ii) To request that officers, in conjunction with Dorset Police and other agencies, develop a costed proposal and report the financial implications back to a future meeting of the committee.

9. Management Committee Action Plan

The committee considered the Action Plan and received updates from the relevant briefholders including:-

- Cllr Read and Cllr Cant would be refreshing the action plan document.
- Received an update from the Chief Executive regarding Local Government Reorganisation

- The joint committee had held its first meeting
- An update on Pan- Dorset CCTV proposals
- Ongoing negotiations with Central Government regarding flooding formula
- An update on make Weymouth Dementia Friendly
- An update on the current situation regarding land charges
- A update on Town Centre Manager's review of public signage

10. **Treasury Outturn Report 2016/17**

The Strategic Director (Jason Vaughan) presented an update on treasury management activity and performance for the 2016/17 financial year in accordance with the Council's treasury strategy.

It was proposed by Cllr J Cant seconded by Cllr C James

Decision

That changes to the treasury portfolio be received and noted.

11. **Information Governance**

The committee considered a report on progress towards compliance against the new General Data Protection Regulations (GDPR) which comes into effect in May 2018.

Members were advised that although good progress had been made, a number of further actions needed to be completed by May, therefore a further once-off funding of £50,000 was required in order that the council could implement the necessary changes to comply with the new regulations.

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

Decision

- (i) That the progress being made in order to comply with the requirement to the new General Data Protection Regulations be noted;
- (ii) That £50,000 be set aside from reserves for once off projects to fund data preparation work.

12. **Local Business Revaluation Support Scheme**

Members considered the discretionary rate relief scheme which looked to provide help to those local businesses which were faced with large rate bills as a result of the 2017 revaluation. The committee welcomed the proposal and agreed to adopt the support scheme.

It was proposed by Cllr J Cant seconded by Cllr J Farquharson

Decision

- (i) That the Business Rates Revaluation Support Scheme as set out at Appendix 1 be adopted.
- (ii) That any under spend in 2017/18 to be used to provide additional support for struggling businesses and that approval of such cases be delegated to the Head of Revenues & Benefits in consultation with the Finance & Assets Briefholder.
- (iii) That a further report be submitted later in the year recommending a scheme for 2018/19.

13. **Implementing the Brownfield Land Register**

The committee considered a report on the brownfield register that was a new duty on local planning authorities and members noted that the first register needed to be published by 31 December 2017.

Recommendation to Full Council

- (i) That the amendments to delegate powers of committees and officers as set out in the appendix to be the report, be approved;
- (ii) that power be delegated to the Monitoring Officer to amend the Constitution to reflect the principles and changes set out in the appendix to the report.

14. **MEMO Project funding request**

The committee considered a report on a request for funding of £300K from the Creative Director of the MEMO project. The project was a new partnership between MEMO, Albion Stone and the Eden project. The “Journey” would be housed in a 9m high tunnels of Albion’s mines accessed from the original MEMO site.

The briefholder for Leisure, Tourism and Harbour advised that this was an exciting and unique project dedicated to biodiversity which was appropriate to the evolutionary story embedded in the cliffs of the Jurassic Coast.

Members noted that £1m had been confirmed by the Dorset LEP, £220K by Canadian philanthropist, Sue Lyons and £80K by Dorset County Council. As a potential all weather attraction, the committee welcomed this exciting project; which would not only transform the local area but bring benefits to the wider economy.

In order to show the committee’s commitment to the scheme the Chair proposed a contribution from this Council of £50,000 to support the project and this was seconded by Cllr Taylor

Decision

That £50,000 be allocated from revenues set aside for once off projects, to financially contribute towards the £1.6 million cost of developing the MEMO project.

15. **Asset Management - Hotels**

The committee considered a report on developing the current hotel management policy to enable greater recognition of the contribution of the hotel portfolio to the local economy. If the Council was to facilitate an increase in the number, quality and diversity of tourist accommodation in Weymouth; it was important to manage the existing hotel stock in a new way. Members noted that the Council also needed to recognise the role of the hotel stock in driving the local tourism economy. With the proposal to develop a new hotel on the Peninsular, it was essential to drive up quality so that this provided additional bed space and not move custom from current provision.

The Chair advised members that the proposal aimed to encourage and facilitate investment in the development of the town's tourist accommodation, provide an improved accommodation offer in the borough and improve the quality of the hotel portfolio, plus reduce maintenance and management liabilities.

Members welcomed the recommendations, but it was suggested that appropriate mechanisms be put into place to scrutinise delegated decisions.

It was proposed by Cllr J Cant seconded by Cllr G Taylor

Decision

- (i) That authority be delegated to officers to negotiate the surrender of existing hotel leases drafted on internal repairing terms and the grant of new Full Repairing and Insuring replacement leases of sufficient duration to enable private sector investment in the individual businesses, underpinned by robust individual business plans;
- (ii) That authority be delegated to the Strategic Director, in consultation with the Briefholder for Assets and Finance and the Section 151 Officer, to review the Council's hotels and to instigate appropriate action to diversify and improve the overall tourist accommodation offer in the borough, including taking back leases and/or changing use where appropriate, undertaking or enabling capital investment, re-letting or disposal;
- (iii) That a suitable mechanism be put into place to report back to the Management Committee or Scrutiny & Performance Committee as appropriate, on any decision relating to taking back leases/changing use, re-letting or disposal.

- (iv) To otherwise retain the current hotel policy in respect of the remaining hotels subject to amendments listed at paragraph 14 set out in the report to Management Committee on 19 September 2017.
- (v) To permit flexible use of existing budgets to achieve accommodation stock improvements.

16. **Member and Officer Indemnities**

The committee received a report on indemnity powers for members and officers and the proposal to formalise the provision of appropriate insurance cover for members and officers.

Recommendation to Full Council

- (i) The Council grant an indemnity to members and officers of the authority in the terms set out in the Appendix to this report and that the terms of the indemnity are incorporated within the Constitution.
- (ii) In so far as it has not already been obtained, the Section 151 Officer be given the delegated authority:
 - (a) to secure insurance cover for members and officers in respect of the indemnities to which (1) refers and also insurance to protect the Council against such liabilities but in either case only to the extent that this is possible and that the Section 151 Officer considers to be financially prudent; and
 - (b) that any such insurance ensures that the insurance company agrees not to pursue action against an officer or member as a result of any liability arising in consequence of the Council's indemnity (i.e. the insurer expressly agrees to waive all subrogation rights it might possess enabling it to take action against the member or officer).
- (ii) That the Corporate Manager – Human Resources and Organisation Development be delegated power to agree with the recognised unions and then to implement any amendment:
 - (a) to Officer job descriptions as necessary to incorporate provision for Officers to work for external bodies subject to relevant agreement by or on behalf of the Council; and
 - (b) to Officer terms and conditions of employment to be amended as necessary to incorporate the indemnity as may from time to time be adopted by the Council.

17. **Review of Constitution - Joint Appeals Committee**

The Assistant Chief Executive set out the report seeking to delegated powers to the HR&OD Corporate Manager to revise existing employment policies.

Members were advised that subsequent to the creation of the Shared Services Partnership of West Dorset District Council and Weymouth and Portland Borough Council in 2012, a joint appeals committee was established replacing the sovereign staff appeals hearings.

However historically North Dorset District Council had not had councillor involvement in the employee dismissal appeals process and to date this difference in arrangements had not been addressed.

In line with best practice and the relevant section of the 1989 Act, the functions relating to all workforce matters were clearly the responsibility of the Chief Executive. It was therefore proposed that the practice of using a Joint Appeals Committee to discharge various HR appeals be discontinued.

It was proposed by Cllr A Reed seconded by Cllr R Kosior

Recommendation to Full Council

To recommend the following to Full Council:

- (a) that the practice of holding Joint Appeals Committee to discharge the function of various personnel related appeals be discontinued;
- (b) that the constitution be amended accordingly to delete any reference to the Joint Appeals Committee and its delegated functions;
- (c) that delegated power is given to the HR&OD Corporate Manager to create an informal working party consisting of the three HR portfolio holders across the three Councils to revise the existing employment policies subject to prior consultation with the Joint Negotiating & Consultation Committee (JNCG) to remove reference to appeals to the Joint Appeal Committee
- (d) that delegated power be given to the HR & OD Corporate Manager to incorporate a new appeal process reflecting as appropriate the need to have an ad-hoc Advisory body to deal with relevant disciplinary / dismissal issues involving statutory posts: Ref: Constitution / Part B /para 3.2 Procedural rules
- (d) that delegated power be given to the Monitoring Officer to amend the Constitution including the Officer Scheme of Delegation to reflect the cessation of the Joint Appeals Committee and the provisions of the new employment policies once created to include so far as appropriate power to the HR&OD Corporate Manager to create an advisory panel / committee in advance of dismissal of a statutory post which meets relevant statutory obligations.

18. **Outside Bodies Report**

The committee considered the appointment of a reserve council representative on the Dorset Waste Scrutiny Group.

Decision

That Councillor L Hamilton be appointed as a reserve council representative on the Dorset Waste Partnership Scrutiny Group.

19. **4 Month Forward Plan**

The 4 month Forward plan was received and noted.

20. **Urgent Business**

The Chair reported that there would be one urgent item to be considered under exempt business as the matter involved urgent legal negotiations. (North Quay)

21. **Exempt Business**

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

Decision

That under Section 100 (A) (4) of the Local Government Act 1972 the press and public be excluded from the meeting for the business specified in the minutes below, because it is likely that there would be a disclosure of exempt information as defined in paragraph 3 and 5 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing that information.

Asset Management – Hotels (appendix) circulated to members of the committee

22. **Weymouth Peninsula Development - Update**

The Committee considered a report on progress with the redevelopment of the Weymouth peninsula site.

Decision

(i) That the progress with the redevelopment of the peninsula be noted;

(ii) That the potential need for the scheme to involve some level of public sector investment to assist viability depending on the delivery strategy selected;

- (iii) That £500,000 be allocated from capital receipts to enable the scheme to be progressed by undertaking a range of further preparatory work including:
 - (a) Progress the scheme design and secure outline planning consent;
 - (b) Formal Marketing of initial elements to secure pre-let and/or pre-sales of initial units;
 - (c) Secure specialist legal advice and professional services to support the further development of the scheme;
 - (d) Financial appraisal of the harbour investment proposals from the Fisher report;
 - (e) Undertake further financial modelling and development of funding options for the “Borrow & Retain” option set out in the report to Management Committee on 19 September 2017.
- (iv) That authority be delegated to the Strategic Director (M Hamilton), in consultation with the section 151 Officer, to progress all matters arising in item (iii) above.
- (v) That appropriate governance arrangements be set out and reported back to a future meeting of the Management Committee.

23. **North Quay**

The Committee considered an urgent exempt report regarding the current position with North Quay’s legal negotiations.

Decision

- (i) That the contract with North Quay Weymouth Limited (NQWL) be rescinded;
- (ii) That a report be presented to a future meeting of the Management Committee detailing the options available for the disposal of the site.

Duration of meeting: 9.30 am - 1.50 pm

Chairman

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