

WEYMOUTH & PORTLAND BOROUGH COUNCIL MANAGEMENT COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 17 APRIL 2018

Present: Cllrs J Cant (left at 11.31am) (Chair), R Kosior (Vice-Chair), F Drake, J Farquharson (arrived at 9.25am), C Huckle (left meeting at 11.25am), C James, R Nowak (arrived at 9.34am), A Reed, G Taylor and K Wheller

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

Kate Critchel (Senior Democratic Services Officer), Greg Northcote (Estates Manager), Stuart Caundle (Assistant Chief Executive), Stuart C Dawson (Head of Revenues and Benefits), Graham Duggan (Head of Community Protection), Robert Firth (Corporate Manager Legal Services), Martin Hamilton (Strategic Director), Trevor Hedger (Senior Economic Regeneration Officer), Matt Prosser (Chief Executive) and Trevor Warrick (Spatial Policy and Implementation Manager)

109. Minutes

The minutes of the meeting held on 6 March 2018 were confirmed as a correct record with the following comments being noted:-

- Under min 96, Cllr K Wheller indicated that she did not second the motion but abstained from voting.
- In respect of min 105, Cllr Wheller advised that her comment about the capacity to complete projects prior to LGR related to all Brief holders and projects across the council not just those pertaining to Community Facilities
- Cllr C James requested that her disappointment at not being allowed to comment on community safety issues at the end of the meeting, be recorded, when the Chair had expressly indicated earlier in the meeting that she would be allowed to do so.

110. Code of Conduct

Cllr C James declared a non pecuniary interest in respect of item 11 on agenda as she was a trustee of SPARKES and a local ward member of the area.

Cllr K Wheller declared a non pecuniary interest in respect of item 6 on the agenda as she regularly volunteered as a street pastor in Weymouth town Centre.

111. Public Participation

Mr B Underwood indicated to all present that he was recording the discussion as information from these meetings was not generally recorded. He requested a written update from the Strategic Director on the current position

regarding the Bathing Hut and public toilet maintenance. He referred to a number of incidences of vandalism, smashed windows, in and around the Esplanade area. He also suggested that CCTV needed to be in operation 24/7. In his statement, Mr Underwood also suggested that the building on St Thomas Street by the Kings Statue, owned by Goadsby Estate Agents was an eyesore and in a poor state of repair. This reflected badly on Weymouth and the Council.

The Strategic Director confirmed that he would respond to Mr Underwood in writing and a copy of the response would be made available to all members of the committee as requested.

Mr D Grey addressed the committee regarding anti-social behaviour. He suggested that the Council was doing some really good work around this area, but it was carried out in isolation, plus it wasn't being communicated to the community. He also referred to Dorset Police and considered that the Dorset Police Strategy document of 2013 was outdated. As a Council, members needed to make sure that people knew what actions were taking place to improve the current situation.

Mr K Whatley referred to the number of public seats that required maintenance on the Esplanade. He also asked when the public signage would be installed regarding not feeding the gulls, this needed to be done prior to the Summer. He also expressed concerns regarding the sand sculpture area.

In response the Brief Holder for Leisure, Tourism and Harbour advised that work to replace woodwork, lights and glass would start shortly. The issues around the sand sculpture site would be monitored.

Mr Farn expressed concern regarding the poor state of the beach and the esplanade. The committee must ensure that the work gets done. He also stated that following attendance at the last Policy Development Committee, a number of Policy work had yet to be carried out.

The Chair thanked the public for their comments.

112. **Questions by Councillors**

Cllr J Farquharson arrived at 9.25am

Cllr S West addressed the committee regarding items 13 on the agenda. She expressed her disappointment at the time it had taken for the Council to draw this problem to a conclusion. In the meantime the tree on site had become much bigger and the condition of the property had deteriorated. She also referred to the unfortunate circumstances relating to the next-door neighbour, which would not have happened had the Council acted sooner.

In respect of item 14, Cllr West's view was that this land belonged to Portland and it should be returned to them.

In response the Strategic Director advised that in respect of item 13, negotiations had taken up to this point to purchase the other property and get to this position to propose openly marketing the site as a whole.

Cllr L Hamilton addressed the committee regarding the Treasury Management Strategy and the proposal for doubling council borrowing. She questioned when individuals and councillors collectively would get an opportunity to comment on this matter. She expressed concern about ensuring that a large debt was not being transferred to the new Town Council. It was suggested by the Chairman that Cllr Hamilton discuss the details of the Treasury Management Strategy outside of this meeting with the appropriate officer.

The Chair also confirmed that he had met with civil servants to discuss coastal community funding for the area to assist the Council in meeting its ambitious plans for Weymouth and Portland's future. This would be co-ordinated with all Group Leaders and reported back to a future meeting of the committee.

Cllr R Nowak arrived at 9.34am.

113. Community Safety Accreditation Scheme

The committee considered a report on the progress in establishing a Community Safety Accreditation Scheme for Weymouth. Members also noted other work taking place to tackle anti-social behaviour (ASB) in the town centre.

The Chair advised that he had met with the Police Commissioner regarding recent anti-social behaviour incidents and expressed personal concerns as a resident of the town. He felt there was a sense of deterioration in the area and different organisations were taking different approaches rather than working together. He had hoped the Melcombe Regis Board would address and get to grips with some of these issues. He acknowledged that the County Council's reduction in expenditure on Youth Services had exacerbated the problems in the area and advised that the Police Commissioner had indicated that he was prepared to match fund the scheme.

Cllr C James advised that she supported option 2 set out within the report and that she had also recently met with the Police Commissioner regarding this issue. She felt that there was a communication problem between organisations, but acknowledged that there was a lot of good work taking place. Cllr K Wheller suggested that CCTV in the area needed to be extended and she also advised that she considered the paragraph relating to street pastors to be misleading.

Cllr G Taylor informed the committee that she was unable to support option 2 and she objected to the comments made regarding Melcombe Regis Board. A lot of good work was taking place through the Board, but clearly the message was not getting out into the public domain. She also expressed her disappointment and frustration that the Council did not support youth services

at the time when the County Council made its decision to reduce its financial support.

Members agreed that it was understandable that as the main resort in Dorset (outside of the conurbation) and with the most developed night time economy, levels of crime and ASB would be proportionally higher than elsewhere. However, the committee agreed that effective action must be taken to protect visitors, residents and businesses from the effects of crime and ASB and safeguard the reputation of the town.

It was proposed by Cllr F Drake seconded by Cllr J Cant

Decision

- (a) That option 2 as set out in the report of 17 April 2018, be the operating model for the Community Safety Accreditation Scheme and;
- (b) That up to £60,000 funding contribution from the council for 2018-19 be agreed.

Cllr G Taylor abstained from the decision.

114. **Revised Scheme of Officer delegations**

The Brief holder for Corporate Affairs and Continuous Improvement set out the report on the proposed standardisation of the existing Officer Scheme of Delegation. A members briefing had been held to consult with all councillors and it had been considered by the Steering Group for Democratic Improvement.

The Corporate Manager – Legal Monitoring Officer advised that following the consultation, an issue around councillors and legal interests in land had been raised by members. In order to address this it was proposed that recommendation be amended for

(c) to read “delegate to the Monitoring Officer power to make any amendment to the final scheme and/or the member and officer Planning Code of Conduct” and

(c) (ii) to read “to reflect any change to any delegation which he considers relates to a planning function and/or the member and officer planning Code of Conduct that arises out the views of any meeting held before 1st July 2018 to allow the planning chairs, vice-chairs and portfolio/brief holders of the Councils of the Dorset Councils Partnership to consider issues relating to such matters.”

Members were advised that because of the timelines involved, there was no realistic prospect that any such change could be reviewed and considered by the other Councils in time for adoption by each annual council in May. The new scheme would not take effect unless all three councils in the partnership agreed to its adoption.

As a member led Borough Council, Cllr K Wheller stated that she was unable to support the changes to the scheme of delegation. However it was proposed by Cllr A Reed seconded by Cllr J Farquharson

Decision

That in so far as they have power so to do members:

- (a) endorse the principles agreed by the informal member workshop as set out in appendix 1;

RECOMMENDATION TO FULL COUNCIL

- (b) the adoption without alteration of the revised draft officer scheme of delegation as set out in appendix 2 to take effect on 1st June 2018, provided that any such adoption be subject to the draft scheme also being adopted without alteration by the other two Councils of the Dorset Councils Partnership; and
- (c) delegate to the Monitoring Officer power to make any amendment to the final scheme and/or the member and officer Planning Code of Conduct.
 - (i) that he considers to be of a typographical, procedural or clarifying nature identified during or subsequent to the adoption process and/or to better align any definitions in the proposed officer scheme of delegation with definitions used elsewhere in the Constitution; and /or
 - (ii) to reflect any change to any delegation which he considers relates to a planning function and/or the member and officer planning Code of Conduct that arises out the views of any meeting held before 1st July 2018 to allow the planning chairs, vice-chairs and portfolio/brief holders of the Councils of the Dorset Councils Partnership to consider issues relating to such matters.

115. Community Infrastructure Levy (CIL) - Approval of Further Revised Regulation 123 List

The committee considered a report with the representations made on the further revised CIL regulation 123 List. Officers had considered all the representations put and made the necessary amendments. A summary of the representations were set out in the appendices to the report. It was proposed by Cllr R Nowak seconded by Cllr K Wheller.

Decision

- (a) That the final revised Regulation 123 List as set out in Appendix C to the report of 17 April 2018 be approved.

- (b) That the Regulation 123 List approved under recommendation (a) supersedes any previously published version of the Weymouth & Portland Regulation 123 List.

116. Draft Revised National Planning Policy Framework and Guidance - Response to Consultation

The committee considered a report setting out the Council's response to the Government's consultation on the draft replacement National Planning Policy Framework (NPPF). Members were advised that the draft revised NPPF was published for consultation on 5 March 2018. The draft document took forward proposals that had been subject to consultation previously, through the Housing White Paper, "Fixing the Broken Housing Market" and the subsequent "Planning for the Right Homes in the Right Places" consultation proposals. The consultation included an online questionnaire with 43 questions. There were still significant concerns about the undermining of the plan-led system due to local policies only carrying their full weight when there was a demonstrable five-year supply of land for housing and sufficient evidence of delivery over recent years.

The introduction of the delivery test meant that there was now two tests that had to be met in order for policies to be regarded as up to date. Members noted that the proposed process for demonstrating the five-year land supply appeared to be increasingly onerous.

The committee also welcomed the proposed comments in relation to the issues of viability and plan-making.

It was proposed by Cllr R Nowak seconded by Cllr K Wheller

Decision

That the responses set out in Appendices 1 and 2 to the report to Management Committee of 17 April 2018, be submitted as the Council's response to the Government's consultation.

117. Tourism: Visitor Offer and Promotion

The Brief holder for Leisure, Tourism and Harbour set out a report to clarify the offering to visitors and review the active promotion of tourism. In response to a concern that this was an information report presented to a decision making committee, the Brief holder advised that the report had been brought to members in response to an item on the action plan. However members agreed that there was no place for information reports on the Management Committee agenda and any future similar information should be circulated to members outside of the committee forum.

In discussing the issues, the Brief Holder for Transport and Infrastructure advised of concerns and complaints raised relating to the Parking Policy and the removal of the allocation of complementary parking tickets to volunteering

organisations when arranging local events. The Brief Holder for Leisure, Tourism and Harbour confirmed that for any event arranged prior to December 2018, this rule change would not apply. However the committee agreed that this element of the parking policy should be reviewed and the Strategic Director confirmed that he would discuss the matter further with the Parking Services Manager and appropriate Brief holders.

Members discussed the value of tourism to the area of Weymouth and welcomed the information set out within the report. It was noted that following the Borough Councils change of approach to TIC's in 2013, recent plans by Weymouth BID to set up a new TIC had been supported. It was agreed that a further report on the viability of setting a TIC in Weymouth should be brought to the committee in due course.

That the report be received and noted.

118. The Grant of a Lease to Sparks Trust of the former Southill Play Group premises, Weymouth

The Estates Manager set out a report seeking members support to instruct officers to grant a lease to Sparks Trust on terms described in the report.

The property was vacant and the proposed tenant leased the adjacent community centre from Dorset County Council who leased it from the Borough Council. They also sought a contribution towards repairs.

As one of the named brief holders on the report, Cllr Wheller expressed her disappointment that she had not had prior consultation on this and a number of other reports on the agenda. There was a proper procedure to be followed and this lack of consultation had to stop. Nevertheless, she confirmed that she did support the proposal. Likewise, Cllr James indicated that she too had not been consulted as a trustee of Sparks or as the Ward member, but she also advised that she was keen to support the proposal.

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

Decision

That authority be delegated to the Strategic Director (Martin Hamilton) to complete Lease negotiations and to undertake works for the sums specified.

119. Lease for Mineral extraction - Portland Cemetery, Weston Road, Portland, Dorset, DT5 2BZ

The committee considered a report seeking to enable a lease between Weymouth and Portland Borough Council and Albion Stone for extraction of stone from beneath Portland Cemetery at Weston Road, Portland. In considering the proposal members noted that the extraction consents were subject to negotiations with the Crown Estates and the Diocesan Bishop.

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

Decision

- (a) That authority be delegated to the Strategic Director (Martin Hamilton) to grant a lease to Albion Stone for extraction of stone under Portland Cemetery.
- (b) That officers obtain all necessary consents prior to the lease being signed.

120. Disposal of land and buildings fronting onto the High Street Fortuneswell Portland

The committee considered a report updating them on the outcome of the purchases of Nos 9 and 11 High Street, Fortuneswell. Members were reminded that the Council acquired No 11 High Street in October 2016 by means of General Vesting Declaration. Following a decision of Full Council £250,000 was set aside to support housing provision in the locality. The Council subsequently acquired No 9 High Street because refurbishment of No 11 alone was not a viable option to the Council.

The Strategic Director confirmed that the committee was now being advised to openly market the site as a whole with rights granted for unallocated parking provision in the Hambro Car Park. Cllr R Nowak expressed his disappointment at how long it had taken to resolve this situation and considered that on this occasion the council had failed the local community.

Cllr G Taylor hoped that the property had the potential for affordable homes, preferable initially with preferred Registered Providers. She proposed that the recommendation be amended to read "That the marketing and sale of the land and buildings fronting onto the High Street Fortuneswell Portland, to a preferred Registered Provider, be agreed" this was seconded by Cllr R Nowak and agreed by the committee

Decision

That the marketing and sale of the land and buildings fronting onto the High Street Fortuneswell Portland, to a preferred Registered Provider, be agreed and that authority to manage the disposal process be delegated to the Strategic Director (Martin Hamilton) in conjunction with the Briefholder for Finance and Assets and the Briefholder for Housing.

121. Acquisition of Officers Field Portland

The committee considered a report on the proposed purchase of Officers Field, Osprey Quay, Portland as detailed within the report.

Some members expressed concern regarding this proposal as they felt strongly that the land in question should belong to the Isle of Portland as it was gifted to Portland by the Royal Navy and was a valued open space at the heart of the island. These members also considered that the land in question

had a long history with the community and should be transferred to Portland Town Council as part of the Asset Transfer of the Local Government Review.

Members also suggested that Dorset County Council would no longer be interested in leasing the land for a school playing field and therefore it was proposed that this part of the recommendation be rejected. This was agreed by the committee.

The Chair reminded the committee that decisions on transfer of assets could not be on an ad hoc basis, if Weymouth and Portland Borough Council acquired the land, it could then be part of the asset transfer discussion.

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

Decision

That the acquisition of Officers Field from the Homes and Communities Agency on the terms detailed in the report be approved.

122. Application for a Council Tax discretionary discount

Cllr C Huckle left the meeting at 11.25am

The committee considered an application received from Council Tax discretionary discount and the individual merits of the case.

Decision

That the application for Council Tax discretionary discount be rejected.

123. Management Committee Action Plan

Cllr J Cant left the meeting at 11.35am

Cllr R Kosior in the Chair

Members discussed the following issues:-

- The importance of keeping on top of any vandalism on the Esplanade
 - Works were in place for replace lights, painting, planting and beach levelling
 - Tender process in place of toilet cleaning
 - Wi-Fi – hot spot to be introduced on the Esplanade
 - Members were updated on the progress for the Esplanade lighting.
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- In response to questions and concerns that members had not been informed of the Arts Group meetings and the decisions taken place to date, The Strategic Director advised that the design of the lighting had yet to be discussed or decided. There was much work for the Arts Group to do which would also involved councillor representatives.

- The Corporate Affairs and Continuous Improvement Brief holder reminded officers that this council was a member led authority and all draft report should be seen by the appropriate Brief holder(s) prior to dispatch. She asked the Senior Leadership Team to ensure that this happened in all future cases.

124. Urgent Business

There were no urgent items to report.

125. 4 Month Forward Plan

The Forward Plan was received and noted.

126. Minutes of Dorset Waste Partnership

Members noted that the last minutes of the Dorset Waste Partnership were available to view on the Dorsetforyou website.

127. Exempt Business

Members received and noted the exempt appendices in relation to minutes 118,119 and 120.

128. Agree a Lease for Mineral extraction and making good at Portland Cemetery, Weston Road, Portland, Dorset, DT5 2BZ

129. Acquisition of Officers Field Portland

Duration of meeting: 9.00 - 11.45 am

Chairman

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