

WEYMOUTH & PORTLAND BOROUGH COUNCIL MANAGEMENT COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 10 JULY 2018

Present: Cllrs J Cant (Chair), R Kosior (Vice-Chair), M Byatt, C Huckle, R Nickinson, R Nowak, J Orrell, A Reed, G Taylor and K Wheller (left at 10.35am)

Apologies: Cllrs

Also present: Cllr T Ferrari and Cllr P Nixon

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

Kate Critchel (Senior Democratic Services Officer), Sarah Cairns (Assistant Head of Assets and Infrastructure), Stuart Caundle (Assistant Chief Executive), Stuart C Dawson (Head of Revenues and Benefits), Graham Duggan (Head of Community Protection), Martin Hamilton (Strategic Director), Stephen Hill (Strategic Director), Hilary Jordan (Head of Planning Community & Policy Development) and Terry Sneller (Local Plan Team Leader)

17. Minutes

The minutes of the meeting held on 5 June 2018 were received as a correct record and signed by the Chair.

18. Code of Conduct

Cllr K Wheller declared a non-pecuniary interest in respect of item 9 on the agenda as she once was the Chairman of Weymouth Community Volunteers and she continued to have a close relationship with the group.

19. Public Participation

There were a number of members of the public in attendance to address the committee regarding concerns on the Local Plan Preferred Options report. The Brief Holder for Environment and Sustainability advised that the local plan document was still in the informal consultation phase. This consultation document would need to be approved by Full Council before it was released from public consultation between August and October 2018.

Mr D Berry advised the committee that he supported the Policy Development Committee's recommendation not to include WEY 15 (Redlands Farm) within the local plan document. He referred to the on-going petition to save the farm site and the number of signatures it had received. Mr Berry also referred to the importance of maintaining the green open gap, retaining the hedgerows for the local wildlife and safeguarding local amenities. He asked the committee to support the removal of WEY 15 prior to the document going out to consultation.

Mr M Jackson advised members that he was speaking on behalf of a number of concerned residents in the area of the proposed site WEY 14, Wyke Oliver Farm. He referred to resident evidence that showed that the area was totally unsuitable for development due to the clay soil, risk of flooding and subsidence. He asked the committee to ensure that the planning department had carried out due diligences prior to considering this site. He asked the committee to remove WEY 14 from the planning document.

Mr H Burden also requested for the removal of WEY 14 from the Local Planning Review document on the grounds of the known impact of ground movement in the area.

Mr G Barrow informed the committee that the area of Budmouth Avenue area was a known risk of flooding as a number of springs in the area effected pathways and roads in the springtime. The local fields were often wet underfoot and the committee should consider this area with caution. He suggested that there was clear evidence of ground movement and asked that the committee ensure that the planning department had carried out due diligences prior to considering this site. He suggested that WEY 14 was suitable for development.

Mr D Cocks addressed the committee requesting for the removal of area WEY 14 from Local Planning Review due to concern over the impact of additional traffic in the area. A number of residents would be affected and Pinemore Close was inappropriate for access as it was too narrow. He asked the planning department to consider the site in more detail, beyond a paper exercise and he was sure they would conclude that it was unsuitable for development.

Mr D Hebditch addressed the committee on behalf of the owners of Redland Farm (Wey 15) which had been discussed in detail at Policy Development Committee. He advised that his client had not been able to comment at that meeting and that the Policy Development Committee had been misinformed. He advised members that the tenant of the farm was on a short term lease agreement which expired at the end of the year. He suggested that the proposal to develop the land would enhance WEY 12 whilst delivering enough open space to the West of the area.

Mary Brightwell referred to the Local Plan document and expressed concerns regarding the proposed access point from Wyke Oliver Close which she considered to be unsuitable. Many of the trees in the area were subject to Tree Preservation Orders and there was also concern about pollution, dust and noise effecting the health and wellbeing of current local residents.

Brian Barns also addressed the committee regarding the addition of Wyke Oliver Farm to the Local Plan document which he considered to be unsuitable for traffic access and the issue of ground movement in the area should also be a consideration.

The Chair invited the Strategic Director to respond to the public comments regarding the Local Plan review and the "Preferred Options" document.

Mr Farn referred to the Dorset Waste Partnership and the refund due to the Borough Council. He also expressed concern regarding the weeds in the pathway along the Swannery and other litter picking issues. He also referred to the last Planning Committee that was recently cancelled. In response the Head of Community Protection advised that Dorset Waste Partnership refund had been received by the Council and it was a matter for Councillors to decide how it was used. In respect of the weeds on the Swannery pathway, Dorset County Council would be contacted after the meeting.

20. **Questions by Councillors**

Cllr P Nixon, Ward Councillor for Wey Valley addressed the committee regarding the recommendation of Policy Development Committee proposing that WEY 15 be removed from the plan document. She advised members that she supported this proposal.

Cllr Ferrari addressed the committee as the Dorset County Council representative covering the area of Wyke Oliver Farm. He supported the comments made by local residents and expressed concern regarding visual impact of the AONB, if this proposal went ahead. He also suggested that the access difficulties had been recognised by officers and a new access route had been proposed. He too supported the removal of WEY15 from the plan.

21. **Local Plan Review Preferred Options Consultation**

The Brief holder for Environment and Sustainability set out the report proposing to take forward the West Dorset, Weymouth & Portland Local Plan review "Preferred Options" document to public consultation. He advised that he was happy to support the document going out to consultation unchanged in order that public opinion could be sought on the proposals

The Strategic Director confirmed that the proposal was for recommendation to Full Council and if agreed the public consultation would take place for eight weeks from August to October. He also advised that Policy Development Committee had recommended that WEY 15 Redland Farm be removed from the Local Plan "Preferred Options" document.

The results of the consultation would shape the final version of the plan that would be submitted for examination.

In discussing the public concerns raised and in response to a question regarding removing the site WEY 15, most members considered that it was important not to circumvent the public consultation process regarding these sites. The Chair noted that members had heard some very powerful arguments from the public against the proposed sites and it would be for Full Council to decide on the consultation document.

Cllr G Taylor also agreed that the potential sites should remain within the document and asked the public present to consider, if not these sites for

development, where could the council develop and create homes for future generations?

The Chair took the opportunity to thank the public for their comments and attendance at the meeting.

Recommendation to Full Council

- (a) That the West Dorset, Weymouth & Portland Local Plan Review: Preferred Options document be approved for the purpose of public consultation;
- (b) That authority be delegated to the Corporate Manager, Planning (Community & Policy Development), in consultation with the Brief Holder, to make any further minor textual changes as necessary prior to the consultation start date.

22. Adoption of Dorset Shared Equality Objectives and Dorset Councils Partnership Equality Objectives for 2018-19

The Brief holder for Social Inclusion presented a report on the adoption of Dorset Shared Equality Objectives and the Dorset Councils Partnership (DCP) Equality Objectives for 2018-19. Members were advised that the aim of the objectives was to ensure that the partnership complied with the Equality Act 2010 and reduce potential risk to the council. It was also important that the Council understood the impact that services could have on their citizens with particular regard to people's protected characteristics and minimise any negative impacts wherever possible to promote access to services for all.

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

Decision

- (a) That the Dorset Shared Equality Objectives for 2018-19 at Appendix 1 of the report, be approved;
- (b) That the Dorset Council Partnership Equality Objectives for 2018-19 at Appendix 2 of the report, be approved.

23. Weymouth Seafront Toilets - provision of facilities

The Brief holder for Community Facilities set out an information report updating the committee on the progress to date on bringing the seafront toilets to an improved standard including the design of enhanced facilities in the central seafront area. However, Cllr Wheller suggested that the committee approve to move forward with the future works now, which included Lodmoor, a full refurbishment of Greenhill and a modular unit at the Pier Bandstand. She further suggested that facility sites at Alexandra Gardens had also been identified to replace the provision on the pavilion forecourt.

At this point of the meeting, the Chair interjected and informed the Brief holder that the committee could not consider her proposal under this report without the appropriate comprehensive information being provided to make a formal decision.

The Chair invited Cllr Taylor to address the committee who proposed the following amendment to recommendations 2.1 and 2.4 of the report. The motion was seconded by Cllr J Orrell.

- (i) To approve the preferred solution for enhanced central seafront facilities (option 4) and to investigate further option 6, with additional capital funding if required, to enable the retention of a letting unit. To require officers to come back to MC with a detailed report on option 6.
- (ii) To agree the allocation an additional £80,000 capital funding to install modular units at Greenhill and the Pier Grandstand, subject to confirmation from section 151 officer that the funding is available to management committee

Cllr K Wheller left the meeting at 10.45am

The Strategic Director advised the committee that the cost of option 6 would need to be fully investigated and this might cause further delay. Upon being put to the vote the motion was carried.

Decision

- (a) To approve the preferred solution for enhanced central seafront facilities (option 4) and to investigate further option 6, with additional capital funding if required, to enable the retention of a letting unit. To require officers to come back to Management Committee with a detailed report on option 6;
- (b) To note the progress made with introducing a community toilet scheme and approve the introduction of such;
- (c) That the progress made with introducing charging for facilities be noted;
- (d) That the allocation of an additional £80,000 capital funding to install modular units at Greenhill and the Pier Bandstand, subject to confirmation from Section 151 Officer that the funding is available to Management Committee, be agreed.

24. Applications for Discretionary Rate Relief

The Head of Revenues and Benefits presented a report on the application for Council tax discount, 2 applications for Discretionary Rate Relief and an application for Hardship Relief as set out in the appendices to the report.

In deciding to support the application for Discretionary Rate Relief from WOW Youth Musical Theatre, it was noted that it was a small amount requested and the committee were keen to support young people's activities in borough. All the other applications were refused.

Decision

- (a) That the application received for Council Tax discretionary discount be refused;
- (b) That the application for Discretionary Rate Relief from Weymouth Community Volunteers be refused;
- (c) That the application for Discretionary Rate Relief from WOW Youth Musical Theatre be awarded up to 31 March 2019;
- (d) That the application for Discretionary Rate Relief from The Marine Society & Sea Cadets be refused;
- (e) That the application for Hardship Relief be refused.

25. **Policy Library - Recommendation of Policy Development Committee**

The Corporate Affairs and Continuous Improvement Brief holder presented a report which set out a recommendation from the Policy Development Committee of 9 April 2018.

The Policy Development Committee had set up a task group to review the policy library and any outstanding policies due for review. The task group concluded that with the decision to form a Unitary Council in April 2019, the current outstanding policies would sufficiently serve the council for the remainder of its term. However the Policy Development Committee felt unable to support this recommendation and sought for the Management Committee to assess the remaining outstanding policies in the Policy Library and refer them back to Policy Development Committee for further consideration.

Members acknowledged the work carried out by the task group and noted the recommendation made by the Policy Development Committee. However following discussion concluded that no further action should be taken at this time.

Decision

That no further action be taken.

26. **Membership of Melcombe Regis Board**

The committee considered a report regarding a request from Cllr M Byatt to be nominated by the Council for membership of Melcombe Regis Board. Currently the Social Inclusion Brief holder Cllr Orrell was a member of the

Board as a Dorset County Council representative. The Brief holder for Housing had been the Councils elected member representative since the Board was established.

Cllr G Taylor suggested that first the committee should discuss whether it was considered appropriate to expand the councils representation on the Board. She stated that it was important that the Council was not over represented or it could be seen as providing all the input as a council led organisation/Board. The current collaborative approach gave separation and had been successfully used, for example with the support and implementation of the Shelter Bus.

Cllr Taylor also strongly felt that there was already plenty of community safety representation on the Board through the membership of the Police & Crime Commissioner and other Police and council representatives. However, the Board did need to bolster its economic and employment representation. Therefore Cllr Taylor proposed the following motion.

- (i) That the committee agree to recommend to Melcombe Regis Board that the board be expanded to include a further councillor;
- (ii) If the recommendation is approved that the committee recommend the Brief holder for Economic Development be nominated by the council to become a member of the Board.

Cllr Taylor asked that the each item be voted on separately. The motion was seconded by Cllr R Nowak.

In speaking to the part (ii) of the motion, Cllr M Byatt reminded the committee that the introduction of the Board had been at the request of the Community Safety Partnership and was arguably most concerned with community safety matters. He considered that there was a lack of transparency with the boards work and it was essential that all council members were aware of what was happening as it impacted all wards within the Borough. Cllr Byatt continued that as he was not fully informed of matters, he was unable to completely fulfil his duties as the Brief holder for Community Safety without membership of the Board.

The committee voted on (i) and upon being part to the vote the motion was **LOST**. Therefore the committee abandoned part (ii) of the motion.

It was proposed by Cllr J Cant seconded by Cllr M Byatt

Decision

That the Management Committee nominate the Community Safety Brief holder to become a member of the Melcombe Regis Board.

27. **Management Committee Action Plan**

The committee received and noted the Management Committee action plan. Brief holders verbally updated the committee regarding the actions set out within the plan.

28. 4 Month Forward Plan

The committee noted the Forward Plan and Cllr A Reed suggested that the programme of meetings be reviewed and condensed. Members supported this proposition.

29. Minutes of Dorset Waste Partnership

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

30. Exempt Business

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

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 minute below, because it is likely that there would be a disclosure of exempt information as defined in paragraph 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.

31. Urgent Business - Planning Enforcement

The Chair reported that there was one item of urgent business to be considered to ensure that an identical notice could be served by West Dorset District Council and Weymouth and Portland Borough Council on all persons with an interest in the land in question. This would ensure greater certainty and reduce the risk of legal challenge both at appeal and in the courts.

Decision

That, pursuant to Section 101(1) of the Local Government Act 1972, authority be delegated from Weymouth and Portland Borough Council to West Dorset District Council to carry out enforcement action, including the service of an enforcement notice under section 172 of the Town and County Planning Act and that any criminal and/or civil proceeding or other action (within the power of the authorised officer) be authorised in respect of any non-compliance with the notice(s) served or action taken in respect of any action authorised above, on the land referred to in this notice.

Duration of meeting: 9.30 - 11.40 am

Chairman

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