

**WEYMOUTH & PORTLAND BOROUGH COUNCIL MANAGEMENT
COMMITTEE**

MINUTES OF MEETING HELD ON MONDAY 19 NOVEMBER 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

Apologies:

Also present: Cllr I Bruce and Cllr S West

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

Kate Critchel (Senior Democratic Services Officer), Julie Strange (Head of Financial Services), Stuart Caundle (Head of Paid Service) and Stuart C Dawson (Head of Revenues and Benefits)

55. Minutes

The minutes of the last meeting held on 18 September 2018 were agreed as a correct record and signed by the Chair.

56. Code of Conduct

There were no declarations of interest to report.

57. Public Participation

Mrs Headon addressed the committee regarding the issue of whether the assets and running of the Weymouth Museum should be transferred to the unitary council or the Weymouth Town Council. On behalf of the Trustees of Weymouth Museum Ltd, she indicated that the trustees were of the opinion it would be in the town's interest if the collection was transferred to the unitary authority.

Mrs Headon set out the reasons for this view and these included:- expenditure required in the future, the current poor stated of the building that housed the collection and that many of the artefacts included within the collection were from the surrounding area. It was considered that it was unlikely that the new town council would be able to house this large important collection.

Mr G Perry addressed the committee expressing concerns regarding the future of the museum collection. He felt that Weymouth would become a cultural waste land if the collection was not retained by Weymouth and this was a question of civic pride. It was a shame that these artefacts were not available to local people or as a visitor attraction.

Mr Whatley advised members that he was disappointed that there had been no public speaking at the first Shadow Council meeting. He urged members to fight for Weymouth's assets and services. It was also important that the town got more events per year, however he was unhappy that the unitary council

would benefit from this via the car parking fees. It was also his view that the town council should take responsibility for on-street parking.

Mr Farn raised issues around waste collection by Western bridge. He also expressed concerns regarding Dorset County Council complaints procedures.

58. Questions by Councillors

Cllr I Bruce expressed his concern regarding the proposal to transfer the crematorium to the unitary authority. He raised further concerns that the burial service and crematorium service would be split by the proposal as the service was for the wider area not just Weymouth.

Cllr S West asked members to consider the recommendation for the transfer of assets to Portland Town Council as she considered the list not to be unreasonable. She also suggested that the sum of monies requested by the town council was not an unreasonable amount given the circumstance of the case. She hoped that the committee could support the recommendation.

In Cllr Kimber's absence Cllr G Taylor read out his question on his behalf:-

We note that there is 470k in the affordable housing accounting for WPBC . Can we have assurance that this money will secure Affordable Housing schemes within Weymouth and the Portland area's once the Dorset Council has taken on responsibility for both Planning and Housing . In response Cllr G Taylor, Briefholder for Housing commented that the Section 106 monies had £479,000 in the account of which £110,000 had been allocated for Portland, schemes that this had been commented to included Marchesi House, a Bournemouth Churches development for 31 general needs affordable homes, a scheme to provide 3 new one bedroom houses for people with learning difficulties and supporting Portland Community Land Trust with the acquisition and redevelopment of a site at Portland. A detailed response would be forwarded to Cllr Kimber.

59. Functions and Assets

The Head of Financial Services set out the current positions in respect of the main functions and associated assets that was proposed to be transferred to the Town Council from 1 April 2019. The committee noted that where possible the legal basis for the transfer of assets to the Town Council should be approved to be freehold unencumbered.

Members were reminded that a Task and Finish Group was set up to consider the transfer of assets and as part of developing the proposals the group established a number of principles that would be applied in order to develop options that could be agreed with the Shadow Dorset Council. In addition to these principles, the Shadow Dorset Executive Committee also agreed a number of principles and both of these had been set out within the report to members.

As Brief holder, Cllr J Cant advised that the council had worked hard to ensure the assets were in the best possible condition prior to transfer, however there were members that expressed concern that the town council was taking on a lot of liabilities and that the unitary council was gaining the majority of the assets.

Cllr J Cant continued by responding to comments made during public participation and stated that it was really important that the Museum collection was maintained and protected for the future. The council needed to make a major effort to look after it. Members acknowledged that this was a large collection which needed to be properly collated. There were on going issues with the development of the Brewery Quay sited, which was currently inappropriate to house the collection. Members acknowledged that there were mixed views regarding whether the collection should be transferred to the Town Council or the Unitary Council, however overall the committee agreed that it should be transferred to the unitary, who would be more financially able to support its long term future.

In respect of the transfer of cemeteries to the town council and the Crematorium to the unitary council some members expressed concern regarding the teams future and that it would be split up by this proposal.

There was a preference by some members of the committee to see the two services remain together and be sourced to the town council by some form of a service level agreement. However the Chair advised that it was extremely unlikely that the new unitary authority would concede that this asset be transferred to the town council.

Some members expressed further concerns about the transfer of all the Borough Car Parks to the new unitary council. The town council would have no control over the car parks and there was concern about how future events and functions would operate without that control and access to these car parks.

The committee also expressed that it was important that the complimentary parking tickets given to volunteers continued, as these individuals supported the town's events, which wouldn't take place without them. It was hoped that a process was put into place to support the continuation of the service. . Members also expressed concern that although the town council's events would be bringing business into the town with these occasions , it would be unitary council that would take the financial gain. However the Chair reminded the committee that the new unitary council would be providing a number of costly services across Dorset including provision of these services to Weymouth. It was essential that the unitary council maximised its income to support these important services.

In response to a question about the Melcombe Regis Board, the Head of Paid Service confirmed that the Board had a valuable role to play and work on the governance arrangements was taking place to ensure that the functions of the Board continued into the future.

There were a number of points made by councillors regarding clarification, which would be addressed for the final report to Management Committee in January. The Corporate Affairs and Continuous Improvement Brief holder advised that the report and the comments from this committee would be considered by the Shadow Dorset Executive Committee to confirm their support for the general direction of these proposals. The final report would be considered by Management Committee in January 2019 followed by Shadow Dorset Executive Committee and the WPBC Full Council in the New Year.

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

Decision

- (a) That the proposals set out in paragraphs 12 to 28 regarding the services and associated assets to be transferred to the new Weymouth Town Council be agreed in principal to enable further detailed plans to be developed.
- (b) That the legal basis for the transfer of assets to the Town Council is approved to be freehold unencumbered wherever possible.

60. **Portland Town Council - Transfer of Functions and Assets**

The committee considered a report that provided an update on the requests from Portland Town Council for the transfer of functions and assets that Portland Town Council would like to take over from 1 April 2019 when the Weymouth & Portland Borough Council ceased to exist.

The Head of Financial Services advised that the process of transferring services to Portland Town Council was slightly different to the new Town Council as Portland Town Council already existed. As part of the discussions the principles agreed by the Shadow Dorset Executive Committee were also applied to when considering the transfer of assets to the town council. Against this background, Portland Town Council had requested the functions and assets be transferred from 1 April following the disaggregation of Borough Council services to Weymouth Town Council:- Greenspaces, Public Conveniences, clocks and monuments and civic regalia.

In addition to the functions and assets requested by the Portland Town Council, as detailed within the report, they had also requested for funding of £250,000, to support the provision of those services.

In considering the town council's request for £250,000, the Chair indicated that this application was not sustainable and unlikely to be supported by the Shadow Executive. He reminded the committee that other councils had put forward similar argument to the Shadow Executive, which had proved to be unsuccessful.

Speaking for the town council, Cllr R Nowak suggested that a lot of investment had been made in Weymouth town, and although he supported

this, he was concerned that the comparative level of investment on the island had not taken place. This had left the island at a disadvantage.

In response the Chair suggested that any premises (for example Victoria Gardens toilets) that required investment to be fit for purpose should be considered alongside other projects being reviewed within the committee action plan, to ensure that this work took place before 1 April 2019.

In respect of the Civic Regalia list, it was agreed representatives of the Shadow Weymouth Town Council and the Portland Town Council discuss and agree the items to be transferred prior to the report being referred for final decision.

Decision

- (a) That the requests for transfer of functions and associated assets to Portland Town Council following the disaggregation of Borough Council services be approved, save the future of council civic regalia which will be discussed between Shadow Weymouth Council and Portland Town Council with a recommendation to be brought to Council in due course.
- (b) That the requests to transfer functions and assets to Portland Town Council regarding devolution be approved, subject to the completion of physical site inspections of assets.
- (c) That officers negotiate with Portland Town Council to bring forward a proposal to ensure that the assets transferred to Portland Town Council are in an appropriate condition.

61. **Quarter 2 Business Review**

The committee received a report on the Council's performance across all services. Members were reminded that this was broken down into financial performance, key performance indicators, risks and service plan updates on a service by service bases.

In response to questions, the Head of Revenue & Benefits advised the committee that there was significant pressure on housing benefit expenditure for homeless accommodation costs which exceed the national cap. Therefore this attracted nil subsidy. He highlighted the risk, that if this continued the year end adverse variance was likely to reach approximately £240,000.

The committee agreed that this would need to continue be closely monitored.

Decision

- (a) That the predicted outturn for the 2018/19 revenue and capital budgets be noted;
- (b) That the KPI's for each service for the period and any actions being taken be noted;

- (c) That the Service Plan updates provided by Heads of Service / Corporate Managers be noted;
- (d) That the high risks for each service area and any actions being taken be noted.

62. Applications for Hardship Rate Relief

The Head of Revenue & Benefits report two applications for Hardship Rate relief for the committees consideration. Members were reminded that each case should be considered on its own merits.

Decision

That the applications for 9 – 10 Thomas Street and 104 St Mary's Street for Hardship Rate Relief be refused.

63. Outside Body report

Cllr Ellis retracted his application therefore this report was withdrawn from agenda.

64. 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 including:-

- A 3rd Community Safety Accreditation Scheme Officer had been appointed
- The Peninsular development proposal had been approved by the Shadow Executive and the Planning application was due for consideration on 28 November 2018.
- The funding bid for a coastal grant was making good progress and
- The brief holder of Transport and Infrastructure updated members on proposal for a pedestrianisation order.
- A request was made for the "Pineapples" to be return to the main road asap.

65. Urgent Business

There were no urgent items to report.

66. 4 Month Forward Plan

The Forward Plan as received and noted.

CONTINUATION OF MEETING

In accordance with Rule 1, paragraph 16 of the council's procedure rules a vote was taken to continue the meeting beyond 2.5 hours, which was approved.

67. **Exempt Business**

It was proposed by the Chair and agreed by the committee that

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.

Portland Town Council - Transfer of Functions and Assets

68. **Portland Town Council - Transfer of Functions and Assets**

Members noted the Appendix to minute 60 above.

Duration of meeting: 9.30 am - 12.00 pm

Chairman

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