

MANAGEMENT COMMITTEE

Members of the Management Committee are invited to attend this meeting at Weymouth and Portland Borough Council Offices, Commercial Road, Weymouth, Dorset, DT4 8NG to consider the items listed on the following page.

Stuart Caundle
Head of Paid Service

Date: Tuesday, 5 March 2019

Time: 9.30 am

Venue: Council Chamber

Members of Committee:

J Cant (Chair), R Kosior (Vice-Chair), M Byatt, C Huckle, R Nickinson, R Nowak, J Orrell, A Reed, G Taylor and K Wheller

USEFUL INFORMATION

For more information about this agenda please telephone Lindsey Watson 01305 252209 email lwatson@dorset.gov.uk. This agenda and reports are also available on the Council's website at www.dorsetforyou.com/committees/ Weymouth and Portland Borough Council.



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Members of the public are welcome to attend this meeting with the exception of any items listed in the exempt part of this agenda. **Please note** that if you attend a committee meeting and make oral representations to the committee your name, together with a summary of your comments will be recorded in the minutes of the meeting. The minutes, which are the formal record of the meeting, will be available to view in electronic and paper format, as a matter of public record, for a minimum of 6 years following the date of the meeting



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The council is committed to being open and transparent in the way it carries out its business whenever possible. Anyone can film, audio-record, take photographs, and use social media such as tweeting and blogging to report the meeting when it is open to the public, so long as they conform to the Council's protocol, a copy of which can be obtained from the Democratic Services Team.

A G E N D A

Page No.

1 APOLOGIES

To receive any apologies for absence.

2 MINUTES

To confirm the minutes of the meeting held on 5 February 2019, previously circulated to all members.

3 CODE OF CONDUCT

Members are required to comply with the requirements of the Localism Act 2011 and the Council's Code of Conduct regarding disclosable pecuniary and other interests.

- Check if there is an item of business on this agenda in which the member or other relevant person has a disclosable pecuniary or the disclosable interest.
- Check that the interest has been notified to the Monitoring Officer (in writing) and entered in the Register (if not this must be done within 28 days).
- Disclose the interest at the meeting (in accordance with the Council's Code of Conduct) and in the absence of dispensation to speak and/or vote, withdraw from any consideration of the item where appropriate. If the interest is non-pecuniary you may be able to stay in the room, take part and vote.

4 PUBLIC PARTICIPATION

30 minutes will be set aside to allow members of the public to ask questions relating to the work of the Council. 3 minutes will be allowed per speaker. The order of speakers is at the discretion of the Chair and is normally taken in the order of agenda items, questions must relate to a report which is on the agenda for consideration. Notice is not required if you wish to speak at the meeting but if you require an answer to a question it is advisable to submit this in advance by contacting a member of the Democratic Services team or alternatively, by emailing lwatson@dorset.gov.uk.

5 QUESTIONS BY COUNCILLORS

To receive questions from Councillors in accordance with procedure rule 12.

6 APPLICATION FOR DISCRETIONARY RATE RELIEF 5 - 10

To consider a report of the Head of Revenues and Benefits.

7 COUNCIL TAX DISCRETIONARY DISCOUNT 11 - 14

To consider a report of the Head of Revenues and Benefits.

8 FORMER WPBC OFFICES, NORTH QUAY, WEYMOUTH 15 - 26

To consider a report of the Head of Assets and Infrastructure.

9 URGENT BUSINESS

To consider any items of business which the Chair has had prior notification and considers to be urgent pursuant to section 100B (4) (b) of the Local Government Act 1972. The reason for the urgency shall be specified in the minutes.

10 EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph 3 of schedule 12A to the Local Government Act 1972 (as amended).

11 FORMER WPBC OFFICES, NORTH QUAY, WEYMOUTH - EXEMPT APPENDIX 3 27 - 30

Appendix 3 – exempt.

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Management Committee

5 March 2019

Application for Discretionary Rate Relief

For Decision

Briefholder(s)

Cllr J Cant - Finance & Assets

Senior Leadership Team Contact:

J Vaughan, Strategic Director

Report Author:

S Dawson, Head of Revenues and Benefits

Statutory Authority

Local Government Finance Act 1988 (as amended)

Purpose of Report

- 1 To consider the application received for Discretionary Rate Relief.

Officer Recommendations

- 2 That Committee considers the application for Discretionary Rate Relief listed at Appendix 2.

Reason for Decision

- 3 That the application for relief is considered having regard to its individual merits.

Background and Reason Decision Needed

- 4 Under the Local Government Finance Act 1988, registered charities are entitled to apply for 80% Mandatory Rate Relief in respect of charges due. Councils have the discretion to top-up any relief awarded to a registered charity up to 100% of the rates payable. Following arrangements introduced in 2012, Councils also have the discretion to award up to 100% rates relief to all ratepayers. Under these new arrangements, the Council is required to meet 40% of the cost of awards made with the balance being met by government (50%) and the County (10%).
- 5 Where a Council grants Discretionary Rate Relief, the award can be made for a specific period or can be a period where the end date is not specified.

- 6 Committee has agreed guidelines which are to be used when considering an application for Discretionary Rate Relief. A copy of the guidelines is attached at Appendix 1.
- 7 An application for Discretionary Rate Relief has been received from the ratepayer listed at Appendix 2. As the Council is required to meet 40% Committee will want to satisfy itself that it is in the interests of the Council Taxpayer to award any relief.
- 8 Committee is asked to consider the application for rate relief received, having regard to the merits of the case.

Implications

- 9 **Financial implications**
As set out in the report appendices.
- 10 **Risk Management (including Health & Safety)**
As the guidelines require that applications are considered on their individual merit, the risk of challenge should be reduced

Appendices

- 11 Appendix 1 – Discretionary Rate Relief guidelines
Appendix 2 – Application for Discretionary Rate Relief

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Report Author: Stuart Dawson
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Appendix 1

Guidelines for determining applications for Discretionary Rate Relief

These guidelines are to be used when considering an application for Discretionary Rate Relief. It should be remembered that each application should be considered on its own individual merits and that these guidelines should only be used to help ensure consistency in decision making.

All applications for Discretionary Rate Relief must be submitted in writing and should include a copy of the Organisations Memorandum or Articles of Association together with accounts for the last two years. If the applicant is a national organisation, it should provide the local and national accounts (where possible).

In determining an application the following guidelines should be considered.

- If the organisation already receives 80% Mandatory Rate Relief, no top-up of Discretionary Rate Relief should be awarded unless Committee consider the applicant's circumstances are exceptional and warrant the additional relief. In such cases, up to 20% relief may be awarded.
- The organisation should be open to all sections of the community. Membership fees should be reasonable and not be at a level where it restricts membership.
- Preference will be given to applicants who provide recreational and/or sporting facilities for the benefit of those living within the Borough.
- Does the organisation actively encourage membership from particular groups (e.g. the young, elderly, disabled, the disadvantaged etc)?
- Does the organisation allow their facilities to be used by people other than members (e.g. schools, casual public sessions)?
- Discretionary Rate relief will normally be awarded up to 80% of the rates charged (unless Committee consider the applicant's circumstances to be exceptional).
- When determining an application, Committee will have regard to the funds held by the organisation. Any profit earned should be reinvested into the organisation.
- If the organisation provides a bar for its members, Committee will consider the main purpose of the organisation. In making its decision Committee will have regard to the balance between playing and non-playing members and whether the prices charged for drinks are significantly lower than those charged by commercial organisations.
- Does the organisation provide training or education for its members?
- Does the organisation provide facilities which indirectly relieve the Authority of the need to do so, or enhance and supplement those which it does provide?

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Applications for Discretionary Rate Relief

Name of applicant	The British Red Cross Society
Address of property concerned	96 St Mary Street, Weymouth
What are the aims and objectives of the organisation?	<ol style="list-style-type: none"> I. To provide assistance to victims of armed conflicts II. To work for the improvement of health, for the prevention of disease and for the prevention and alleviation of human suffering in the British Islands and throughout the world.
Is membership open to all sections of the community? How much is the membership fee?	<p>Yes</p> <p>No fee is charged</p>
Does the organisation provide training and education to its members? Are its facilities open to non members?	Yes
How does the organisation raise income? What funds are held?	<p>Charity shops, fundraising, etc.</p> <p>The accounts for the period ended 31/12/17 show that income totalled £284.5m and expenditure was £276.1m. Reserves at this date were £177.6m of which £66.5m was restricted.</p>
What would be the cost to the Council if relief was awarded	The organisation is applying for relief in respect of its charity shop. As it is a charity the organisation already receives 80% Mandatory Rate Relief. If Discretionary Rate Relief was awarded in respect of the remaining charge of £4,146.30, the cost to the Council would be £1,658.52 (i.e. 40% of £4,146.30).

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Management Committee 5 March 2019 Council Tax Discretionary Discount

For Decision

Briefholder(s)

Cllr J Cant – Finance & Assets

Senior Leadership Team Contact:

J Vaughan, Strategic Director

Report Author:

S Dawson, Head of Revenues & Benefits

Statutory Authority

L Local Government Finance Act 1992 (as amended)

Purpose of Report

- 1 For Committee to consider the applications received for Council Tax discretionary discount.

Recommendations

- 2 That Committee considers the applications for Council Tax discretionary discount listed at Appendix 1.

Reason for Decision

- 3 To ensure that the application is properly considered having regard to the individual merits of the case.

Background and Reason Decision Needed

- 4 Under Section 13A of the Local Government Finance Act 1992, Councils have the discretion to award Council Tax discounts of up to 100% of the amount due. Discounts can be awarded on an individual basis or in respect of a specific class of property or Council Taxpayer.
- 5 Any application for discretionary discount must be considered on its individual merits. The costs of any such discount awarded are met from the Council's General Fund.
- 6 Where a Council grants a discretionary discount it can be made for a specific period or can be for a period where the end date is not specified.

- 7 Committee is asked to consider the applications for Council Tax discretionary discount which is listed at Appendix 1.

Implications

Appendices

Appendix 1: Council Tax discretionary discount application

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Report Author: Stuart Dawson

Telephone: 01305 211925

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Date: 14 February 2019

Applications for Council Tax discretionary discount

1. **XX, Everest Road, Weymouth**

An application for Council Tax discretionary discount has been received from the Council Taxpayer in respect of his property at XX Everest Road, Weymouth.

The Council Taxpayer purchased the property on 7 December 2018 and has submitted a planning application for permission to redevelop the property into four flats.

The Council Taxpayer hopes to achieve sale proceeds of £440,000, against projected costs of redevelopment of £360,000, leaving a net return of £80,000.

The property has been empty for at least two years and is, therefore, subject to the Long Term Empty charge of 150%. The Council Tax charge from 7 December 2018 to 31 March 2019 totals £625.95.

In certain cases, a property which is subject to structural alterations or major repairs may be subject to a 50% Council Tax discount. However, such a discount was awarded in respect of the property to a previous owner and legislation does not allow such a discount to be awarded in this case. In view of this, the Council Taxpayer has applied for a discretionary discount of 100% to be awarded so that the property is only subject to a Council Tax charge of 50%. If a 100% discount was awarded the cost to the Council would be as follows:

From 07/12/18 to 31/03/19	£ 417.30
---------------------------	----------

2. **XX James Street, Weymouth and XX Edwardsville, Rodwell Avenue, Weymouth**

An application for Council Tax discretionary discount has been received from Weymouth Town Charities in respect of their properties at James Street and Edwardsville, Weymouth.

The alms-houses are very old listed buildings that require a continuous cycle of maintenance to ensure they remain habitable. The maintenance programme fully consumes the charities' reserves and, as such, they must carefully budget their refurbishment programme.

As charities the applicant is entitled to receive a Council Tax exemption (up to a maximum period of 6 months) in between tenancies and it looks to undertake any interior refurbishment during that period. However, as the properties are listed buildings delays can sometimes occur in obtaining the

necessary approval to undertake the works. This can then impact on its ability to complete the refurbishment within the 6 month exemption period.

The charities have claimed that in 2017/18 they had to pay Council Tax of £3,219 in relation to charges that they feel were incurred as a result of delays in the necessary approvals being made. They feel that this money would be better utilised in funding their refurbishment programme.

The charities have applied for 100% discretionary discount be awarded as follows:

Property	Period	Amount	Cost to the Council
XX, James Street	09/01/19-31/03/19	£297.55	£297.55
XX, Edwardsville	27/05/18-31/03/18	£1,121.26	£1,121.26
Total			£1,418.81

The charities have also asked that the Council consider automatically awarding a discount in such cases in the future. However, they have advised that this would be a matter for the new Dorset Council to consider.

Management Committee 5th March 2019 Former WPBC offices, North Quay, Weymouth.

Appendix 3-Not for publication by virtue of paragraph 3 of Schedule 12A, Part 1 of The Local Government Act 1972, as amended. The public interest in maintaining the exemption outweighs the public interest in disclosing it.

For Decision

Briefholder

Cllr Jeff Cant, Assets and Finance Briefholder
Cllr Gill Taylor, Housing Briefholder

Senior Leadership Team Contact:

S Caundle, Assistant Chief Executive

Report Author:

D.Brown, Head of Assets & Infrastructure.

Statutory Authority

Sections 123 and 111 Local Government Act 1972

Purpose of Report

- 1 To allow members to consider and comment on a series of site layouts and scheme mixes that Magna Housing Association (Magna) have utilised to consult on with the public, as per Appendix 1
- 2 To review the initial schemes utilised by Magna and to consider the public response to these, as per Appendix 2
- 3 To agree support to an appropriate initial scheme design so as to allow a more detailed design and planning application to then be submitted by Magna.
- 4 To agree, as set out in confidential Appendix 3 the requirements of Homes England grant and that this is signed by 31st March 2019
- 5 To agree to proceed to with working up an appropriate joint venture agreement with Magna Housing Association but acknowledging that this may follow the Homes England grant.
- 6 To delegate to the Head of Paid Service the authority to proceed with item 4) above subject to obtaining appropriate legal advice on the requirements of that document.
- 7 To note the unsolicited offers and interest received from various parties for the North Quay site.

Recommendations

- 6 Members agree to:-
- i) Support one of the initial scheme designs in Appendix 1 as is presented or with additional comment.
 - ii) Grant delegated authority to the Head of Paid Service to enter into a grant agreement with Homes England and to agree the terms of such an agreement
 - iii) Grant delegated authority to the Head of Paid Service to continue to negotiate terms for a joint venture agreement with Magna Housing Association
 - iv) Note the various offers and interest that has been received for the site, but that they agree these be declined and that the council wishes to continue to proceed with Magna Housing Association.

REASON FOR DECISION

- 7
- i) To enable members to progress their strategy for the disposal and re-development of North Quay site, taking into account comment received from the public consultation.
 - ii) To secure the Homes England grant but acknowledging that in doing so there is potentially some risk in not having a simultaneously signed joint venture agreement with Magna.
 - iii) To thus allowing demolition of the current building and permit a redevelopment of the site with an appropriate range of good quality affordable and other residential units, plus other facilities suitable for the location.

BACKGROUND

- 8 Members received a report to Management Committee on the 11th December 2018 considering a range of options for the progression and redevelopment of the North Quay site.
- 9 These options included a stand-alone council partnership regeneration offering, and alternatives including agreeing to market the site on an outright site disposal either conditionally or unconditionally, and subject to planning or not, with all these being to the open market. It was identified that there was still market interest in the site from a variety of potential purchasers and there was the opportunity to still achieve a significant capital receipt with a sale on this basis. Members acknowledged this but determined that none of these options delivered an optimum solution for their wider aspirations.
- 10 Members then considered offers from a range of Registered Social Landlords/Housing Associations, all of whom had been invited to submit bids and initial scheme proposals. Of those invited to bid a number chose not to do so but three bids were received and these were considered by members. It was agreed that the council would work with Magna Housing

Association to take forward a joint venture scheme with them based upon their offer. This approach was supported by the Shadow Executive Dorset Council.

- 11 In addition members also noted that discussions had been ongoing with Homes England, and that there was the potential for a grant agreement up to circa £3m to fund abnormal site costs but that there is a Homes England requirement that any grant agreement had to be signed by 31st March 2019.

CURRENT POSITION

Homes England Grant

- 12 The Homes England grant can greatly assist the site redevelopment but the grant agreement can only be with the council and so the delivery elements etc. need to be considered and accepted by members.
- 13 The grant agreement is a lengthy document with a lot of conditionality and the details and implications of this are considered in more detail in confidential Appendix 3.

Magna Housing Association

- 14 A series of initial site layout options have been produced and these are included in Appendix 1. These provided a range of different site layout schemes, with a mix of different components which were used as a base for the public consultations. In addition a range of questions were asked, and these and the overall public responses are indicated in Appendix 2. These are from not only the public who attended in person, but also who responded on line etc.
- 15 Magna will be developing their plans using their expertise and following significant public consultation, along with member comment, with the aim of submitting a planning application, at their own risk and cost but in accordance with their initial offer as developed and planning guidance.
- 16 In parallel to site layout consultations meetings have also taken place to consider the basis of the intended joint venture which will be used to bring forward the site. The details of this is considered in more detail in confidential Appendix 3.
- 17 As part of this the Council will be responsible for procuring the demolition of the existing Building on the site, site clearance and enabling works in accordance with its procurement rules and if agreed by members the council will be in receipt of Homes England grant funding to deliver these works. Timing of the enabling works will be driven by the Council's receipt of Homes England grant.

Implications

Financial

- 18 Interim funding is being utilised from existing budgets to allow an appropriate review of the Homes England grant agreement, and to assist with progression of necessary legal and other planning initial investigations.

Legal Issues

- 19 As indicated in confidential Appendix 3

Equalities

- 20 None directly arising from this report.

Environmental

- 21 None directly arising from this report.

Economic Development

- 22 Utilising the Homes England grant funds that are potentially available will enable this brownfield site to be brought into beneficial use.

Risk Management (including Health & Safety)

- 23 This report addresses the risks associated with the current offer in relation to the North Quay disposal.

Human Resources

- 24 None directly arising from this report.

Consultation and Engagement

- 25 None directly arising from this report.

Appendices

Appendix 1 – Proposed Scheme Options

Appendix 2 – Summary of Consultation

Appendix 3 – Confidential Appendix

Background Papers

11th December 2018 Management Committee Report

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

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North Quay

Weymouth

Site Approach 1

'Historic Street'



What does it show?

- Homes for older persons
- Homes for families couples & single people
- 3, 4 and 5 storey buildings
- Parking some basement parking and some parking courts
- Potential for community facing commercial space

Some Benefits and Challenges

- Re- instatement of the historic road across the site
- Consideration of narrower road along North Quay
- Can enhancement to historic locations in cliffside be made?
- Some basement parking within flood zone
- Outline approval of similar urban design layout already achieved



whitedesign

North Quay

Weymouth

Site Approach 2 'Harbour Views'



Some Benefits and Challenges

What does it show?

- Homes for older persons
- Homes for families, couples and single people
- Parking mainly in ground floor/ basement under residential
- 4 and 5 storeys
- Potential for community facing commercial space

- Townhouses to reflect angle of neighbouring listed buildings
- No change to North Quay highway alignment
- Older person scheme could better relate to Kingdom hall
- South facing gardens for residential development
- South facing or harbour view accommodation



whitedesign

North Quay

Weymouth

Site Approach 3 'Finger Blocks'



- What does it show?**
- Homes for older persons
 - Homes for families, couples and single people
 - Parking mainly in ground floor/ basement under residential
 - 4, 5 and 6 storey buildings
 - Potential for community facing commercial space

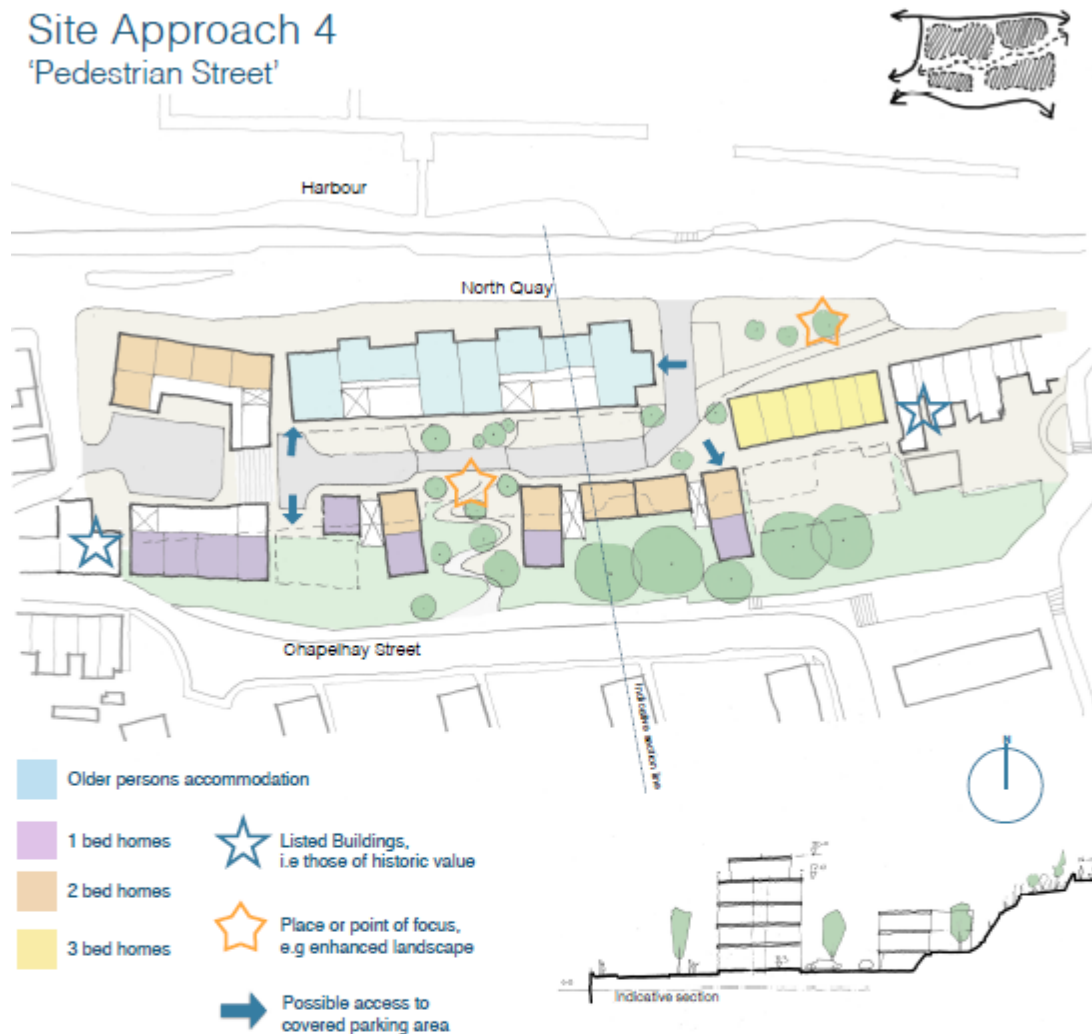
- Some Benefits and Challenges**
- Views through the site retained and improved
 - No change to North Quay highway alignment
 - Is 6 storeys acceptable to some buildings?
 - Some basement parking within flood zone
 - All rooms have access to potential views of harbour
 - Can routes through to historic locations in cliffside be made?



North Quay

Weymouth

Site Approach 4 'Pedestrian Street'



What does it show?

- Homes for older persons
- Homes for families, couples and single people
- Parking ground floor/ basement under residential and on street
- 3, 4, and 5 storey buildings
- Potential for community facing commercial space

Some Benefits and Challenges

- Acknowledgement of existing historic street with pedestrian route created
- No change to North Quay highway alignment
- Existing road entrance retained to access new parking below front block
- Parking numbers harder to achieve
- Some buildings to rear of site protruding into the hillside - is this possible?



white design

North Quay Consultation

Welcome to our consultation for North Quay, Weymouth. We have information around the room and staff available to talk to. We are now consulting with you to see how our bid proposals work from the community perspective.

Magna Housing is a not for profit organisation that aims to help people meet their housing needs. A bid proposal from Magna comprising of 75 homes for rent and shared ownership and 50 homes exclusively for older people has been selected by Weymouth and Portland Borough Council to develop the site of the former council offices at North Quay. The bid retains some parking for the wider community and a community facing commercial space associated with the older person housing.

Thank you for taking the time to complete this form which will help us decide what happens next.

Do you like Magna's proposal?

Yes	129 (66.8%)
No	64 (33.2%)

Do you think the mix of shared ownership and rented homes is about right?

Yes	117 (61.2%)
No	74 (38.7%)

Do you think these homes will be affordable to local people?

Yes	107 (62.2%)
No	65 (37.8%)

Do you think some space open to the community to use would be good here?

Yes	145(76.7%)
No	44 (23.3%)

Would you like to see the following?

	Yes	No
Cafe	135 (69.6%)	59 (30.4%)
Leisure facilities	102 (55.4%)	82 (44.6%)
Retail units (shops)	101 (55.2%)	82 (44.8%)

Do you have any other suggestions for a community space?

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We are aware of the local interest in archaeology, road network, design options, flood risk and parking. Please could you rank these in order of importance to you. Select '1' for your most important issue, '2' for the next and so on. Select '5' for the least important issue to you. Please only select each number once.

	1	2	3	4	5
Archaeology	59 (27.2%)	30 (13.8%)	29 (13.4%)	39 (17.9%)	42 (19.4%)
Road Network	25 (11.5%)	54 (24.9%)	56 (25.8%)	41 (18.8%)	21 (9.7%)
Design Options	72 (33.2%)	58 (26.7%)	26 (11.9%)	19 (8.8%)	23 (10.6%)
Flood risk	30 (13.8%)	34 (15.7%)	28 (12.9%)	50 (23.0%)	51 (23.5%)
Parking	45 (20.7%)	26 (12.0%)	46 (21.2%)	36 (16.6%)	46 (21.2%)

Do you have any other concerns about the proposal?

Which site approach do you prefer (please select 1)?

Site approach 1	56 (53.8%)
Site approach 2	16 (15.4%)
Site approach 3	9 (8.7%)
Site approach 4	23 (22.1%)

Site approach 1:

What do you like most?	96
What do you like least?	79

Site approach 2:

What do you like most?	63
What do you like least?	67

Site approach 3:

What do you like most?	57
What do you like least?	63

Site approach 4:

What do you like most?	66
What do you like least?	65

Do you have any other comments?

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What age group are you in?

Under 18	0 (0.0%)
18-24	7 (3.5%)
25-34	9 (4.5%)
35-44	15 (7.6%)
45-54	23 (11.6%)
55-64	63 (31.8%)
65+	81 (40.9%)

What is your postcode?

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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