

LYME REGIS TOWN COUNCIL

MINUTES OF THE MEETING HELD ON WEDNESDAY 11TH NOVEMBER 2009

Present

Chairman: The Mayor, Cllr Mrs. M. Ellis

Councillors: Mrs. B. Austin, Mrs. A. Bradbury, Miss L. Campbell, D. Cozens, K. Hitchcock, Ms. S. Holman, Mrs. L. Jenkin, K. Meech, P. Williams and S. Williams

Officers: Mr. M. Lewis (Town Clerk) and Miss V. Stickler (Admin. Officer)

Prayers

A prayer was offered by the Revd. R. Bragg.

09/65/C

Public Forum

Mr. T. O'Grady

Mr. T. O'Grady read from a letter from Mrs. F. Williams with regards to unused empty buildings in Lyme Regis. The letter referred to the currently empty Club for Young People building and asked members to "inspect the premises to verify their condition and put pressure on the trustees to pass ownership of the building, either by sale or gift, to an authority which had the necessary capital to manage it and provide the range of youth services for Lyme Regis which are urgently needed." The letter also highlighted a petition which had been undertaken on the subject and the actions of local residents to begin a dialogue with the organisations involved with the former Club for Young People building. Members **AGREED** to forward this matter to the **POLICY COMMITTEE** for consideration.

Mr. D. Hallett

Mr. D. Hallett raised the issue of the broken street lights on Marine Parade and asked why these had not yet been repaired. The Town Clerk replied that the lights on Marine Parade itself had been repaired, but the lights on top of Marine Parade Shelters were also faulty. These were owned by the Town Council and Southern Electric Contracting had been given an order to make the necessary repairs as soon as possible.

Mr. D. Hallett also queried the payment made (cheque no. 2874) to the Town Council's valuer. He felt that this was a large sum to pay for the service. The Town Clerk responded that the fee was higher than usual due to the matter being taken to arbitration which required considerable additional work from the valuer.

Cllr Col. G. Brierley – Dorset County Council

Cllr Col. G. Brierley reported:

- Timber Hill – a meeting with residents was imminent and this would be followed by a wider consultation to look at ways of reducing speeding in Timber Hill. He reminded members that a speed survey during the summer had identified a problem of speeding vehicles particularly those going downhill.

- On-street parking in Lyme Regis – He would visit the town with the parking officer to discuss areas of concern to residents. On-street parking issues had been raised through a variety of channels and these would be considered during this visit.
- ‘Tripartite agreement’ for Marine Parade – further information was due to be sent to the Town Clerk shortly.
- The Lynch – conflicting information on responsibility/ownership of land around the Lynch had caused confusion and therefore Col. Brierley proposed a meeting with the Dorset County Council rights of way officer, representatives from the Town Mill and Lyme Regis Town Council to clarify the situation and discuss a way forward with regards to repairs.
- Anning Road – He had taken the comment made with regards to parking in Anning Road in minute 09/49/C to a Dorset County Council Highways officer who had agreed that there was no longer a parking issue in Anning Road and this would be taken into consideration in future comments that the Highways Department make on planning applications for that street.
- Road Safety – finally, Col. Brierley reported that the Dorset Strategic Road Safety Partnership had reviewed road safety measures in the county and found that they were not reaching targets and therefore a change of approach was needed. Members were considering using a different type of speed camera which recorded the speed of a vehicle over a set distance which would be used in conjunction with vehicle number plate recognition on a number of roads where most accidents had occurred.

09/66/C Apologies

Apologies for absence were received from Cllr O. Lovell, Cllr K. Whetlor and Cllr Dr. S. Hogg.

09/67/C Declarations of Interest

Cllr Miss L. Campbell declared a personal and prejudicial interest in minute no. 09/48/P (c) – ‘To note that the South West Regional Development Agency intends to proceed, subject to contract, with the sale of its interest in the St. Michael’s Business Centre to the Lyme Regis Development Trust’ and minute no. 09/54/P (a) – ‘Tourism & Advertising Sub-Committee – 23rd September 2009’ as she was an employee of LymeNet in St. Michael’s Business Centre, she would leave the room for any discussion of these items.

Cllr Ms. S. Holman declared a personal and prejudicial interest in minute no. 09/50/P (b) – ‘To consider a request from the owner of chalet no. 22 Bowling Green to replace the current structure including proposals to slightly increase the footprint and raise the roof line’ and minute no. 09/50/P (d) – ‘To consider a request from the owner of caravan no. 12 Monmouth Beach to replace the unit with a slightly longer version i.e. 35ft instead of 33ft’ as she was the owner of a Monmouth Beach chalet. She would leave the room for any discussion of these items.

Cllr Mrs. A. Bradbury declared a personal and prejudicial interest in minute no. 09/54/P (a) – ‘Tourism & Advertising Sub-Committee – 23rd September 2009’ as she was the owner of guest accommodation in the town. She would leave the room for any discussion of this item.

Cllr Mrs. B. Austin declared a personal and prejudicial interest in minute no. 09/50/P (a) – ‘To consider the advice of the Council’s valuer in relation to the rent review for the garden area leased by the Bay Hotel’ minute no. 09/50/P (e) – ‘To consider a request from the owner of the Bay Hotel to permit a small compound on Marine parade to accommodate vehicles, materials etc. necessary to the contract for internal improvements’ and minute no. 09/50/P (k) – ‘To receive an update from the Town Clerk on the issues concerning the planned development of Bay House (the former annexe to the bay Hotel) in particular requests

discussed and approved in principle at Full Council for access and the siting of a contractor's compound on Marine Parade' as her son was a business partner of the owner of Bay House (former Bay Hotel Annexe). She would leave the room for any discussion of these items.

The Mayor, Cllr Mrs. M. Ellis, declared a personal and prejudicial interest in minute no. 09/50/P (a) – 'To consider the advice of the Council's valuer in relation to the rent review for the garden area leased by the Bay Hotel' minute no. 09/50/P (e) – 'To consider a request from the owner of the Bay Hotel to permit a small compound on Marine parade to accommodate vehicles, materials etc. necessary to the contract for internal improvements' and minute no. 09/50/P (k) – 'To receive an update from the Town Clerk on the issues concerning the planned development of Bay House (the former annexe to the bay Hotel) in particular requests discussed and approved in principle at Full Council for access and the siting of a contractor's compound on Marine Parade' as her husband had recently been contracted for some work by the owner of the Bay House (former Bay Hotel Annexe). The Mayor also declared a personal and prejudicial interest in agenda item 13 – 'To consider approving the release of a further number of Cart Road day huts to be let for the winter season' as she had hired one of the Cart Road day huts for the winter season. She would leave the room for any discussion of these items.

09/68/C To approve the signature by the Chairman of the minutes of the previous meeting held on the 30th September 2009 and those of the Special Meeting held on the 21st October 2009

An amendment is required to the minutes of the Special Meeting held on the 21st October 2009 as Cllr Miss L. Campbell and Cllr O. Lovell had not been present at the meeting.

The minutes of the previous meetings held on the 30th September 2009 and the 21st October 2009, having been circulated, were signed by the Chairman as a correct record.

Proposed by Cllr Mrs. A. Bradbury and seconded by Cllr Mrs. B. Austin, the minutes were **ADOPTED**.

09/69/C To receive 'Mayor's Announcements'

Members **NOTED** the Mayor's Announcements.

The Mayor reminded members that the Town Clerk and Finance Officer would be occupied with the draft budget in the following two weeks and asked that any messages for them be left with other members of staff.

09/70/C To receive and consider a list of questions from Cllr O. Lovell in relation to aspects of the functions and remit of the Tourism & Advertising Sub-Committee

Proposed by the Mayor, Cllr Mrs. M. Ellis and seconded by Cllr P. Williams, members **AGREED** to **DEFER** this item to the next **Tourism & Advertising Sub-Committee** meeting.

Cllr Ms. S. Holman and Cllr K. Meech were not comfortable with the manner in which Cllr O. Lovell's questions had been brought to the Council and Cllr Ms. S. Holman asked if she would be able to write letters with questions with regards to chalet matters as she had a prejudicial interest in those as Cllr O. Lovell had a prejudicial interest in tourism matters.

09/71/C Planning Committee

The Planning Committee's recommendations on planning applications forwarded directly to the planning authority and also the minutes of the previous meetings held on the 14th October 2009 and 4th November 2009, having previously been circulated to all members, were **NOTED**.

09/72/C Policy Committee

The minutes of the Policy Committee meeting held on the 21st October 2009, having previously been circulated, were presented for adoption by the Chairman, Cllr Ms. S. Holman, seconded by Cllr K. Meech.

(a) Minute No. 09/48/P (b) – To consider a policy in relation to accepting further offers of donated public seats

Cllr Mrs. L. Jenkin felt that comments made at the Policy Committee meeting with regards to youths misusing public seating, were not fair on young people. She asked that the possibility of grouping seats be discussed at the meeting with the Head Groundsman.

(b) Minute No. 09/48/P (c) – To note that the South West Regional Development Agency intends to proceed, subject to contract, with the sale of its interest in the St. Michael's Business Centre to the Lyme Regis Development Trust

The Town Clerk reported that in order to reassure members LRDT Trustees had prepared and signed a document which guaranteed that the Town Council would receive the full share that it was entitled to at the end of the pre-determined fifteen year period.

(c) Minute No. 09/49/P (c) – To receive the advice of the NALC solicitor in relation to the determination of residents' discounts as applied to charging for services

The Town Clerk reported that advice had been received from the NALC solicitor who felt that it would be permissible to have differential charges for residents and non-residents however there was no absolute guarantee that this would not be challenged. Therefore members **AGREED** to discuss this item further at the next **POLICY COMMITTEE** meeting.

(d) Minute No. 09/49/P (h) – To consider opening the Lister Gardens Amenity Area throughout the winter/spring on weekends, half term holidays and the Christmas/New Year period

The Town Clerk explained the reasoning for a break between the summer and winter contracts of staff for the Amenity Area. As members were concerned that the Amenity Area had not been open for the weekend of the 7th and 8th of November 2009 due to this item not coming to Full Council until this meeting, the Town Clerk suggested that this could be dealt with at an earlier meeting in future years.

Cllr S. Williams said that he did not believe that this was a suitable explanation and he felt that alternative arrangements should have been made in order to staff the Amenity Area for that weekend. Members discussed resolving at this meeting to open the Amenity Area for all future weekends.

Therefore, proposed by Cllr Mrs. L. Jenkin and seconded by Cllr Miss L. Campbell, members **AGREED** that henceforth the Lister Gardens Amenity Area would be open throughout the year with weekend and school holiday opening during the winter and spring (including Christmas and New Year but excluding Christmas Day).

- (e) Minute No. 09/50/C (b) – To consider a request from the owner of chalet no. 22 Bowling Green to replace the current structure including proposals to slightly increase the footprint and raise the roof line

In accordance with her earlier declaration of interest, Cllr Ms. S. Holman left the room for this item

The Town Clerk advised that the requested documents had been received from the chalet owner which demonstrated the removed balcony and satisfactory compliance with all conditions discussed at the Policy Committee meeting.

Cllr Ms. S. Holman returned to the meeting.

- (f) Minute No. 09/50/P (m) – To consider draft booking conditions to be issued as part of the new allocations system governing hire of Council-owned Cart Road day huts

Cllr Mrs. L. Jenkin asked if some hooks and a shelf could be installed in each hut.

- (g) Minute No. 09/51/P (a) – To consider erecting a blue plaque to Captain Thomas Coram for his work in establishing the Foundling Hospital in London which opened in 1741

Members **AGREED** to forward this item to the **Tourism & Advertising Sub-Committee** for discussion and further investigation of a suitable location to situate the proposed plaque

- (h) Minute No. 09/53/P (d) – To consider a proposal from a local trader that the Council assist and support the provision of a recycling facility for polystyrene packaging

Cllr P. Williams asked for reassurance that other local traders would use the proposed facility. Cllr Miss L. Campbell confirmed that many local businesses had polystyrene waste.

- (i) Minute No. 09/54/P (b) – Staffing Sub-Committee – 9th October 2009

Cllr Ms. S. Holman confirmed that Mr. S. Ratcliff had been appointed to the post of Deputy Town Clerk and was due to start work with the Council in January 2010. She wished to record thanks to the Town Clerk, Administrative Officer and Head Groundsman for fulfilling the duties of the former Works/Amenities Manager since his retirement.

There being no further items raised for discussion, the report and recommendations were ADOPTED.

09/73/C Community Plan Implementation Committee

The Chairman, Cllr S. Williams advised that the meeting held on the 28th October 2009 had been inquorate and therefore there were no recommendations to make to Full Council.

The minutes of the meeting were **NOTED**.

The Mayor, Cllr Mrs. M. Ellis reminded members of the importance of contacting the Town Council office with apologies for absence prior to a meeting.

- (a) Minute No. 09/55/CP (a) – To receive reports from councillors on groups/organisations/activities with which they are involved in the town (not as an LRTC representative)

Cllr P. Williams asked that members be informed if the mobile skate park unit was to return to the town at any point.

09/74/C To approve the lists of payments for the periods ending 30th September 2009 and 31st October 2009

The lists of payments for the periods ending 30th September 2009 and 31st October 2009 had previously been circulated to members.

Proposed by Cllr P. Williams and seconded by Cllr D. Cozens, members **AGREED** to approve the lists of payments in the sum of £82,688.87 for the period ending 30th September 2009 and the sum of £108,588.97 for the period ending 31st October 2009.

09/75/C To adopt the Annual Return for the year ended 31st March 2009

The Town Clerk advised that this document had now been audited by the Audit Commission's appointed external auditor BDO Stoy Hayward and it certified that "there were no matters which came to our attention which required the issuing of a separate additional issues arising report".

Proposed by Cllr D. Cozens and seconded by Cllr S. Williams, members **AGREED** to adopt the Annual Return for the year ended 31st March 2009.

The Mayor, Cllr Mrs. M. Ellis wished to record thanks to the Finance Officer for her hard work on the Annual Return which resulted in there being no issues arising.

09/76/C To consider reaffirming the nomination of Cllr K. Whetlor to serve as a Trustee on Marder Bequest Almshouses

Proposed by Cllr Mrs. B. Austin and seconded by Cllr K. Meech, members **AGREED** to reaffirm the nomination of Cllr K. Whetlor to serve as a Trustee on Marder Bequest Almshouses.

09/77/C To consider approving the release of a further number of Cart Road day huts to be let for the winter season

In accordance with her earlier declaration of interest, the Mayor, Cllr Mrs. M. Ellis left the room for the discussion of this item.

The Town Clerk reported that the previously allocated ten day huts for winter seasonal hire had been very popular and they had all been let with an additional waiting list of seven people wanting a hut.

Therefore, proposed by Cllr Mrs. L. Jenkin and seconded by Cllr Ms. S. Holman, members **AGREED** to release a further seventeen huts for winter seasonal hire which would leave five huts available for casual letting.

The Mayor returned to the meeting.

The Town Clerk then updated members of the success of the new allocation scheme which had been launched on the 2nd November 2009. Staff had taken over seventy calls in two days and the majority of bookings were taken with debit or credit cards. Lifeboat week was fully booked and takings for the bookings resulted in £11,151 net which was the annual budget but received in a considerably shorter space of time.

Members congratulated the staff involved on the success of the system.

The Town Clerk reminded members that the huts had recently been spaced apart to allow for the annual maintenance period. The newly purchased pallet lift was being used for this task rather than the tractor. The huts which were removed following vandalism damage would be replaced with new huts in spring 2010.

09/78/C To note any items that the Chairman decides are urgent

There were no items to note.

09/79/C Exempt Business

*Proposed by the Mayor, Cllr Mrs. M. Ellis and seconded by Cllr Mrs. B. Austin , members **AGREED** to exclude the press and public from the meeting for the following items in view of the likely disclosure of exempt information within the meaning of paragraph 9 of Schedule 12a to the Local Government Act 1972 (see Section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985), as amended by the Local Government (Access to Information) (Variation) Order 2006.*

(a) To consider an approach from the tenant of the Amusement Arcade, Marine Parade in relation to the scheduling of rental arrears

The Town Clerk updated members on meetings held with the tenant of the Amusement Arcade to discuss possible scheduling of payment of rental arrears. The Town Clerk had also discussed the matter with the internal auditor and advised members of his comments.

Therefore, proposed by Cllr K. Meech and seconded by Cllr Ms. S. Holman, members **AGREED** to follow the advice of the internal auditor and request a letter from the tenant's accountant showing the turnover over the last five years for the Amusement Arcade. Rental arrear payments could then be scheduled with interest charged at the maximum rate achievable on invested funds.

(b) To consider contractual aspects of the appointment of Postholder 103

Proposed by Cllr Ms. S. Holman and seconded by Cllr K. Meech, members **AGREED** for the starting salary of Postholder 103 to be at the mid-point of the previously identified and advertised scale.