

## LYME REGIS TOWN COUNCIL

### MINUTES OF THE MEETING HELD ON WEDNESDAY 30<sup>TH</sup> SEPTEMBER 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, O. Lovell, K. Whetlor, 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.

09/49/C

#### Public Forum

##### Mr. P. Evans

Mr. P. Evans informed members that his recent planning application for his property had been refused partly due to a Dorset County Council Highways department stating that there was a severe parking problem in Anning Road. Mr. P. Evans informed members that new government legislation had been issued that meant that it was no longer necessary to have parking spaces for new properties, and since the residents parking scheme had been introduced to Anning Road, there was no longer a severe parking problem. He asked that the Planning Committee raise this anomaly with the West Dorset District Council Planning Department.

Members **AGREED** to forward this item to the next **PLANNING COMMITTEE** meeting.

##### Mr. S. Bennett

Mr. S. Bennett advised members that he was seeking funding towards the purchase of a machine that recycled polystyrene. He asked if the Town Council could consider giving permission for the machine to be sited in the town for the use of local traders.

Members **AGREED** to forward this item to the next **POLICY COMMITTEE** meeting and also suggested that Mr. S. Bennett approach West Dorset District Council with this request. Members informed Mr. S. Bennett that in order for this to be discussed at the next Policy Committee meeting, he would need to submit a proposal including suggested site and details of any electricity supply needed.

##### Mr. P. Stark

Mr. P. Stark requested that the Town Council approach Dorset County Council with a view to extending the double yellow lines in West Hill Road. He felt that as cars parked on both sides of the road, the gap left was too small for emergency vehicle access. He suggested that if this was not possible, residents in the road could be issued with police cones to allow them to restrict parking during busy times of the year.

Cllr S. Williams responded that roads in the town had been inspected in the last week as part of a 'walkabout' including members and the local Dorset County Councillor. He felt that a number of roads in the town had similar problems and therefore it would be difficult to single out West Hill Road. He suggested that a plan showing the distance between parked cars could be useful.

The Mayor reminded members that this issue had also been raised at PACT where it would have been taken directly to Dorset County Council and a response would be made to the next PACT meeting.

Mr. D. Hallett

Mr. D. Hallett reminded members that the street lights on Marine Parade were still not in operation. He also wished to complain about the condition of the railings in the Churchyard and asked when these would be replaced. Finally, he informed members that recent discussions with the operators of the Breast Screening Unit had found that in future years it could be sited in a different part of Woodmead Car Park which he believed meant that it could be situated in the car park during the summer in future years.

Cllr O. Lovell reminded members that a range of options had been considered for the siting of the Breast Screening Unit outside of the peak weeks or in other parts of the town, but these had not been considered suitable by the operators of the unit.

Cllr Col. G. Brierley (DCC) reported that the work necessary for the street lights on Marine Parade was scheduled for autumn 2009.

The Town Clerk advised that the Churchyard railings had been inspected by the Listed Building Officer who had concluded that they must be refurbished where possible and only replaced where absolutely necessary. This resulted in considerably higher costs for the project which substantially exceeded the fund accrued by the Town Council. Therefore negotiations were taking place to attempt to resolve the situation; otherwise further funds would need to be allocated in the next budget.

Mr. C. Willis

Mr. C. Willis reminded members that he was the Council's tenant in the Antiques & Craft Centre and informed members that he felt that the rent increase proposed at the Policy Committee meeting held on the 9<sup>th</sup> September 2009, would be difficult to meet. He advised that this increase would mean that the rental charges had risen by 102% since the start of the lease. He asked members to reconsider the increase and suggested that 20% would be more appropriate. He also asked members to consider retaining that level of rent for the final year of the lease instead of conducting a further rent review.

Members **AGREED** to discuss this under the Policy Committee minutes.

Mr. P. Stark

Mr. P. Stark asked a supplementary question and suggested that signage be installed at the entrances to town advising of availability of spaces in the larger car parks and directing visitors to the park & ride service if no spaces were available.

Members asked Cllr. Col. G. Brierley (DCC) and Cllr D. Turner (WDDC) to take this request to their respective authorities for consideration.

Mr. P. Evans

Mr. P. Evans also asked a supplementary question and wished to know if the Council would be issuing free residents parking permits for Woodmead and Cabanya car parks during the winter months.

The Town Clerk reported that this would be on the agenda for the next Policy Committee meeting with a view to the permits beginning in November as in the previous year.

Cllr Col. G. Brierley – Dorset County Council

Cllr Col. G. Brierley reported:

- The DCC road safety team has installed speed tubes into Timber Hill in August and the data shows that there is a speeding problem, especially with vehicles travelling downhill. Cllr Col. G. Brierley advised of a meeting with representatives from the Golf Club and then further discussion with Timber Hill residents towards a solution.
  - Complaints made at the recent PACT meeting surrounding parking problems in Lyme Regis would be looked at as part of a wider review of parking in the town.
  - Cllr Col. G. Brierley felt that there should be additional promotion of PACT meetings to encourage residents to attend.
  - Cllr Col. G. Brierley would take note of Mr. P. Evans' comment regarding parking in Anning Road and this would be made clear to the WDDC planning department.
- Cllr D. Cozens advised of a defect in the paving stones at the Lynch and Cllr Col. G. Brierley requested further details to be sent to him after the meeting.

#### Cllr D. Turner – West Dorset District Council

Cllr D. Turner informed members that the planning policy for coastal areas consultation would close on the 12<sup>th</sup> October 2009 and therefore if members wished to comment of the policy, this would need to be submitted before this date.

Cllr D. Turner also reported that WDDC was seeking to formalise arrangements for planning obligation charges. However, the officers involved had defined the local area for Lyme Regis as including Charmouth and Thorncombe. Cllr D. Turner advised that members look at the document in detail when released.

Cllr D. Turner additionally updated members on several policies including the Good Practice Guide on Planning for Tourism.

Further to a meeting held with members of Lyme Regis Town Council and an officer from the Technical Services Department of WDDC, officers would be looking in-depth at the possibility of increasing charges for the WDDC operated car parks as opposed to charging for use of public conveniences in the town.

Finally, the top of the pumping station at Gun Cliff had been used by the Marine Theatre for parking for sometime, and they had in recent months been asked not to continue parking there and a new padlock had been added to the bollard preventing access. Following negotiations, the Marine Theatre had been issued with a key to the bollard.

#### **09/49/C Apologies**

Apologies for absence were received from Cllr Dr. S. Hogg and Cllr K. Meech.

#### **09/50/C Declarations of Interest**

Cllr Miss L. Campbell declared a personal interest in minute no. 09/36/P (h) – ‘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’ as she was an employee of LymeNet in St. Michael’s Business Centre, and minute no. 09/39/CP (a) – ‘To receive a report on the forthcoming ArtsFest event’ as she was an ArtsFest participant.

Cllr Mrs. A. Bradbury declared a personal and prejudicial interest in agenda item 9 – ‘To consider adopting the proposed charges for advertising in the 2010 Lyme Regis brochure and on the tourism website as recommended by the Tourism & Advertising Sub-Committee as the meeting on 4<sup>th</sup> August 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. 09/36/P (g) – ‘To consider a request from the owner of the Bay Hotel to lease a parking space on the Cart Road exclusively for the use of the hotel and its guests’ and agenda item 10 – ‘To consider

the following requests in connection with the planned development of Bay House (the former annexe to the Bay Hotel' as her son had business links with the owner of the Bay Hotel. She would leave the room for any discussion of these items.

Cllr Ms. S. Holman declared a personal interest in minute no. 09/37/P (a) – 'To consider a Council policy as to the future development of The Three Cups Hotel in Broad Street' due to her involvement with the Save the Three Cups group, and minute no. 09/39/CP ((a) – 'To receive a report on the forthcoming ArtsFest event' as she was the Director of ArtsFest.

Cllr S. Williams declared a personal and prejudicial interest in minute no. 09/40/P (a) – 'Staffing Sub-Committee – 4<sup>th</sup> September 2009' because a family member had applied for the vacancy. He would leave the room for any discussion of this item.

Cllr O. Lovell declared a personal interest in minute no. 09/36/P (h) – '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' as he was the Council representative to the St. Michael's Business Centre Building Management Committee.

The Mayor, Cllr Mrs. M. Ellis declared a personal and prejudicial interest in agenda item 10 – 'To consider the following requests in connection with the planned development of Bay House (the former annexe to the Bay Hotel' as her husband was undertaking work for the Bay House owner. She would leave the room for any discussion of this item.

**09/51/C To approve the signature by the Chairman of the minutes of the previous meeting held on the 19<sup>th</sup> August 2009**

*Cllr Ms. S. Holman advised that minute no. 09/37/C – 'Declarations of Interest' should be amended as she was the interim chairman of the 'Save the Three Cups Steering Group' and not the 'Action Group'.*

The minutes of the previous meeting held on the 19<sup>th</sup> August 2009, having been circulated, were signed by the Chairman as a correct record with the above amendment.

Proposed by Cllr Mrs. A. Bradbury and seconded by Cllr P. Williams, the minutes were **ADOPTED**.

**09/52/C To receive 'Mayor's Announcements'**

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

**09/53/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 8<sup>th</sup> September 2009, having previously been circulated to all members, were **NOTED**.

**09/54/C Policy Committee**

The minutes of the Policy Committee meeting held on the 9<sup>th</sup> September 2009, having previously been circulated, were presented for adoption by the Chairman, Cllr Ms. S. Holman, seconded by Cllr Mrs. L. Jenkin

**(a) Minute No. 09/34/P (a) – To consider preliminary sketch options for proposed public conveniences in Lister Gardens**

The Town Clerk advised that further details had been received from the architects for this project with revised costs supplied by a quantity surveyor. Unfortunately, estimated costs had been higher than predicted with Scheme A (just the toilets) costing £150,000 and Scheme B (with additional kiosk and Mini Golf attendants space) costing £226,000. The budget currently stood at £70,000 although members had considered allocating the revenue generated from the sale of the Cart Road day huts earlier in the year, which would increase the fund to £120,000. Members **AGREED** to discuss this further at the Budget Working Group meeting.

Proposed by Cllr D. Cozens and seconded by Cllr Ms. S. Holman, members agreed to proceed to appoint High-Point Rendel to assess the feasibility of building into the Lister Gardens ‘buttress and scarp slope’.

- (b) Minute No. 09/35/P (a) – To note the budget comparison of income and expenditure to 31<sup>st</sup> July 2009 and 31<sup>st</sup> August 2009

Cllr P. Williams raised concerns with items listed within the budget comparison. The Mayor asked that these be discussed at the next Policy Committee meeting and not at Full Council.

- (c) Minute Nos. 09/35/P (e)/09/43/P (a) – To consider the Town Council’s position with regard to the deferred rent review in respect of the Antiques & Craft Centre, Marine Parade

*Proposed by Cllr S. Williams and seconded by the Chairman, Cllr Ms. S. Holman, members **AGREED** to exclude the press and public from the meeting for the following item 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.*

Members discussed the rent increase recommended by the Policy Committee. Proposed by Cllr O. Lovell and seconded by Cllr Mrs. A. Bradbury, members **AGREED** to increase the rent by the full 25% as recommended by the Policy Committee. This motion was passed with eight councillors voting in favour of the resolution and four councillors voting against the resolution.

- (d) Minute No. 09/36/P (h) – 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

Cllr Ms. S. Holman informed members that further information would be available at the next Policy Committee meeting.

- (e) Minute No. 09/38/P (a) – To note issues to be brought forward

The Town Clerk reported that a letter had been received from Mr. S. Woollard of West Dorset District Council explaining that he could not see any objection from WDDC to the suggestion of siting a Skate Park facility in Charmouth Road car park.

Members suggested that the Skate Park Working Group reconvene in the near future and local residents be informed that although a meeting was taking place, it would be a working group meeting and therefore not open to the public, but the working group would report to the following Policy Committee meeting where questions could be raised during the ‘Public Forum’.

- (f) Minute No. 09/38/P (b) – To consider a proposal from Cllr S. Williams that the current number of working groups could be reduced through amalgamation

The Town Clerk reported that no suggestions for the amalgamation of working groups had been received from members. Cllr S. Williams felt that the notice given prior to working group and sub-committee meetings had been too short and that meetings should be open for the public to attend. He wished to have working group and sub-committee meeting planned well in advance as with committee meetings.

- (g) Minute Nos. 09/36/P (a)/09/43/P (b) – To receive a report from Cllr S. Williams and the Town Clerk on progress with the re-establishment of the original western boundary of Lister Gardens as purchased by the Town Council in 1964

*Proposed by Cllr S. Williams and seconded by the Chairman, Cllr Ms. S. Holman, members **AGREED** to exclude the press and public from the meeting for the following item 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.*

The Town Clerk updated members of the situation and advised that no change was needed to the resolution made at the Policy Committee meeting. Therefore, proposed by the Mayor, Cllr Mrs. M. Ellis and seconded by Cllr Mrs. A. Bradbury, members **AGREED** that the Town Council formally approach the adjacent freeholder with a copy of the report and indicate that the Council is willing to reach a satisfactory legal and financial arrangement whereby the area of encroachment can continue to be used for the present purpose. That the Town Council engage the services of a local chartered surveyor to assess and negotiate the rental value and involve the Council's solicitor, and that as the area was originally public gardens, that the Council 'ring fence' the ensuing income for recreational provision. All as recommended by the Policy Committee.

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

#### **09/55/C Community Plan Implementation Committee**

*An amendment was required to the minutes of the Community Plan Implementation Committee meeting held on the 16<sup>th</sup> September 2009 as Cllr Mrs. L. Jenkin had been in attendance but Cllr K. Hitchcock had not.*

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

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

#### **09/56/C To consider suggested amendments to the proposed charges for the hire of Cart Road day huts discussed at the Policy Committee meeting on the 9<sup>th</sup> September 2009**

Members had previously been circulated with a schedule of charges proposed by Cllr O. Lovell. Cllr O. Lovell reported that the suggested charges took account of periods when rentals were lower and also removed residents discount as many charges were considerably lower than before. The Mayor thanked Cllr O. Lovell for his work on this matter.

Members **AGREED** for the new charges, once adopted, to be promoted widely including the Town Council website, the Town Guide 2010 and improved signage on the Cart Road.

Proposed by Cllr S. Williams and seconded by Cllr D. Cozens, members **AGREED** to adopt the charges as suggested by Cllr O. Lovell.

Proposed by Cllr Mrs. B. Austin and seconded by Cllr Ms. S. Holman, members **AGREED** to no longer offer a residents discount on beach hut rental charges.

**09/57/C**

**To consider the following requests in connection with the planned development of Bay House (the former annexe to the Bay Hotel)**

*In accordance with their earlier declarations of interest, the Mayor, Cllr Mrs. M. Ellis and Cllr Mrs. B. Austin left the room for this item. Cllr O. Lovell took the Chair.*

The Town Clerk reported that the owner of Bay House had approached the Town Council with a view to:

- (a) secure permission for a light drilling rig to access Langmoor Gardens via the Pound Street entrance and use the tarmac paths to reach the fenced area leased to the Bay Hotel, remove a fence panel and traverse the grass bank and carry out a test borehole at the rear of the existing property
- (b) secure consent for the permanent installation of a number of 12 metre long soil nails into the bank belonging to the Town Council to offer additional stability for the proposed development
- (c) secure consent for the siting of a 23m by 6.5m contractors compound on Marine Parade and for the temporary closure of the steps to the gardens for health and safety reasons

The Town Clerk advised that he was consulting with the Town Council's solicitor regarding the soil nails. The proposed compound would be in place on Marine Parade from mid November 2009 to the end of May 2010 although the compound could be reduced for the second half of the work once the demolition was completed.

The Chairman suggested that the West Dorset District Council engineers be consulted on the soil nails. She also felt that works should not take place during the Easter school holidays or during the Fossil Festival at the beginning of May and the Bank Holiday at the end of May 2010. She also suggested that any memorial seats that needed to be moved for the compound would be removed and replaced at the cost of the Bay House owner.

Cllr O. Lovell suggested that closed hoarding could be used around the compound and the agreement with the owner ensure that any damage to Town Council owned land or property be made good.

Cllr S. Williams felt that work should be limited to normal working days and hours and the land behind around the Bay House should be delineated to show the boundaries of Town Council ownership.

*Proposed by the Chairman, Cllr Ms. S. Holman and seconded by Cllr K. Whetlor, members **AGREED** to exclude the press and public from the meeting for the following item 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.*

Members discussed possible charges for the benefit of having a compound on Marine Parade and also penalties if the work over-runs the designated time period.

Proposed by Cllr Mrs. L. Jenkin and seconded by Cllr Miss L. Campbell, members **AGREED** in principle to the requests subject to satisfactory legal advice regarding the soil nails and negotiations with the owner regarding charges for the compound.

*The Mayor and Cllr Mrs. B. Austin returned to the meeting.*

**09/58/C To consider the following recommendations of the Marine Parade Shelters Regeneration Working Group**

Proposed by Cllr S. Williams and seconded by Cllr Mrs. B. Austin, members **AGREED** that an application be submitted for a minor amendment to the planning consent to enable the provision, in the community room without such facilities, of a toilet/sink not currently indicated by the approved drawings.

Proposed by Cllr Mrs. L. Jenkin and seconded by Cllr Mrs. A. Bradbury, members **AGREED** that in the other community room the toilet/sink facilities indicated by the approved plans be moved to one end of the room rather than remain in the middle as currently represented.

Proposed by the Chairman, Cllr Ms. S. Holman and seconded by Cllr P. Williams, members **AGREED** that a similar variation be sought to incorporate half glazed glass doors at each end of the Pavilion in place of the windows (into the Market Area and Performance Area respectively); they could be kept locked and still act as a window but their provision would add further flexibility of use for the future.

**09/59/C To authorise the sealing of documents**

**(a) The lease of the proposed pitch and putt facility at Strawberry Field**

Proposed by Cllr O. Lovell and seconded by Cllr Mrs. L. Jenkin, members **AGREED** to seal the lease of the proposed pitch and putt facility at Strawberry Field.

**09/60/C To approve the list of payments for the period ending 31<sup>st</sup> August 2009**

The list of payments for the period ending 31<sup>st</sup> August 2009 had previously been circulated to members.

Proposed by Cllr P. Williams and seconded by Cllr Mrs. A. Bradbury, members **AGREED** to approve the list of payments in the sum of £75,227.78

**09/61/C To note any items that the Chairman decides are urgent**

There were no items to note.