

LYME REGIS TOWN COUNCIL

MINUTES OF THE MEETING HELD ON WEDNESDAY 20 MARCH 2019

Present

Chairman: The Mayor, Cllr Mrs M. Ellis

Councillors: Cllr J. Broom, Cllr R. Doney, Cllr D. Hallett, Cllr P. Hicks, Cllr B. Larcombe, Cllr S. Larcombe, Cllr Mrs C. Reynolds, Cllr J. Scowen, Cllr G. Turner, Cllr S. Williams

Officers: Mr M. Adamson-Drage (operations manager), Mr M. Green, Mrs A. Mullins (administrative officer), Mr J. Wright (town clerk)

Absent: Cllr P. Ridley

18/167/C Public Forum

Mr N. Luxton

Mr Luxton spoke in relation to agenda item 20, Henry's Way Play Area, on behalf of a resident of Queen's Walk who lived adjacent to the park. He said the original planning permission and agreement with local people at the time of approving the Elizabeth Close development, including the current play area, was that the park would only be for toddlers, and not a full play area, which is why there was a small amount of low height equipment. Mr Luxton said there was a concern about privacy, as the height of the proposed climbing tower and angle of the ground meant it would be looking directly into the bedroom and landing windows, which was not acceptable. He said this needed a re-think or to be thrown out. Mr Luxton said the proposed park was working outside the original planning permission and the noise and nuisance levels would be increased. He said neighbours had already had windows smashed, rubbish thrown into their gardens, and had been verbally harassed by young people when asking them to keep the noise down. Mr Luxton said by keeping the equipment to a smaller size and removing the tower, this would also reduce the cost to the council.

Mr N. Ball

Mr Ball spoke in relation to the same agenda item. He asked which senior officers and councillors were accountable for this project, and why the plans had not been made public before the decision took place. He asked if planning permission had been granted, due to the possibly obtrusive nature of the equipment. Mr Ball asked if the council had taken into consideration access and logistics during construction of the new park. He said the only consultation regarding the play park had been one letter to residents in the vicinity of the park, and no one else in the town had had a say on what might go ahead, although it was a good idea to involve local children. Mr Ball said consultation was vital to town life but the public had not been given a

chance to have their say. He referred to the lack of public consultation on the Hydrock traffic study and he asked who was in charge of arranging consultations with residents. Mr Ball said a lot of business was carried out behind closed doors. He said the council had done a lot for the town in the last five years, but a lot more needed to be done to have true pride in Lyme Regis.

Mrs C. Holmes

Mrs Holmes spoke in relation to the same agenda item. She said the park attracted older children and caused problems in the roads nearby with skateboards and footballs when cars were trying to park. She said the council needed to think about the children. Mrs Holmes said if the park was aimed at a younger age, parents would generally go with their children, but children over seven went on their own. She said she had complained about children throwing stuff and the bins were removed. She asked the council to try and aim the new park at a younger age group.

Cllr Mrs C. Reynolds – West Dorset District Council

Cllr Mrs C. Reynolds said she had continued to attend meetings as the new Dorset Council was being formed, but she hoped to give fuller details at the next meeting.

Cllr D. Hallett asked how many redundancies were being made at WDDC.

Cllr Mrs C. Reynolds said there were still no firm numbers but she would continue to pursue an answer.

18/168/C Questions from Councillors

Cllr B. Larcombe

Cllr B. Larcombe asked if the council could ensure it consulted with the public to help inform its decision on whether or not to support the proposed Dorset National Park. He asked when the public consultation would take place.

The town clerk said a public consultation had not been arranged as it had not yet been resolved by the Full Council but officers would action this within the coming weeks.

Cllr D. Hallett

Cllr D. Hallett asked when the council would start recording its meetings.

The operations manager said the company which installed the existing equipment had been consulted and advised it would be difficult to extract the audio from the video. He said this continued to be investigated.

18/169/C Apologies for Absence

Cllr O. Lovell

Cllr S. Miller – holiday

18/170/C Disclosable Pecuniary Interests

There were none.

18/171/C Dispensations

There was no grant of dispensations made by the town clerk in relation to the business of this meeting.

18/172/C To confirm the accuracy of the minutes of the Full Council meeting held on 13 February 2019

Proposed by Cllr J. Broom and seconded by Cllr S. Larcombe, the minutes of the Full Council meeting held on 13 February 2019 were **ADOPTED**.

18/173/C To confirm the accuracy of the minutes of the extraordinary Full Council meeting held on 27 February 2019

Proposed by Cllr R. Doney and seconded by Cllr S. Larcombe, the minutes of the extraordinary Full Council meeting held on 27 February 2019 were **ADOPTED**.

18/174/C Matters arising from the minutes of the Full Council meeting held on 13 February 2019

Location filming request

Cllr J. Scowen asked if there was an update on the contract and fee as he was concerned filming had started but negotiations had not been completed. He also asked if the fee would be made public.

The town clerk said he had been working on the council's behalf and there was now a significantly improved offer from the film company, but negotiations had not been concluded. He said members had been kept informed during the negotiations and had given him a clear steer.

The town clerk said councillors would be informed of the fee when it was agreed. He also said he did not intend to make the fee public.

18/175/C Update Report

There were none.

18/176/C Mayor's Announcements

Members noted the report.

18/177/C Planning Committee

Proposed by Cllr B. Larcombe and seconded by Cllr G. Turner, it was **RESOLVED** to receive the minutes of the Planning Committee held on 5 February 2019.

18/178/C Human Resources Committee

Cllr D. Hallett asked if there was an update on head gardener recruitment.

Cllr B. Larcombe said there was a need to look at this role in more specific terms and a report would be taken to the next Human Resources Committee meeting.

Proposed by Cllr B. Larcombe and seconded by Cllr S. Larcombe, it was **RESOLVED** to receive the minutes of the Human Resources Committee held on 20 February 2019 and adopt the recommendations, as follows:

18/82/HR – The Town Clerk’s Annual Appraisal and Pay Scale Progression

RESOLVED: to note the town clerk’s performance and approve his progression to spinal column point 50.

18/84/HR – Operations Manager, Spinal Column Point Progression

RESOLVED: to approve the progression of the operations manager to spinal column point 35 from 1 April 2019.

18/85/HR – Employees’ Annual Spinal Column Point Progression and Pay Arrangements for Other Employees for 2019-20

RESOLVED: to note the spinal column point progression for post holders 217, 215, 216, 210, 105, 207, 218, 304 and 107.

18/86/HR – The Town Clerk’s Objectives

RESOLVED: to approve the town clerk’s objectives for 2019-20.

18/87/HR – Works’ Supervisor/Lengthsman – Spinal Column Point Progression

RESOLVED: to approve an additional spinal column point (scp) for the works’ supervisor/lengthsman, with a new range of 23 to 27, in recognition of attainment of a level 3 qualification, and to approve an additional increment from SCP 23 to 24, backdated to 1 August 2018.

18/89/HR – Personnel Issue

This recommendation was resolved at the extraordinary Full Council meeting on 27 February 2019.

18/179/C Strategy and Finance Committee

Cllr D. Hallett asked for an update on the Hydrock traffic and transport report.

The deputy town clerk said a final draft had been received and this would be circulated more widely once officers had sense checked it. He said public consultation on the report would be organised once officers were happy with it.

Proposed by Cllr Mrs M. Ellis and seconded by Cllr B. Larcombe, it was **RESOLVED** to receive the minutes of the Strategy and Finance Committee held on 13 March 2019 and adopt the recommendations, as follows:

18/98/SF – Corporate Plan 2018-23

RESOLVED: to approve the Corporate Plan 2018-23.

18/99/SF – New Policies – Environment and CCTV

RESOLVED: to approve the following policies: environment and CCTV, with minor amendments to be made to the wording of the CCTV without changing its meaning.

18/100/SF – Plastic Products

RESOLVED: that the council takes its lead on the use of plastic products from Plastic Free Lyme Regis; to support Plastic Free Lyme Regis's seafront action plan; and to reinforce the non-use of plastic products through the council's events' management policy and procedure.

18/101/SF – Dorset and East Devon National Park Proposal

RESOLVED: to send the following response to the Dorset and East Devon national park team: 'to avoid any misunderstanding, the council's expressed support so far has only been for further information; this does not indicate any level of support the council has yet to declare. The council wishes to consider the matter further and will respond to the Glover Review by the deadline'.

18/102/SF – Grant Review, Lyme Regis Football Club

RESOLVED: to approve the request from the football club to defer the build of its grandstand from 2018 to 2019; to approve the football club's proposal not to widen the football pitch and undertake drainage works, only, in 2020; and to approve the extension of the grant period from 31 March 2020 to 31 August 2020 to allow drainage works to the football pitch to be completed and that any remaining grant allocation following the erection of the grandstand is allocated to this project.

18/180/C Tourism, Community and Publicity Committee

The meeting scheduled to take place on 6 March 2019 was cancelled.

18/181/C Town Management and Highways Committee

Cllr S. Larcombe said he was not impressed with the quality of the work to reinstate the pillar at the entrance to Langmoor Gardens and believed it should be taken down and re-done, which several members agreed with.

The operations manager said he would look into this.

Proposed by Cllr J. Broom and seconded by Cllr B. Larcombe, it was **RESOLVED** to receive the minutes of the Town Management and Highways Committee held on 27 February 2019 and adopt the recommendations, as follows:

18/94/TMH – Dorset Council's CCTV Project

ORIGINAL MOTION: to approve the council's CCTV being included in the Dorset Council's CCTV project to allow Dorset Police access to monitor the council's CCTV.

The operations manager said since the meeting, he had been made aware a fibre link would be required between the Lyme Regis cameras and the Dorchester control room, which would cost the council £7,500 to set up, plus an annual fee of £1,200 for line rental. As such, he said the council may wish to re-consider the recommendation.

The operations manager said he had contacted the office of the Dorset police and crime commissioner, as he was aware there may be grants available for this purpose.

Members agreed to refer this matter back to the Town Management and Highways Committee for further consideration.

18/95/TMH – Lengthsman Agency Agreement

RESOLVED: to approve the draft lengthsman agency agreement with Dorset County Council.

In response to a member question, the operations manager said now the agency agreement was in place, training had been completed and other preparatory work had been completed, the lengthsman would be able to maintain the areas on the approaches to the town.

18/96/TMH – Langmoor and Lister Gardens Lighting Project

RESOLVED: to agree to waive financial regulation 11.2 and negotiate design and contract prices without competition for lighting a section of the Langmoor and Lister

Gardens, as no other designer capable of meeting the council's needs could be identified.

18/97/TMH – Parking Restrictions, South Avenue

RESOLVED: to support a request to the highway authority to consider introducing parking permit controls in South Avenue as an extension to the existing parking scheme currently operated in Anning Road.

18/98/TMH – Refurbishment of Council Offices

RESOLVED: to note the current position with the proposed refurbishment of the council offices, agree to surveys being undertaken by John Stark and Crickmay Partnership and appoint Cllr J. Broom or any future chairman of the Town Management and Highways Committee to work alongside officers as the proposals develop.

18/99/TMH – Henry's Way Play Park

RESOLVED: to agree designs for the Henry's Way play park by Kompan and Proludic are shown to local schoolchildren to choose their preferred design, and for the feedback from schoolchildren and local residents to be reported back to the Full Council on 20 March 2019 for final approval.

18/182/C Code of Conduct Complaint

Members discussed whether this item should be discussed in exempt business or in the public domain and agreed it should be discussed publicly.

The town clerk ran through purdah and Members discussed whether it should apply. The town clerk said the council could consider this matter to be a normal part of council business, but it needed to be mindful that caution should be exercised during the pre-election period. He stressed it was important to demonstrate the council had properly considered purdah.

Members agreed purdah did not apply.

The town clerk said code of conduct complaints were normally dealt with by the Human Resources Committee but this matter had been brought straight to Full Council for expediency.

The town clerk said it was up to members to decide if they should participate and vote on this matter. He reminded members of the code of conduct, which said they shouldn't be biased or pre-determined and should have no conflict of interests.

Cllr Mrs C. Reynolds read out a statement, in which she apologised for the incidents which were found to be breaches of the code of conduct. She said she would stay and take part in the discussion but she would not vote.

Cllr J. Scowen said he believed an apology was not enough and this matter had not been personal against Cllr Mrs C. Reynolds.

Cllr B. Larcombe clarified that he did not make a complaint against Cllr Mrs C. Reynolds, but was interviewed by the independent investigator. He said he believed the report was accurate and how it should be dealt with was a matter of personal consideration.

In response to a comment in Cllr Mrs C. Reynolds's statement, Cllr D. Hallett said he couldn't recall using a derogatory term in a past meeting, but if he had, he needed to apologise.

Cllr R. Doney said the council was in a difficult position and it should be aware of how any decision or sanction imposed would be perceived by residents. He said the background to this matter was now irrelevant as the chief executive of WDDC had made his decision; the important thing was now for the council to decide how the code of conduct breaches should be dealt with by this council.

The town clerk reminded members of the sanctions available: censure, apology, training and reprimand. He said the council had adopted a voluntary code of conduct, which allowed for additional sanctions; however, Cllr Mrs C. Reynolds was not one of the five members who had signed up to the voluntary code.

It was noted Cllr Mrs C. Reynolds had already apologised and had undergone voluntary training. The mayor, Cllr Mrs M. Ellis said it was up to the council to decide if this was sufficient.

Cllr B. Larcombe asked what was expected of this council following the process administered by WDDC.

The town clerk said in addition to the sanctions available, the council also needed to publish on its website a decision notice to demonstrate it had considered the matter.

Cllr Mrs C. Reynolds requested a recorded vote on the following motion:

Proposed by Cllr R. Doney and seconded by Cllr J. Broom, members **RESOLVED** that Cllr Mrs C. Reynolds should issue a further public apology on terms to be agreed with the town clerk and mayor, to be published in the local press.

Voted for – Cllr S. Larcombe, Cllr G. Turner, Cllr R. Doney, Cllr J. Broom, Cllr Mrs M. Ellis

Voted against – Cllr D. Hallett, Cllr J. Scowen

Abstentions – Cllr B. Larcombe, Cllr P. Hicks, Cllr S. Williams

The meeting adjourned for a break at 8.35pm.

The meeting reconvened at 8.42pm.

18/183/C Requests to Trade on the Seafront

Members agreed the council needed a policy regarding trading on the seafront and this would be referred to the Strategy and Finance Committee for consideration.

18/184/C Beach Surf Rake

Members discussed whether the existing rake should be repaired or replaced.

The operations manager said the council had bought the rake 12 years ago but it was only expected to last for 10, with a recommendation to replace between years five and eight. He said although a new machine would be at a considerable cost, there was no guarantee further repairs would work.

Cllr S. Larcombe asked if the price of a new rake could be off-set against the scrap value of the old one.

The operations manager said there was no trade-in value, but it could be scrapped for metal.

As members agreed the rake should be replaced, and quotes needed to be considered, the remainder of the item was dealt with under exempt business.

Proposed by Cllr B. Larcombe and seconded by Cllr J. Scowen, members **RESOLVED** that under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for this item of business as it included confidential information relating to the financial or business affairs of a particular person within the meaning of paragraphs 1 and 8 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.

18/185/C Henry's Way Play Area

In light of the comments made during the public forum, members agreed this matter should be referred back to the Town Management and Highways Committee for further consideration.

It was agreed that in the meantime, further details would be sought on conditions of the existing planning permission, further consultation would be considered, raised fencing would be considered, the position of the play tower would be reviewed, and the target age group would be reviewed to ensure the equipment was aimed at younger children.

Proposed by Cllr J. Broom and seconded by Cllr B. Larcombe, members **RESOLVED** to refer the refurbishment of Henry's Way play area back to the Town Management and Highways Committee for further consideration, and for officers to obtain further information on the issues raised.

18/186/C Exempt Business

a) Beach Surf Rake

The operations manager said only two companies supplied this type of machine, but one company had provided two quotes.

Cllr B. Larcombe said in future, he would like the council to conduct an asset audit to ensure money was in the budget for planned replacement of equipment and ongoing maintenance.

Members agreed with this principle.

Proposed by Cllr B. Larcombe and seconded by Cllr J. Broom, members **RESOLVED** to replace the beach surf rake with a new Barber surf rake at a cost of £50,700 plus VAT and approve this amount as unbudgeted expenditure.

The meeting closed at 9.11pm.