



John Wright
Town Clerk

Lyme Regis Town Council

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Notice is given of a meeting of the **Lyme Regis Town Council** to be held at the **Guildhall, Bridge Street, Lyme Regis** on Wednesday 15 February 2023 commencing at 7pm when the following business is proposed to be transacted:

John Wright
Town Clerk
09.02.23

The open and transparent proceedings of Full Council and committee meetings will be audio recorded and recordings will be held for one year by the town council.

If members of the public make a representation to the meeting, they will be deemed to have consented to being audio recorded.

If members of the public have any queries regarding audio recording of meetings, please contact the town clerk.

Members are reminded that in reaching decisions they should take into consideration the town council's decision to declare a climate emergency and ambition to become carbon neutral by 2030 and beyond.

Prayers

A prayer will be offered by the Rev. Chris Martin

AGENDA

1. Public Forum

Twenty minutes will be made available for public comment and response in relation to items on this agenda

Individuals will be permitted a maximum of three minutes each to address the committee

2. Dorset Council Matters

To receive updates from the Dorset Council ward member

3. Questions from Councillors

4. Apologies for absence

To receive and record any apologies and reasons for absence

5. Disclosable Pecuniary Interests

Members are reminded that if they have a Disclosable Pecuniary Interest on their register of interests relating to any item on the agenda, they are prevented from participating in any discussion or voting on that matter at the meeting as to do so would amount to a criminal offence. Similarly, if you are or become aware of a Disclosable Pecuniary Interest in a matter under consideration at this meeting which is not on your register of interests or is in the process of being added to your register you must disclose such interest at this meeting and register it within 28 days.

6. Dispensations

To note the grant of dispensations made by the town clerk in relation to the business of this meeting.

7. To confirm the accuracy of the minutes of the Full Council meeting held on 14 December 2022 (attached)

8. To confirm the accuracy of the minutes of the extraordinary Full Council meeting held on 25 January 2023 (attached)

9. Matters arising from the minutes of the Full Council meeting held on 14 December 2022 and the extraordinary Full Council meeting on 25 January 2023

To inform members of matters arising from the minutes of the Full Council meeting held on 14 December 2022 and the extraordinary Full Council meeting held on 25 January 2023 that are not dealt with elsewhere on this agenda and to allow members to seek further information on issues in those minutes

10. Update Report

To inform members about progress on significant issues previously considered

11. Mayor's Announcements

12. Update from PC Kirsti Frecknall

13. Planning Committee

To receive the minutes of the meetings held on **10 and 24 January 2023**, and to note the committee's comments made on planning applications under the power delegated by Full Council.

14. Environment Committee

To receive the minutes of the meeting held on **25 January 2023** and consider the recommendations therein.

15. Human Resources Committee

To receive the minutes of the meeting held on **4 January 2023** and consider the recommendations therein.

16. Strategy and Finance Committee

To receive the minutes of the meeting held on **1 February 2023** and consider the recommendations therein.

17. Tourism, Community and Publicity Committee

To receive the minutes of the meeting held on **18 January 2023** and consider the recommendations therein.

18. Town Management and Highways Committee

To receive the minutes of the meeting held on **11 January 2023** and consider the recommendations therein.

19. Receipt of a Petition

To inform members of a petition which will be presented by Seb Cope during the public forum; the petition is in response to a resolution of the extraordinary Full Council on 25 January 2023

To allow members to consider how they wish to respond to the petition

20. Appointments to External Bodies

To allow members to make additional nominations to external bodies

21. Internal Audit Report, Visit two 2022-23

To inform members of the outcome of the internal auditor's second visit for 2022-23

22. Investments and Cash Holdings

To allow members to consider investment options

23. Harbour Dredging and Beach Replenishment – Request from Dorset Council for Contribution Towards Costs

To allow members to consider a request from Dorset Council for a financial contribution towards the cost of harbour dredging and beach replenishment in 2023 and 2024

24. Extension Request for the Removal of Outside Seating

To allow members to consider a request from Coastal Marks to allow more time for the removal of the outside seating at the Oyster and Fish House

25. Exempt Business

LYME REGIS TOWN COUNCIL

MINUTES OF THE FULL COUNCIL MEETING HELD ON WEDNESDAY 14 DECEMBER 2022

Present

Chairman: The Mayor, Cllr M. Ellis

Councillors: Cllr C. Aldridge, Cllr B. Bawden, Cllr P. May, Cllr C. Reynolds, Cllr D. Ruffle, Cllr D. Sarson, Cllr R. Smith, Cllr G. Stammers, Cllr G. Turner,

Officers: A. Mullins (support services manager), J. Wright (town clerk)

Guests: G. Littledyke (Dorset Council, Digital Connectivity Infrastructure Accelerator Project)

The Rev C. Martin read the town prayer.

22/60/C Public Forum

R. Thomas

R. Thomas said he was speaking on behalf of the River Lym Action Group and he would like to keep councillors informed of the progress towards cleaning up the river and beaches. He said since the last meeting, the group had met with South West Water (SWW) at the Gun Cliff pumping station and were pleased they had installed event duration monitors on all the combined storm outflows in the town. He said these overflows allowed sewage to spill out at an excessive rate into the river or sea, supposedly only after very heavy rain. He said there had been 10 such events between May and September when it was mostly dry. R. Thomas said in future, all such events would be monitored and SWW promised all data would be available shortly afterwards but no timescales had been given. He said it was good news that Lyme Regis would be added to the BeachLive alert system so any spills affecting Front Beach would be known about. He said the Horn Bridge pumping station had been improved and misconnections affecting the Woodmead Road part of the river had been dealt with. He said the Environment Agency (EA) had agreed to improve its monitoring next spring and summer, with an additional point at Woodmead Road and an earlier start. He said the EA would also carry out invertebrate monitoring and the group was meeting with them on Friday to discuss plans. R. Thomas said the group was pleased the meeting between all the key stakeholders when ahead that day, with the focus now on Front Beach and the Cobb end pollution problems. With regards to the group's funding application, the request for additional monitoring and improved communications would help them to continue to monitor next year and they also planned to carry out regular wildlife monitoring. He said they had also asked for up to £5,000 for a consultant to carry out a baseline ecological survey to help them gather data and help them identify and tackle underlying problems

affecting the river. He said the survey was vital to their work as it would provide base line data. R. Thomas said owing to the pollution, the river was fundamentally dead, but they needed scientific evidence to support that statement. He said they would then be able to utilise the report to persuade SWW and to direct and focus the scientific work the volunteer monitors were carrying out. He said it would allow them to evidence progress, or lack of it, in returning the Lim to its former glory for the town, its residents and visitors. R. Thomas said the group was tasked to get a quote for the work but this had proved challenging owing to the shortage of freshwater ecologists. He said they had not managed to secure quite the right quote but they had submitted an indicative quote, although it was too high, so they were asking for an outline approval to allow them to continue negotiating and working up the details. He said Turn Lyme Green could make up any excess cost over £5,000, within reason. He said the group had set itself a three-year timeline to make a real difference to the River Lim and the survey could only be done in the spring, so in order to achieve this, they needed approval for the funding so they could schedule the work now with the right ecologist.

22/61/C Dorset Council Matters

Cllr B. Bawden gave the following updates:

- The first budget-setting presentations to members had been held, when directors had set out their plans, projects and budget forecasts. There was still a £29million gap in what Dorset Council (DC) thought it needed and what it had. DC had postponed meetings due to take place in December because the Government would not be announcing the local authority financial settlement until 21 December 2022.
- There was a new Dorset Council Plan, which had been refreshed.
- Following a presentation by the climate and ecological emergency team, she had given a presentation to the town council's Environment Committee on the key points which had come from that. DC had adopted a three pillars approach, which she explained. Having learned from its own operations, DC could roll out the experience and guidance to communities and town and parish councils. She would ask if the team could come to the next Environment Committee meeting and they were also doing presentations for the Dorset Association of Parish and Town Councils (DAPTC) which members could attend virtually.
- There was a new 20mph speed limit policy and town and parish councils and community groups could apply online for 20mph speed limits and zones.
- Round 4 of the Community and Culture Project Fund had opened and grants of up to £5,000 were available. The emphasis was on cost of living responses so DC was looking to deal with applications straight away so measures could be put in place immediately, rather than waiting for the January deadline.
- DC would be updating its parking machines, which was expected to take 18 months to complete.
- The current public consultations were: phase two of the libraries consultation, which closed on 22 December 2022, and school admissions, which closed on 18 December 2022.

- Cllr Bawden was on a national Local Government Association working group on the councillor code of conduct, whether it was fit for purpose and whether it was supporting councillors.
- Cllr Bawden was on a DC working group on public questions at Full Council meetings because the chairman didn't like there being so many questions at the last meeting.
- A meeting had taken place in the Guildhall, chaired by West Dorset MP Chris Loder, with the chief executive and customer service manager of Magna Housing, Dorset Police, the police and crime commissioner, DC's community safety team leader and Lyme Regis residents talking about the impact of anti-social behaviour on their lives in Magna properties.
- She had met with Co Cars and Bikes and there was a possibility DC would enable Co Cars to operate from its electric chargers in future.
- She had attended the DAPTC AGM with Cllr C. Reynolds and Cllr B. Larcombe.
- She was doing a series of design requirements seminars on the new planning proposals and Levelling Up legislative changes.

Cllr G. Stammers said she had been informed by a resident it was very dark in the Mill Green area and along the river and she wasn't sure if this was because lights were not working or it was usually that dark.

Cllr B. Bawden said if streetlights were not working, this could be reported on the DC website.

It was confirmed there were several streetlights not working.

22/62/C Questions from Councillors

There were none.

22/63/C Apologies for Absence

Cllr J. Broom – illness
Cllr R. Doney – family commitments
Cllr B. Larcombe
Cllr T. Webb – illness

22/64/C Disclosable Pecuniary Interests

Cllrs C. Aldridge and Cllr R. Smith declared a non-pecuniary interest in agenda item 27, River Lim Action Group Funding Request, as they were members of Turn Lyme Green.

Cllrs P. May and B. Bawden declared a non-pecuniary interest in the same agenda item as they were river monitors. Also in minute number 22/35/ENV, Community Energy Champions Progress report, as they were community energy champions.

22/65/C Dispensations

There were none.

22/66/C To confirm the accuracy of the minutes of the Full Council meeting held on 26 October 2022

Cllr D. Sarson clarified under minute 22/29/TMH, Dorset Council Free Parking Days, Carols Round the Christmas Tree was on 23 December 2023, not 21 December.

Proposed by Cllr P. May and seconded by Cllr D. Ruffle, the minutes of the Full Council meeting held on 26 October 2022 were **ADOPTED**.

22/67/C Matters arising from the minutes of the Full Council meeting on 26 October 2022

Members noted the report.

22/68/C Update Report

There were no updates.

22/69/C Mayor's Announcements

Members noted the report.

22/70/C Planning Committee

Proposed by Cllr G. Turner and seconded by Cllr D. Sarson, it was **RESOLVED** to receive the minutes of the Planning Committee held on 15 November 2022.

22/71/C Environment Committee

Proposed by Cllr R. Smith and seconded by Cllr P. May, it was **RESOLVED** to receive the minutes of the Environment Committee held on 23 November 2022 and adopt the recommendations, as follows:

22/33/ENV – River Lim Action Group Report

RESOLVED: to approve funding of £1,044 to the River Lim Monitoring Group to carry out monitoring of the river and public engagement.

It was noted the other recommendation under this minute would be dealt with at agenda item 27, River Lim Action Group Funding Request.

22/34/ENV – Big Hedge

It was noted the information required to consider the funding request had not been made available for this meeting and would be deferred to the next Environment Committee meeting.

22/35/ENV – Community Energy Champions Progress report

RESOLVED: to allocate a budget of £450 to purchase a thermal imaging camera in the expectation it will be needed for additional community energy champions.

22/36/ENV – Budget Update

RESOLVED: to ask the Strategy and Finance Committee to clarify if the climate action plan budget would be rolled over from one year to the next if any was unspent and to clarify the start and end dates of the funding.

22/72/C Human Resources Committee

Proposed by Cllr G. Stammers and seconded by Cllr R. Smith, it was **RESOLVED** to receive the minutes of the Human Resources Committee held on 30 November 2022 and adopt the recommendations, as follows:

22/39/HR – Christmas and New Year Working Arrangements

RESOLVED: to apply 1.5 days' discretionary leave over the Christmas and New Year period, so the council's services cease at 12noon on Friday 23 December 2022 and recommence at 9am on Tuesday 3 January 2023; apply discretionary leave from 12noon to 5pm on Friday 23 December and Wednesday 28 December; and apply statutory days on Thursday 29 December and Friday 30 December 2022.

22/40/HR – Amenities Assistant, Six-Month Probation Review

RESOLVED: to approve the amenities assistant's (post holder 302) continued employment with the council, effective from 19 October 2022.

22/41/HR – Administrative and Community Engagement Assistant, Six-Month Probation Review

RESOLVED: to approve the administrative and community engagement assistant's (post holder 104) continued employment with the council, effective from 9 November 2022.

22/42/HR – Maintenance Operative, Six-Month Probation Review

RESOLVED: to approve the maintenance operative's (post holder 210) continued employment with the council, effective from 24 November 2022.

22/43/HR – Pay Review

ORIGINAL MOTION: to accept and implement South West Councils' review of employees' pay and to bring a report to the next meeting of the Human Resources Committee to consider anti-social hours payments for postholders 207 and 208.

Cllr G. Stammers said no implementation date had been agreed for any new pay scales to be introduced and she suggested a date of 1 January 2023.

The town clerk said for some employees, the consultant's report said there should be an immediate pay increase but it didn't suggest what the implementation date should be. For those continuing to progress through the pay scale, their pay would be reviewed in April as normal. He agreed 1 January 2023 would be a logical date for those who should be awarded immediate pay increases.

SUBSTANTIVE MOTION: Proposed by Cllr P. May and seconded by Cllr M. Ellis, members **RESOLVED** to accept and implement South West Councils' review of employees' pay, with an implementation date of 1 January 2023 for any employees awarded immediate pay increases, and to bring a report to the next meeting of the Human Resources Committee to consider anti-social hours payments for postholders 207 and 208.

22/73/C Strategy and Finance Committee

Cllr C. Aldridge asked if members could discuss the Oyster and Fish House seating under this agenda item or elsewhere as she was aware there were some developments members hadn't been told about, including a meeting due to take place the following week.

The mayor, Cllr M. Ellis said members had agreed temporary outside seating arrangements could remain in place until March 2023 so the decking wouldn't have to be removed until then.

The town clerk said officers had been in touch with Mark Hix, of the Oyster and Fish House, to arrange a meeting to try and clarify the respective positions, although he felt the council needed to have a further discussion as it was divided on the issue and how it should be taken forward. He suggested early in the New Year there was an extraordinary meeting of the council so a clear position could be stated in terms of what it expected officers to do.

Cllr G. Turner said the Planning Committee recommended refusal of the planning application and it was a majority decision so he asked why the council was going back over it.

Cllr B. Bawden agreed this was the clear decision of the council and members should not be commenting against that position.

The town clerk said to be clear, the Planning Committee made its recommendations directly to DC, whereas all the other committees made its recommendations to the Full Council, so any decisions of the Planning Committee on planning applications were not endorsed by Full Council. He said members would be aware there was a decision from the Full Council on 27 July 2022 agreeing to do valuation work on the decking; however, there were differing views within the council and the Planning Committee ignored a decision made by another committee.

Cllr P. May said when the minutes of the Planning Committee came to the Full Council, they were accepted and no members said they had a different view. He said he didn't understand why those members who disagreed didn't speak at that time.

The mayor, Cllr M. Ellis said the recommendations from the Planning Committee were not for the Full Council to accept as they went directly to DC.

Cllr C. Aldridge said the three members of the Planning Committee who had voted against the application had been named and shamed in the media for doing what they felt was right and she believed other members and officers should be supporting them. She asked what the meeting between the town clerk, mayor and Mark Hix would discuss and whether any decisions would be made.

The mayor, Cllr M. Ellis assured members no decisions would be made at that meeting. She said the Strategy and Finance Committee had agreed to obtain valuations and until those valuations came back, she felt she couldn't make a decision about the land. She said as landowner, the council should not have made any comments on the planning application and it would have been DC's decision whether or not to grant planning permission.

Proposed by Cllr M. Ellis and seconded by Cllr G. Turner, it was **RESOLVED** to receive the minutes of the Strategy and Finance Committee held on 30 November 2022 and adopt the recommendations, as follows:

22/41/SF – Internal Audit Report, Visit One 2022-23

RESOLVED: to note the internal auditor's report and approve the management responses from visit one 2022-23.

22/42/SF – Budget and Precept 2023-24 and Five-Year Financial Plan 2023-28

RESOLVED: to set the council's reserve at £1million.

RESOLVED: to approve the budget for 2023-24, to approve the 2023-24 objectives with the removal of either the multi-use games area or the children's play area to be decided at a later date, and to approve the five-year financial plan 2023-28 and the impact on the council's forecast reserve over that period.

RESOLVED: to approve a precept of £132,779 for 2023-24.

22/43/SF – Office Options Appraisal Scoping Report

RESOLVED: to agree the scope of the requested appraisal of options for the council's office accommodation.

22/44/SF – Warm Café

RESOLVED: to award a grant of £2,000 to assist the provision of a warm café at The Hub.

22/74/C Tourism, Community and Publicity Committee

Proposed by Cllr C. Reynolds and seconded by Cllr D. Ruffle, it was **RESOLVED** to receive the minutes of the Tourism, Community and Publicity Committee held on 16 November 2022 and adopt the recommendations, as follows:

22/47/TCP – Mobile Hoist – Further Considerations

RESOLVED: that due to operational issues, the council does not purchase a mobile hoist at this time but if the situation changes, it can re-visit this in future.

22/48/TCP – Newsletter – Printing and Distribution

RESOLVED: to ask Uplyme Parish Council if they would like a page in the town council's newsletter and if so, to use Royal Mail to distribute it, and to accept the quote from Advantage Digital Print for the printing of the newsletter, regardless of the number of newsletters required.

22/49/TCP – Bands in the Marine Parade Shelters

RESOLVED: that the budget for brass bands is used to pay for other types of performances.

22/50/TCP – Coronation Events

RESOLVED: to appoint Cllrs C. Reynolds, M. Ellis, D. Ruffle and D. Sarson to sit on a working group to develop plans to celebrate the coronation of King Charles III in May 2023.

22/51/TCP – Sculpture Trail

RESOLVED: to allocate £6,000 in the 2023-24 budget for the sculpture trail in the gardens, using the same model as Bridport for payment of the works around a theme chosen by the council, and that Cllrs B. Larcombe, D. Sarson and C. Aldridge continue to work with the deputy town clerk to agree, in conjunction with the Arts Development Company, the precise basis of how the trail may be delivered in future.

22/75/C Town Management and Highways Committee

Proposed by Cllr C. Aldridge and seconded by Cllr P. May, it was **RESOLVED** to receive the minutes of the Town Management and Highways Committee held on 11 November 2022 and adopt the recommendations, as follows:

22/47/TMH – Emergency Planning Procedure Review

RESOLVED: to approve the emergency planning procedure.

22/76/C Collaboration with Dorset Council on the Digital Connectivity Infrastructure Accelerator Project

The mayor, Cllr M. Ellis brought this item forward on the agenda and invited G. Littledyke from Dorset Council to speak.

G. Littledyke explained what the project was seeking to achieve and said they wanted to work collaboratively to identify the town council's assets in order to deliver a wireless alternative, the process for making assets available and how much they might be made available for. He said compensation would be given for loss of the use of an asset, which for example might be the corner of a car park or the side of a building on which to site a small wireless device.

Cllr D. Sarson asked which areas of Lyme Regis were 'white spots' where the provision of fibre broadband wasn't commercially viable.

G. Littledyke said part of the process would be mapping out where the white spots were and he would be happy to make that piece of work available to the council.

The town clerk said as part of this work, there was the opportunity for the council to map out its assets on Dorset Explorer, which would also meet the need to create a comprehensive digital database of its land and assets.

Proposed by Cllr M. Ellis and seconded by Cllr R. Smith, members **RESOLVED** to indicate the council's support for the Digital Connectivity Infrastructure Accelerator Project and AssetHub.

22/77/C Membership, Terms of Reference and Frequency of Planning Committee Meetings

Cllrs D. Sarson and P. May said they were willing to be nominated to the Planning Committee.

Proposed by Cllr M. Ellis and seconded by Cllr G. Stammers, members **RESOLVED** to appoint Cllrs D. Sarson and P. May to the Planning Committee, to move to a fortnightly meeting cycle and to amend the committee's terms of reference to consider licensing applications.

22/78/C Annual Governance and Accountability Return and the external auditor's certificate for the year ended 31 March 2022

The town clerk said the report confirmed the audit process was complete and once again the council had achieved a successful audit. He said there was one note raised by the external auditor about the level of the council's reserve, and this had been brought to members' attention during the budget-setting process. As a result, the council had agreed to drop the reserve to £1million, which released more money for project expenditure in 2023-24.

Proposed by Cllr M. Ellis and seconded by Cllr D. Ruffle, members **RESOLVED** to approve and accept the certified Annual Governance and Accountability Return and the external auditor's certificate (Notice of Conclusion of Audit) for the year ended 31 March 2022, and note the actions required at the conclusion of the review have been undertaken.

22/79/C Appointment of External Auditor 2022-23 to 2026-27

Proposed by Cllr M. Ellis and seconded by Cllr P. May, members **RESOLVED** to note the appointment of BDO LLP as the council's external auditor from 2022-23 to 2026-27 and that any member who has a conflict of interest with the appointment BDO LLP amends their Declaration of Interest and informs the town clerk of the conflict so he can notify BDO LLP.

22/80/C Budget and Precept 2023-24

The town clerk said at the start of the financial year, the reserve was £1.3million, which would increase by £200,000 by the end of the year; as such, the proposal was to drop the reserve to £1million. He said in 2023-24, income was estimated to be c.£1.9million and expenditure c.£1.66million. He strongly suggested retaining a budget surplus of £100,000 because of the uncertainty around inflation.

The town clerk said this released ££671,800 for projects and would allow the council to hold the precept at £132,779.

Proposed by Cllr D. Sarson and seconded by Cllr G. Turner, members **RESOLVED** to approve up to £671,800 for projects in 2023-24, and earmark £552,584 from the forecast reserve at 31 March 2023 towards the funding of these projects reducing the 2023-24 budget reserve to £1,000,000; approve an income budget estimate of £1,893,658 and an expenditure budget estimate of £1,666,431 in 2023-24, i.e., surplus of £227,226, and allocate £119,216 from the budget surplus to the funding of projects; approve the 2023-24 precept at £132,779; and note the five-year financial plan.

22/81/C Dorset Council's Proposals for Lyme Regis Library

The support services manager said until recently, the council was unaware of the specific proposals relating to Lyme Regis Library but she felt it was important the council should respond to the consultation now the details were known. She outlined the proposals for

Lyme Regis and said a needs analysis had ranked it 15th out of 23. She said the proposals would mean Lyme Regis was classified as a 'Library', as opposed to a 'Library+' or a 'Library Connect' and outlined some of the differences in provision between the types of libraries.

As ward member, Cllr B. Bawden said DC's library strategy was very positive, aiming to enhance and improve the role of libraries, and there was no suggestion the consultation would lead to the closure of any libraries, although there was a £29million budget deficit. She agreed the town council should respond to the consultation to show its support for Lyme Regis Library because there was the potential for the opening hours to go from five to four days a week and for volunteers to run it instead of paid staff.

Cllr B. Bawden outlined the activities that took place at the library and said for a relatively small library with limited opening hours, it did a remarkable amount and it was important this was highlighted in the consultation response. She said although the library was limited in its physical size and it served a relatively small population, it scored highly in the needs analysis for education and deprivation, which should also be highlighted in the response.

Members agreed the council should respond to the consultation as an organisation, with the position that future service levels should at least be as good as the existing, also highlighting the many activities that took place at the library.

Proposed by Cllr P. May and seconded by Cllr C. Reynolds, members **RESOLVED** to respond to Dorset Council's library consultation in support of Lyme Regis Library and to request a future service level at least as good as the existing.

22/82/C Draft East Devon Local Plan 2020-2040 Public Consultation

The town clerk said the plan potentially affected Lyme Regis on the periphery but some of the proposals that could have affected the town more directly, including housing developments at Sidmouth Road and to the east of Axminster, were no longer part of the plan. He said this was the first draft of the plan and the deputy town clerk had suggested members commented on the plan individually if they wished. However, if members felt there needed to be a collective response from the council, time was limited but it would be possible for several members to meet with the deputy town clerk to consider a response, if any.

Cllrs B. Bawden and C. Aldridge said they would like to work with the deputy town clerk to formulate comments.

Proposed by Cllr M. Ellis and seconded by Cllr G. Turner, members **RESOLVED** that Cllrs B. Bawden and C. Aldridge work with the deputy town clerk to provide comments on the council's behalf on the Draft East Devon Local Plan 2020-2040 by 15 January 2023.

22/83/C Investments and Cash Holdings

The town clerk said the council's income was greater earlier in the year and expenditure was consistent throughout the year so at this point, the reserve was high but it would reduce to £1.5million.

Cllr D. Sarson asked if there were better interest rates the council could take advantage of.

The town clerk said he would take a report on investment to the Strategy and Finance Committee in February 2023 to allow members to consider perhaps taking more risk on part of the reserve.

22/84/C List of Payments

Proposed by Cllr C. Reynolds and seconded by Cllr D. Sarson, members **RESOLVED** to approve the schedule of payments October 2022 for the sum of £184,371.22.

22/85/C Recruitment of the Internal Auditor

Proposed by Cllr M. Ellis and seconded by Cllr P. May, 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 matters relating to relating to the financial or business affairs of any 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.

22/86/C River Lim Action Group Funding Request

Proposed by Cllr M. Ellis and seconded by Cllr P. May, 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 matters relating to relating to the financial or business affairs of any 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.

22/87/C Debtors' Report

Proposed by Cllr M. Ellis and seconded by Cllr P. May, 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 matters relating to relating to the financial or business affairs of any 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.

22/88/C Exempt Business

a) Recruitment of the Internal Auditor

Proposed by Cllr C. Aldridge and seconded by Cllr C. Reynolds, members **RESOLVED** to appoint Darkin-Miller as the council's internal auditor for 2023-24, 2024-25 and 2025-26, with the option to extend the contract for a further two years.

b) River Lim Action Group Funding Request

Cllr R. Smith supported the request and said the comments in the public forum showed how much the river monitors were doing, how hard they were working, how much it would mean to the community and how the freshwater ecological survey would build on the work they were doing to clean up some of the pollution problems in the town.

Cllr P. May said the River Lim Action Group did have two quotes, but one did not meet the specification for an ecological survey so it was rejected, although there were probably two more quotes in the pipeline. He said since the Environment Committee meeting, others had said they would pay the difference over £5,000 so they were not expecting the town council to pay more than they had requested, even though the quote was higher. He said he would expect them to provide more quotations before they commissioned the work and before any funding was released.

Cllr C. Reynolds asked if SWW had been asked to contribute financially to resolving the issues.

Cllr P. May said a baseline survey was required and then SWW would have to pay for any remedial action, if it could be proved there was a problem. He said SWW did some testing to see if they could find sewage outbreaks but they relied on the public to tell them there's a problem before they would go and investigate it. He said this survey would provide that evidence and data.

Cllr B. Bawden said SWW was not responsible for the ecology in the river and this was a wider study, not just looking at sewage but other factors such as invasive species. She said the survey was a baseline of where to start and what improvements were required.

As the work was going to take place in the next financial year, the town clerk clarified that the funding would be taken across to next year.

Proposed by Cllr G. Turner and seconded by Cllr R. Smith, members **RESOLVED** to agree up to £5,000 for a freshwater ecological survey of the River Lim, accrued for 2023-24.

c) Debtors' Report

Members noted the report.

The meeting closed at 8.45pm.

DRAFT

LYME REGIS TOWN COUNCIL

**MINUTES OF THE EXTRAORDINARY FULL COUNCIL MEETING HELD ON
WEDNESDAY 25 JANUARY 2023**

Present

Chairman: The Mayor, Cllr M. Ellis

Councillors: Cllr C. Aldridge, Cllr B. Bawden, Cllr R. Doney, Cllr B. Larcombe, Cllr P. May, Cllr C. Reynolds, Cllr D. Ruffle, Cllr D. Sarson, Cllr R. Smith, Cllr G. Stammers, Cllr G. Turner,

Officers: A. Mullins (support services manager), J. Wright (town clerk)

Absent: Cllr T. Webb

22/89/C Public Forum

J. Deary

J. Deary said he was a Lyme Regis resident and council tax payer. He said a lot had been said about the Oyster and Fish House seating, there had been a lot of conjecture about what was right and wrong and he wasn't clear about how things had proceeded. He said by the end of the evening, he would like to be clear there had been due process and clarity on how things had transpired. He said several years ago he went through a similar process as he wanted to install decking on his property in Haye Close. He said he talked to an official at Dorset Council and an indication was given that the plans would be acceptable but he would require planning permission. He said he didn't believe it required planning permission but it exceeded the height limit so planning permission was granted and the decking was certified. J. Deary said he would like to clarify due process had taken place throughout and he would be interested to hear what members said about what had or hadn't been said.

H. Britton (read out by an officer)

As chairperson of the Lyme Regis Society, H. Britton said Lyme Regis was fortunate to have the Langmoor Gardens, a beautiful outdoor space sold to the town in 1913. She said covenants in the conveyance restricted the use of the majority of the land to 'a garden or pleasure grounds for use by the public' and to only 'erect such buildings therein as shall be usual or necessary for such purposes'. She said under Covid restrictions, the government allowed restaurants to use extended outdoor seating on the highway for a charge of £100. She said in Lyme, several businesses were allowed to expand their outside space onto the highway as a temporary measure, which was then extended until the end of September 2022. H. Britton said Hix restaurant asked for permission to temporarily use an area of ground adjacent to its main building to extend

their outdoor space and this was agreed by the town council. She said the new guidance on pavement licences allowed these temporary arrangements to be extended by authorities until September 2023. She said the Lyme Regis Society supported this approach on the highway or where the town council owned land without any restrictive covenants. However, the society was concerned the council was discussing formalising the temporary wooden structure at Hix restaurant in Langmoor Gardens by considering commercially leasing the land to Hix. H. Britton said this would set a dangerous precedent in leasing or selling off parts of Langmoor Gardens for commercial benefit and would conflict with the covenants and intentions of the original conveyance in 1913. She said the society strongly objected to the proposal as the commercial exploitation of a town asset was unacceptable and should be refused. She said the society believed the gardens should be protected in perpetuity from any action that would damage the integrity of the public open space, the request should be refused and the wooden structure removed. H. Britton said the society had also objected to the planning application on the Dorset Council planning portal.

E. Robertson (read out by an officer)

E. Robertson said he was giving an opinion as a resident and someone who volunteered at the Lyme Regis Community Garden. He said he wanted to raise three issues with regards to the Oyster and Fish House seating: creepage, impact on the gardens and health and safety. He said creepage seemed the appropriate wording as the restaurant had grown from a garden workshop, then the addition of a balcony and now it was seeking permission for a permanent outside seating area. He wondered if the next request would be to erect a tent and asked if the owner would keep to the boundaries or just continue to expand and who would monitor this. E. Robertson said impact on the gardens had already taken place as rubbish and detritus was constantly being cleared away, for example beer bottles and napkins. Regarding health and safety, he said working in the gardens he could see there was a rodent population and he wouldn't like to see an outbreak in that area as it was next to amenity areas that might become infected and have to close due to leptospirosis. He said the gull population was a problem in the resort and the more food, the larger the potential problem. He asked if the restaurant would then require a tent to protect the customers. E. Robertson said Cobb Road was narrow and the access to the restaurant already caused issues during high season due to vehicles entering to access and drop off at the door, then backing out or doing a three-point turn with pedestrians trying to pass, and vehicles stopping at the entrance way on Cobb Road causing a dangerous pinch point. However, he said the other side of the issue was whether a thriving business should be stifled, as Lyme was a holiday resort and catering a valuable part of the town income. He felt clear and proper measures needed to be put into place to ensure there were limitations and obligations on the business, and to protect the public and reduce congestion on Cobb Road, especially during high season. E. Robertson said this could be monitored and a lease could contain unambiguous conditions and be renewed on a three-year basis. He said if the business did not comply, the council could revoke it or refuse its renewal.

22/90/C Apologies for Absence

None.

22/91/C Disclosable Pecuniary Interests

None.

22/92/C Dispensations

None.

22/93/C Outside Seating at The Oyster and Fish House

The town clerk explained the background to this issue, starting at the Strategy and Finance Committee meeting on 13 July 2022, which directed officers to determine a price for the outside seating through negotiation or valuation, followed by the refusal of the planning application by the Planning Committee on 4 October 2022. He said the valuation advice was now available.

The town clerk said the decisions made by both committees were legitimate but they were inconsistent with each other. He said a decision was needed either way on how the council intended to take this matter forward as it was important the Oyster and Fish House owner, Mark Hix, had a sense of what the position was. He said more importantly, if the council concluded the outside seating couldn't remain, it needed to give him an absolutely clear direction as it might be a difficult decision to implement and he didn't want to present two conflicting decisions to an outside party.

Cllr B. Bawden said at the Strategy and Finance Committee, there was no proposition, vote or majority view in favour of a continuing licence for the outside seating structure. She said although there was a request for a valuation, it did not imply consent, unless there were further discussions with other members outside council meetings. She said no council decision was made at that meeting so she felt it was a step too far for the town clerk to tell the Oyster and Fish House the council was 'amenable' to the proposal.

The town clerk said although it wasn't a resolution, it was absolutely clear what the council asked him to do; to get a valuation and to negotiate and to do this he had to have discussions with Mark Hix. He said the discussions were concluded by an external consultant.

Cllr B. Bawden said she believed the town clerk made a proposal at the meeting to enter into some kind of negotiation and members agreed as a way to move the discussion on, therefore no decision was reached.

The town clerk said it was the intention to bring the price back to the council and this was clear from the meeting. He asked why members would have asked him to get a valuation and to negotiate if they didn't want him to do it. He said the view was if the council could get the price right, members would be interested.

Cllr B. Bawden clarified that she wasn't disagreeing that the town clerk shouldn't have got valuations or negotiated, but he shouldn't have communicated to the Oyster and Fish House that the council was amenable to the proposal.

Cllr B. Larcombe said as no decision had been made by the Strategy and Finance Committee, the planning application was submitted without the council giving its consent as landowner but the application had to be considered by the Planning Committee on its merits, not led by money. He said the council had a request from the Oyster and Fish House for a temporary extension to an existing al fresco arrangement that would be packed away at night and would not require planning permission and this was what the council signed up to; however, what was actually there was more substantial and therefore in contravention to the government guidelines. He added that the council was now in a situation where there was a structure it hadn't given permission for, it did not have planning permission and it wasn't a temporary structure.

The mayor, Cllr M. Ellis said Mark Hix spoke at a virtual council meeting on 17 March 2021 and stated exactly what was proposed and it was voted on by the council.

Cllr B. Larcombe said the decision was based on the papers presented the meeting, not what was raised by Mark Hix in the public forum.

Cllr G. Turner said the Planning Committee looked at planning applications on their merits and the committee turned the application down, which was approved by the Full Council.

The town clerk clarified that the terms of reference for the Planning Committee, which were agreed every year by the council, stated that the committee makes its recommendations directly to Dorset Council. He said the Full Council did not approve the recommendations, it received the minutes only.

Cllr R. Doney said the fundamental question was if Mark Hix was to resubmit a planning application and was successful, would the council allow him to use the land. He said the issue of how much the council might charge and the conditions that might be imposed would come second.

Cllr R. Smith asked for more details about the covenant on the land since 1913, as raised by the Lyme Regis Society.

Cllr C. Reynolds said the covenant only applied to the Langmoor Gardens, not the Lister Gardens, so the letter from the Lyme Regis Society was factually incorrect. She said the land on which the structure was built hadn't been used for at least 75 years as it was on a slope and unusable. She said the decking also gave employment to local people.

The deputy town clerk said Cllr C. Reynolds was correct and that the covenant only referred to the Langmoor Gardens, whereas the Lister Gardens were purchased by compulsory purchase in 1964. He said there were some historic covenants that were not extinguished by the compulsory purchase order but they did not preclude the commercial use of the piece of land in question. He added this wasn't just his opinion as advice had

been taken from the council's solicitor, who confirmed there was no legal bar on the decking being approved.

Cllr P. May said the council wanted to help and encourage local businesses where it could but it also had other duties, and during Covid it was right to embrace the government initiative to allow temporary outside seating, which came to an end in March 2023. He said he concurred with the general view of the Lyme Regis Society that commercial use of the gardens would set a dangerous precedent and they should be protected by the council from commercial development in perpetuity.

Cllr B. Larcombe said courts tended to look at what was reasonable in the absence of hard definition and he felt it was reasonable to conclude Langmoor and Lister were two parts of the same gardens. He said in people's minds, the gardens were a continuation from one side to the other and were seen as a whole.

The town clerk said although Cllr B. Larcombe might have a view about the gardens' covenant, there was a legal view and this was what the council had to properly consider. The town clerk he was surprised by the letter from the Lyme Regis Society because it had been made fully aware of the issues around the covenant. He said the council could refuse to give consent for various reasons but it had to be clear the covenant did not apply to the land in question.

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

Proposed by Cllr P. May and seconded by Cllr B. Larcombe, members **RESOLVED** to agree that the council recognises the unique importance of our gardens to the enjoyment of the town and our duty to protect them from commercial development; we therefore request that the temporary commercial measures permitted by Lyme Regis Town Council under government Covid restrictions are brought to an end and any temporary structures erected in the gardens are removed by the end of March 2023.

Voted for: Cllr G. Turner, Cllr R. Smith, Cllr B. Bawden, Cllr B. Larcombe, Cllr D. Sarson, Cllr C. Aldridge, Cllr P. May

Voted against: Cllr D. Ruffle, Cllr C. Reynolds, Cllr M. Ellis, Cllr R. Doney

Abstentions: Cllr G. Stammers

It was noted members also needed to discuss valuations for the existing Oyster and Fish House balcony and the car parking space, which would need to be discussed confidentially.

Proposed by Cllr B. Larcombe and seconded by Cllr D. Sarson, 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 matters relating to relating to the financial or business affairs of any 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.

The deputy town clerk said he had used a recommended commercial valuer that operated in the south west to determine rents for the existing balcony and one of three parking spaces in the access road opposite the restaurant. He said as the former business owner went into administration, an agreement needed to be entered into with the new legal entity and it needed to be backdated to the commencement of the new legal entity.

Cllr R. Doney left the meeting at 7.48pm.

In answer to members' questions, the deputy town clerk said the increased rent would also be backdated to the commencement of the lease, i.e. two years, the lease would be subject to review at three years, and the Oyster and Fish House could not make any changes to the balcony, such as increasing the number of covers or putting a roof on, without the consent of the council.

Proposed by Cllr R. Smith and seconded by Cllr M. Ellis, members **RESOLVED** to agree the revised rents for the balcony at the Oyster and Fish House and one parking space in the access road.

The meeting closed at 7.54pm.

Committee: Full Council

Date: 15 February 2023

Title: Matters arising from the minutes of the Full Council meeting held on 14 December 2022 and the extraordinary Full Council meeting on 25 January 2023

Purpose of the Report

To inform members of matters arising from the minutes of the Full Council meeting held on 14 December 2022 and the extraordinary Full Council meeting held on 25 January 2023 that are not dealt with elsewhere on this agenda and to allow members to seek further information on issues in those minutes

Recommendation

Members note the report and raise any other issues on the minutes of the meeting that they require further information on.

Report

22/76/C – Collaboration with Dorset Council on the Digital Connectivity Infrastructure Accelerator Project

Our principal assets have been mapped and the temporary licence agreement has been signed which allows potential infrastructure providers to see what land or property the town council owns and which may be suitable in assisting with the delivery of WiFi broadband to properties which may not be able to benefit from wired connectivity. There is absolutely no commitment for the council's assets to be made available and terms would have to be agreed in the usual way with member approval.

22/77/C – Membership, Terms of Reference and Frequency of Planning Committee Meetings

Planning Committee meetings are now being held every fortnight and the new calendar of meetings has been issued to members and published on the council website. The new terms of reference have been received by the committee and published on the website.

22/81/C – Dorset Council's Proposals for Lyme Regis Library

The council's response to the library consultation was submitted by the deadline and the response was circulated to members by email on 12 January 2023.

22/82/C – Draft East Devon Local Plan 2020-2040 Public Consultation

Cllrs B. Bawden and C. Aldridge worked with the deputy town clerk to formulate a response to the consultation and this was submitted by the deadline. The response was circulated to members by email on 13 January 2023.

John Wright
Town clerk
February 2023

Committee: Full Council

Date: 15 February 2023

Title: Update Report

Purpose of the Report

To inform members about progress on significant issues previously considered

Report

Park and Ride

Further positive discussions have taken place with the owners of the existing park and ride site off Charmouth Road. A longer-term agreement seems achievable subject to the agreement of detailed terms and conditions.

The owners would like to put significant investment into the site to improve user facilities, increase the area of hardstanding, improve the weather resilience of the land, provide electric vehicle charging points for user vehicles, etc. Discussions have centred around timescales, funding arrangements and the need for additional permissions or consents. The owners have retained advisors to assist them. There is support, in principle, to moving towards pay to park as opposed to pay to ride. The current assumptions are that arrangements will continue largely unchanged for the current year but with an intention to introduce the changes for 2024.

It is hoped to be able to bring a comprehensive report to the next cycle of meetings for members' consideration.

Options Appraisal Office Accommodation

Work is ongoing but not yet finalised. In particular, some aspects of costing and identifying the realistic opportunities for and costs of improving the energy performance of the existing office building (and Guildhall) are taking more time than anticipated. This involves surveying, architectural and planning input to ensure any suggestions are not just costed but capable of delivery given the need for planning permission and Listed Building Consent.

The report will be completed and presented to members during the next cycle of meetings.

John Wright
Town clerk
February 2023

**Lyme Regis Town Council
Mayor's Announcements for Cllr Michaela Ellis
Meeting held on 15 February 2023**

9 December	Held a bingo event at Woodmead Halls in aid of the mayor's charities and raised £520.50.
14 December	Attended with consort and gave a few words of congratulations at the launching of the boats for the Boat Building Academy. Deputy mayor Cllr Cheryl Reynolds attended the Jurassic Business Awards. Chaired a Full Council meeting in the Guildhall.
15 December	Attended Pine Hall to decorate a Christmas tree for the Christmas tree festival in aid of the mayor's charities.
23 December	Attended and enjoyed the Carols Round the Tree with consort.
1 January	Started the New Year's Day duck race with consort. Attended the Lyme Lunge with consort.
9 January	Attended the chairs' meeting in the town council offices with the town clerk.
14 January	Attended the St Georges, Bermuda Twinning Christmas dinner at the Lyme Regis Golf Club.
19 January	Attended the AGM of the Lifeboat Management Group.
25 January	Attended the Blandford civic day with consort. Enjoyed a very interesting day visiting the local industries and the community fridge.
6 February	Enjoyed a lovely soup and ploughman's lunch with consort at Alexandra Hotel. A great event raising funds for the water survival box.

**LYME REGIS TOWN COUNCIL
PLANNING COMMITTEE
MINUTES OF THE MEETING HELD ON TUESDAY 10 JANUARY 2023**

Present:

Chairman: Cllr G Turner

Members: Cllr C. Aldridge, Cllr B. Bawden, Cllr B. Larcombe, Cllr D. Sarson

Officers: M. Green (deputy town clerk), G. Rood (administrative assistant)

22/73/P Amended Terms of Reference

Members **NOTED** details of the amended terms of reference received from Dorset Council at the Full Council Meeting on 14 December 2022.

It was agreed that any comments about alcohol licence applications would be submitted via email having regard to the majority view expressed at the meeting.

22/74/P Public Forum

There were no members of the public present who wished to speak in relation to the business of this meeting.

22/75/P Apologies for Absence

Cllr P. May – prior commitment

In response to a question, the deputy town clerk reported that Cllr C. Reynolds had stood down from the planning committee with immediate effect because she found it difficult to commit to fortnightly meetings due to ongoing medical appointments

22/76/P Minutes

Proposed by Cllr G. Turner and seconded by Cllr C. Aldridge, the minutes of the meeting held on 13 December 2022 were **ADOPTED** without amendment.

The deputy town clerk advised Councillors that the ground stability report for planning application **P/HOU/2022/07110** had now been submitted, so requested member comments on this application via email by 12pm on 16 Jan 2023 so the Chairman could submit a response to Dorset County Council by the deadline of 17 January 2023.

22/77/P Disclosable Pecuniary Interests

There were none.

22/78/P Dispensations

There were none granted in relation to the business of this meeting.

22/79/P Matters arising from the minutes of the Planning Committee on 13 December 2022

There were none.

22/80/P Update Report

There were none.

22/81/P Planning Applications

- 1) [P/HOU/2022/07116](#) (Received 6 December 2022)
HOUSEHOLDER PLANNING PERMISSION
Retain existing roof covering with the addition of a photovoltaic array. Demolish detached garage and erect a two storey side extension – 3 Upper Westhill Road, Lyme Regis, DT7 3ER
*The town council recommends **approval** of the application because it is in accordance with the approved development plan, does not involve harm to the Conservation area or heritage assets and does not involve an unacceptably adverse impact on the residential amenity of neighbouring properties.*
- 2) [P/LBC/2022/07595](#) (Received 9 December 2022)
LISTED BUILDING CONSENT
Internal and external alterations, notably addressing damp penetration and re-rendering of south-east elevation with lime render and retrospective consent for a boiler flue and a mechanical extract to the kitchen – Armada House, 8 Coombe Street, Lyme Regis, DT7 3PR
*The town council recommends **approval** of the application because it does not involve material harm to the Conservation Area or heritage assets and has no adverse impact on the integrity or appearance of the listed building or residential amenity of neighbouring properties.*
- 3) [P/LBC/2022/07794](#) (Received 13 December 2022)
LISTED BUILDING CONSENT
Refurbishment and modifications to existing ground floor flat including demolition of rear corridor link and utility room and replacement with new, replacement of ground floor sash windows and re-rendering of ground floor portion of front façade – 21 Marine Parade, Lyme Regis, DT7 3JF

*The town council recommends **approval** of the application because it is in accordance with the approved development plan, does not involve material harm to the Conservation Area or heritage assets, is a sympathetic refurbishment to a listed building and has no adverse impact on the residential amenity of neighbouring properties.*

- 4) [P/FUL/2022/07114](#) (Received 13 December 2022)

FULL PLANNING PERMISSION

Refurbishment and modifications to existing ground floor flat including demolition of rear corridor link and utility room and replacement with new, replacement of ground floor sash windows and re-rendering of ground floor portion of front façade – 21 Marine Parade, Lyme Regis, DT7 3JF

*The town council recommends **approval** of the application because it is in accordance with the approved development plan, does not involve material harm to the Conservation Area or heritage assets and has no adverse impact on the residential amenity of neighbouring properties.*

- 5) [P/LBC/2022/06743](#) (Received 14 December 2022)

LISTED BUILDING CONSENT - Relocate ground floor bathroom facilities to alcoves at rear and return room to living space. Extend height of alcoves and fit shower and toilet facilities. Form opening in existing pantry partitions to create a kitchen/dining/living area and replace a recent casement in west wall with a sliding sash window. Relocate existing external soil and waste pipes on west elevation to concealed positions internally. Repairs to copings and flashing on main roof and redecorations internally and externally – Packway, Ware Lane, Lyme Regis DT7 3EL

*The town council recommends **approval** of the application because its appearance is in keeping with neighbouring properties, does not involve material harm to the Conservation Area or heritage assets and has no adverse impact on the residential amenity of neighbouring properties.*

- 6) [P/FUL/2022/07734](#) (Received 15 December 2022)

FULL PLANNING PERMISSION

Change of use of ancillary residential building to a self contained dwelling – Colway Manor, Colway Lane, Lyme Regis, DT7 3HD

*The town council recommends **approval** of the application because it is in accordance with the approved development plan, has no adverse impact on the residential amenity of neighbouring properties and provides an additional unit of residential accommodation with minimal net impact.*

- 7) [P/HOU/2022/07799](#) (Received 20 December 2022)

HOUSEHOLDER PLANNING PERMISSION

Widening of front gateway – 39 Sherborne Lane, Lyme Regis, DT7 3NY

*The town council recommends **approval** of the application because it has no adverse impact on the residential amenity of neighbouring properties and does not involve material harm to the Conservation Area or heritage assets.*

- 8) [P/FUL/2022/07220](#) (Received 21 December 2022)
FULL PLANNING PERMISSION
Install CCTV camera to the Rock Point Inn and Lyme Regis Baptist Church – Lyme Regis Baptist Church, 62 Church Street & Rock Point Inn, Broad Street, Lyme Regis DT7 3BS

*The town council recommends **approval** of the application because it is a necessary extension of the town's CCTV facilities, has no adverse impact on the residential amenity of neighbouring properties and does not involve material harm to the Conservation Area or heritage assets.*

- 9) [P/LBC/2022/07221](#) (Received 21 December 2022)
LISTED BUILDING CONSENT
Install CCTV camera to the Rock Point Inn and Lyme Regis Baptist Church – Lyme Regis Baptist Church, 62 Church Street & Rock Point Inn, Broad Street, Lyme Regis DT7 3BS

*The town council recommends **approval** of the application because it is a necessary extension of the town's CCTV facilities, has no adverse impact on the residential amenity of neighbouring properties and does not involve material harm to the Conservation Area or heritage assets.*

- 10) [P/STA/2022/06044](#) (Received 4 January 2023)
STATUTORY UNDERTAKER
New Sub-station upgrade – Electricity Sub-Station Ozone Terrace, Lyme Regis DT7

*The town council recommends **approval** of the application because it is a necessary upgrade to existing infrastructure, has no adverse impact on the residential amenity of neighbouring properties and does not involve harm to the Conservation Area, heritage assets or the AONB.*

22/82/P Amended/Additional Plans

There were none.

22/83/P Withdrawn Applications

P/LBC/2022/07111 (Decision date not listed - December 2022)

LISTED BUILDING CONSENT – WITHDRAWN

To retain raised decking at rear of garden – 55 Church Street, Lyme Regis, DT7 3DA

NOTED.

22/84/P Planning Decisions

Members **NOTED** details of planning decisions received from Dorset Council.

22/85/P Planning Correspondence

Members **NOTED** details of planning correspondence received from Dorset Council.

22/86/P Exempt Business

There was none.

The meeting closed at 7.52pm.

DRAFT

**LYME REGIS TOWN COUNCIL
PLANNING COMMITTEE
MINUTES OF THE MEETING HELD ON TUESDAY 24 JANUARY 2023**

Present:

Chairman: Cllr G Turner

Members: Cllr C. Aldridge, Cllr B. Larcombe, Cllr P. May,
Cllr D. Sarson

Officers: M. Green (deputy town clerk), G. Rood (administrative assistant)

22/87/P Public Forum

Steve Offord of Overton Close, Lyme Regis explained that he was present to speak in opposition to application P/HOU/2023/00174

The chairman invited him to speak immediately prior to consideration of this application.

There were no other members of the public present at the meeting who wished to speak about any matters on the agenda.

22/88/P Apologies for Absence

Cllr B. Bawden – attending Charmouth Full Council Meeting

22/89/P Minutes

Proposed by Cllr C. Aldridge and seconded by Cllr G. Turner, the minutes of the meeting held on 10 January 2023 were **ADOPTED** without amendment.

22/90/P Disclosable Pecuniary Interests

There were none.

22/91/P Dispensations

There were none granted in relation to the business of this meeting.

22/92/P Matters arising from the minutes of the Planning Committee on 10 January 2023

There were none.

22/93/P Update Report

There were none.

Planning Applications

Planning applications were considered in accordance with the details circulated.

Proposed by Cllr B. Larcombe and seconded by Cllr D. Sarson, it was **resolved** that application on P/HOU/2023/00174 be considered first to avoid Mr Offord being unnecessarily detained.

Steve Offord spoke in opposition to this application. He explained that the 3-storey extension had been subject to a previous application which had been refused by Dorset County Council. He argued that the proposed changes were only marginal and ignored much of the pre-application advice provided by Dorset Council. He also commented that the extension was overbearing, visually dominant, out of proportion, had a negative impact on the amenities of the area and the outlook, including his own property, and was also covered by a covenant. He also said there had been no consultation with the neighbours regarding this application and the planning notice had been put up 5 days late, so giving them only a week to respond to the application. He also commented that the Geotechnical assessment for the extension stated the development would cause an increased load on the slope and increase the risk of a landslip.

1) **P/HOU/2023/00174** (Received 11 January 2023)

HOUSEHOLDER PLANNING PERMISSION

Erect a first floor extension to include balcony, front porch and associated works and landscaping - 5 Overton Close, Timber Hill, Lyme Regis, DT7 3HQ

*The town council recommends **refusal** of the application because it has an overbearing nature and scale, impacts negatively on the residential amenity of adjoining properties and on the street scene and is not in keeping with the character or scale of existing properties in the area. We note only modest changes have been made from the previous application and consider the reasons for refusal of that earlier application remain valid.*

2) **P/STA/2023/00081** (Received 5 January 2023)

STATUTORY UNDERTAKER

Replacement overhead lines – Electricity Sub-Station Ozone Terrace, Lyme Regis DT7

*The town council recommends **approval** of the application because it is a necessary upgrade to existing infrastructure, has no adverse impact on the residential amenity of neighbouring properties and does not involve harm to the Conservation Area, heritage assets or the AONB.*

3) **P/ADV/2022/08008** (Received 6 January 2023)

ADVERTISEMENT CONSENT

Display a welcome & orientation board sign – Land known as The Spittles Nature Reserve, Timber Hill, Lyme Regis

*The town council recommends **approval** of the application because it has no adverse impact on the residential amenity of neighbouring properties and does not involve material harm to the Conservation Area, heritage assets or the AONB.*

4) P/HOU/2022/07799 (Received 11 January 2023)

HOUSEHOLDER PLANNING PERMISSION

Widening of front gateway - 39 Sherborne Lane, Lyme Regis, DT7 3NY

*The town council submitted comments recommending **approval** of this application on the 11/01/23. We raise no objection to the proposed widening of the gateway, but express concern regarding the potential vehicular access as subsequently advised by the Highways authority on 23/01/23.*

22/95/P Amended/Additional Plans

There were none.

22/96/P Withdrawn Applications

There were none.

22/97/P Planning Decisions

Members **NOTED** details of planning decisions received from Dorset Council.

22/98/P Planning Correspondence

There was none.

22/99/P Exempt Business

There was none.

The meeting closed at 7.41pm.

LYME REGIS TOWN COUNCIL

ENVIRONMENT COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 25 JANUARY 2023

Present

Chairman: Cllr R. Smith

Members: Cllr B. Bawden, Cllr B. Larcombe, Cllr P. May, Cllr D. Ruffle, Cllr D. sarson, Cllr G. Stammers, Cllr G. Turner

Officers: M. Adamson-Drage (operations manager), A. Mullins (support services manager)

22/37/ENV Public Forum

There were no members of the public present.

22/38/ENV Apologies

None.

22/39/ENV Minutes

Under minute number, 22/29/ENV, Matters arising from the previous meeting held on 5 October 2022, it was clarified by Cllr B. Bawden that both she and Cllr R. Smith had met with the town clerk to discuss carbon literacy.

Proposed by Cllr P. May and seconded by Cllr G. Stammers, the minutes of the meeting held on 23 November 2022, with the above amendment, were **ADOPTED**.

22/40/ENV Disclosable Pecuniary Interests

Cllr P. May declared non-pecuniary interests in agenda item 8, River Lim Action Group – Update Report as he was a member of the group, in item 10, Big Hedge, as he was a member of the Dorset Climate Action Network (DCAN), and in item 11, Use of the Town Council Logo, as he was a community energy champion.

Cllr B. Bawden declared non-pecuniary interests in the same agenda items for the same reasons.

22/41/ENV Dispensations

There were none.

22/42/ENV Matters arising from the previous meeting held on 23 November 2022

Members noted the report.

22/43/ENV Update Report

2030 Vision

Cllr B. Bawden gave updates on various projects under the 2030 Vision banner:

- Speedwatch training was taking place on 30 January 2023
- A home energy workshop was taking place on 4 February 2023, attended by two community energy champions, Ridgewater Energy, Warmer Homes Dorset, and Turn Lyme Green would be making draft excluders
- She was planning a public open workshop on traffic, transport and speeding for end-February/beginning-March, which would be attended by Dorset Council (DC) officers
- She was organising climate and environmental emergency workshops and DC would be involved in these.

22/44/ENV River Lim Action Group – Update Report

Cllr P. May gave an update on behalf of the group. He said the River Lim was cleaner now than it had ever been and it was an ongoing project to get South West Water (SWW) in particular to clean up the river by stopping illegal sewage releases and to reduce, where possible, legal releases of untreated sewage when there was stormy weather.

Cllr P. May said the River Lim Action Group (RLAG) had found a respected Dorset-based ecologist who had provided a satisfactory quote to do the river survey. He said the quote was £4,700 but this excluded some testing equipment at £500, although the group might be able to get this funded elsewhere. Therefore, the amount was within the £5,000 approved by the council. He said the report from the ecologist would be available to anyone who wanted to see it.

It was agreed the RLAG would speak to officers outside the meeting to discuss the payment terms.

Cllr B. Larcombe said if Church Cliff Beach was redesignated as a bathing beach, it would become part of the town's offering. He said having Blue Flag status wasn't just about bathing water quality, it was also about other factors such as nearby facilities and availability of lifeguards, so re-designating Church Cliff Beach might detract from that.

Cllr R. Smith said the RLAG was aware this was a potential issue but the main reason for trying to re-designate Church Cliff Beach as a bathing beach was to drive improved water quality.

Cllr P. May said Church Cliff Beach was already being used by bathers all year round for swimming. He said the reason it kept failing water quality tests was because of the quality of the water coming down the River Lim and the Environment Agency wouldn't make the resources available to monitor the river close to the beach unless it was designated as a bathing beach. He said the group had concluded it was in the best interests of the River Lim to get the beach re-designated and they were prepared to do the work to make it happen.

Members acknowledged the importance and value of partnership working between SWW, the Environment Agency, the town council, RLAG and Dorset Council in progressing the issue of water quality and thanked the operations manager for arranging the first meeting.

22/45/ENV Bathing Water Quality Meeting 1

Cllr Belinda Bawden said Dorset Council had agreed to get quotes to carry out monitoring of the sand before and after it was dredged from the harbour to confirm if there were any contaminants present.

Members discussed the suggestion to move the water quality noticeboard from the harbour to the sandy beach.

Cllr B. Larcombe suggested tide times could be included on the same board.

The operations manager said tide times were displayed on the harbourmaster's office but he could look into also displaying them on the water quality noticeboard.

Proposed by Cllr P. May and seconded by Cllr G. Turner, members agreed to **RECOMMEND TO FULL COUNCIL** to note the minutes of the initial bathing water quality meeting, the actions from the meeting and the date of the next meeting, and to agree to move the water quality noticeboard from the harbour to the sandy beach entrance.

22/46/ENV Big Hedge

Cllr P. May said Dorset Climate Action Network (DCAN) had slimmed the project down and had submitted a funding application for £1,512. He said there was a public meeting last year about the Great Big Dorset Hedge project where there was a lot of interest from residents and it had received national press coverage so he felt it would be good for the council to adopt it as its biodiversity project.

Cllr D. Ruffle said he wasn't convinced about the precise benefits for Lyme Regis and he had reservations about where the money would be spent as a significant amount would go to the contractor/expert at £15 per hour.

Cllr B. Larcombe said the council had given funding to other organisations that were outside Lyme Regis so it wouldn't be setting a precedent and the amount requested was modest.

Cllr B. Bawden said the benefits of the project included engaging with people to do something positive, community volunteers learning new skills about planting and different types of hedging and trees to encourage wildlife, and education and raising awareness.

Cllr G. Stammers asked whether it was appropriate for the person submitting the funding application to be a beneficiary as the contractor/expert. She also asked if the Big Hedge could become a standalone charity in its own right as it was an ongoing project.

Cllr P. May said DCAN was in the process of applying to become a charity. He said the administrative work required to gather and process the data was quite specialist so a specialist rate had been quoted for the contractor/expert.

The support services manager said as this wasn't a community grant application, there were no rules as such. However, if it was a community grant, there was no rule against paying the wages of the person making the request. She said other community grants had been used to pay for a person's services, but it was unusual for the person submitting the application to request funding to pay themselves. She added that no funding would be released until evidence of expenditure had been provided so this may give members some comfort.

Cllr R. Smith raised a query about the mileage expenses element of the request as it stated 45p per kilometre but it would usually be per mile.

Proposed by Cllr P. May and seconded by Cllr B. Larcombe, members agreed to **RECOMMEND TO FULL COUNCIL** to approve funding of up to £1,512 to the Dorset Climate Action Network for the Great Big Dorset Hedge project, subject to clarification of the mileage element of the request.

22/47/ENV Use of the Town Council Logo

Cllr P. May said the community energy champions had information to give to residents with tips on how to save energy and where to get help to reduce energy bills. He said the community energy champions, Bridport Town Council and Dorset Greener Homes logos were on the letter but they wanted permission to add this council's logo.

Cllr P. May said the community energy champions had done around 15 home visits so far, with around 10 surveyed using the thermal imaging camera, and this would continue through January and February. He said they were trying to recruit more champions and also working with Charmouth and Char Valley to get champions up and running. He suggested members could offer their properties to be surveyed to set a good example.

Cllr B. Larcombe asked if there was any indemnity against the advice given by the champions.

Cllr P. May said they didn't give advice, they gave tips, they made it clear they were not professionals and any advice they gave was in good faith. Homeowners were told to get professional advice and it was up to them if they chose to make any improvements.

Cllr B. Bawden said the champions were also working closely with the Bridport group and funding may be available from Ridgewater Energy to train new volunteers. She said the champions couldn't advertise themselves too widely as they were volunteers and didn't have the capacity to help significant numbers of people.

Proposed by Cllr G. Stammers and seconded by Cllr B. Larcombe, members agreed to **RECOMMEND TO FULL COUNCIL** to support the Lyme Area Community Energy Champions by allowing the use of the town council logo on their literature.

22/37/ENV Carbon Literacy Organisation Accreditation

Members noted the report.

The meeting closed at 9.03pm.

LYME REGIS TOWN COUNCIL

HUMAN RESOURCES COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 4 JANUARY 2023

Present

Chairman: Cllr G. Stammers

Members: Cllr M. Ellis, Cllr B. Larcombe, Cllr P. May, Cllr C. Reynolds, Cllr D. Sarson, Cllr G. Turner

Officers: A. Mullins (support services manager), J. Wright (town clerk)

Absent: Cllr R. Smith

22/45/HR Public Forum

There were no members of the public present.

22/46/HR Apologies

None.

22/47/HR To confirm the accuracy of the minutes of the Human Resources Committee meeting held on 30 November 2022

Proposed by Cllr M. Ellis and seconded by Cllr P. May, the minutes of the meeting held on 30 November 2022 were **ADOPTED**.

22/48/HR Disclosable Pecuniary Interests

There were none.

22/49/HR Dispensations

There were none.

22/50/HR Matters arising from the minutes of the Human Resources Committee meeting held on 30 November 2022

Pay award

Cllr B. Larcombe asked if there had been any appeals.

The town clerk said the deadline for appeals was 31 January 2023 but it was anticipated there would be an appeal from one group of staff and two other individuals. He said employees would approach their line managers if they wished to appeal.

Cllr C. Reynolds asked if South West Councils would make decisions on the appeals.

The town clerk confirmed South West Councils would determine any appeals. He said the council had appointed an external organisation to do a review and if aspects of the review were taken in-house, it would undermine the process and the review would be pointless. He said South West Councils' decision on any appeals would be final and the council shouldn't want to intervene in that process.

22/51/HR Update Report

There were no updates.

22/52/HR To receive the minutes of the Health and Safety Committee meeting held on 8 December 2022

Cllr G. Stammers wanted to draw members' attention to a flood in the council offices which had caused the electric to cut out.

Cllr P. May questioned if it was a sensible decision not to implement pre-start checks as this was raised as an issue by the health and safety auditor.

Cllr D. Sarson said the committee was content not to action this because signing in every day was seen as time-consuming and employees were instead carrying out the pre-start checklist before each task.

The town clerk said he believed this would comply with the auditor's requirements as this was only identified as a minor non-compliance.

Proposed by Cllr G. Stammers and seconded by Cllr D. Sarson, the minutes of the Health and Safety Committee meeting held on 8 December 2022 were **RECEIVED**.

22/53/HR Health and Safety – Annual Audit and Annual Policy Review

The town clerk said this was an exceptionally high scoring audit and the council should be satisfied with anything over 80%. However, he put a marker down and said there was probably only one way to go from here in future.

The committee thanked the operations manager and the operations supervisor for their work in achieving this audit score.

Proposed by Cllr P. May and seconded by Cllr D. Sarson, members agreed to **RECOMMEND TO FULL COUNCIL** to note the 2022 health and safety audit and renew the health and safety policy unchanged.

22/54/HR Pension Access

The town clerk said as this issue affected him, as well as two other employees, he asked members if they would like him to leave the meeting.

Members were happy for the town clerk to stay in the meeting as it didn't affect him any more than any other employee.

The support services manager said the issue members were being asked to consider was the options available to employees if they chose to carry on working past state retirement age but to also access their pension. She said flexible retirement might not be in the interests of the council or the employee as it was unlikely a less senior position would be available or that part-time hours would suit the role. She said terminating an employee's contract and re-employing them at least one day later would mean an employee would lose all their accrued benefits, such as annual leave entitlement, enhanced sick pay and a probationary period would be required again, which seemed unfair on the employee.

The support services manager said members were being asked to consider a policy position so the council was clear on its stance and employees knew their options as they approached retirement, rather than dealing with each employee on a case-by-case basis.

Cllr B. Larcombe said it wasn't about the fairness, it was about the rules under taxation and the tax implications for employees were significant. Therefore, the requirement to have a one-day employment break was not in the council's gift to disregard. He said where the employer had options, it should always be cost neutral. He agreed it would be difficult for an employee to work less hours as someone else would have to cover and reverting to a less senior role would make it difficult for an employee to resist doing their old role.

Cllr M. Ellis said if an employee wanted to work reduced hours, this might create an opportunity for another part-time role. She said this could be discussed on a case-by-case basis but members were being asked to discuss the wider policy at this point.

Cllr B. Larcombe suggested dealing with each employee request on a case-by-case basis but to do it against a policy, or a set of criteria, which ensured there was no cost or negative impact on the organisation. After that, it would be about impact on other employees in that person's team.

The support services manager asked members if they would be comfortable that an employee who had accrued benefits would lose those benefits because they would be forced to terminate their employment with a gap of at least one working day. Although the requirement to take an employment break of at least one working day was a legal requirement, she said it would be within the council's gift to consider protecting an employee's accrued benefits.

It was proposed by Cllr B. Larcombe and seconded by Cllr P. May to consider requests from an employee to carry on working and access their pension pot on a case-by-case basis, set against a criteria that creates no negative impact on the organisation through cost or resourcing.

The town clerk said the council should adopt a position where there is no disbenefit to the council and possibly no disbenefit to the employee either.

The support services manager said this still meant every request would be dealt with on a case-by-case basis and there was no real policy position from the council. She said having a clear position provided certainty to both the council and the employee and that the council needed to apply the policy fairly across the board or else risk equality claims.

Cllr M. Ellis agreed there needed to be a consistent approach. She felt the council needed to protect its employees or it could risk losing an employee because they would otherwise lose their benefits.

Cllr C. Reynolds said although the council needed to protect itself, it also had a duty of care to its employees.

Proposed by Cllr P. May and seconded by Cllr C. Reynolds, members agreed to **RECOMMEND TO FULL COUNCIL** to adopt a policy position where requests from an employee to carry on working and access their pension pot are considered against criteria that creates no negative impact on the organisation through cost or resourcing and employees that request an employment gap of one working day have their accrued benefits maintained.

It was agreed any flexible retirement request, e.g. to reduce hours or move to a less senior position, would need to be considered individually as each case would be different.

22/55/HR The Town Clerk's Objectives 2023-24

The town clerk said this was a continuation of the budget-setting process; members had set objectives and the vast majority of those objectives had been delegated to him. He said there were some other important day-to-day tasks which members would expect him to do, which were not the council's objectives. An initial implementation date, the sponsoring committee and the lead officer for those committees had also been identified for each objective. He added he would be delegating most of the objectives to other managers, who were lead officers for the relevant committees.

Cllr B. Larcombe asked if there were any objectives allocated to the town clerk personally.

The town clerk said any objectives led by the Strategy and Finance Committee were likely to be his. He said when members received appraisal reports for managers, he would be outlining the objectives delegated to each of them.

Cllr B. Larcombe said some of the objectives were yet to be decided on so he asked why managers had been delegated to carry them out.

The town clerk said discussions about the objectives had gone through several meetings so there was an assumption they would happen, although some would require further discussion, such as the outdoor gym equipment or enhanced wedding packages. He said if

the council had agreed the objectives in the budget and those suggestions were reasonable, the council needed to have continuity or the discussion would start again.

Proposed by Cllr M. Ellis and seconded by Cllr C. Reynolds, members agreed to **RECOMMEND TO FULL COUNCIL** to approve the town clerk's objectives for 2023-24.

22/56/HR Carbon Literacy and Performance Management

The town clerk said he had been reviewing what performance management meant in the context of carbon literacy, whether it referred to human resources or a more strategic definition. He said he had tried to extract the human resources element and he confirmed the council was meeting the criteria from this perspective as six employees were carbon literacy trained. He said training for the rest of the staff sat in other specific areas.

The town clerk said the other requirements to meet the accreditation sat with the Environment Committee.

Cllr B. Larcombe said the most important thing the carbon literacy training did was raise awareness and if those who did the training could impart their knowledge on other employees, that would be sufficient. He felt as long as the council was demonstrating that it was aiming to continue to raise awareness, there was no need to chase the gold standard of accreditation.

The town clerk said the council had made a policy commitment to attain silver level accreditation and there was no commitment to attain gold level.

Cllr P. May said the intention of the Environment Committee in referring this matter to this committee was that at the moment, the objectives or performance management of employees were written down but very little of that reflected the environmental impact of those decisions.

The town clerk said the council would continue to train staff on environmental matters but only if it was relevant to them and not just put them on a carbon literacy course.

22/57/HR The Pay Review and the Enforcement Officers' Remuneration

Proposed by Cllr M. Ellis and seconded by Cllr G. Stammers, 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 an individual 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.

22/58/HR Administrative and Community Engagement Assistant, Six-Month Probation Review

Proposed by Cllr M. Ellis and seconded by Cllr G. Stammers, 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 an individual 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.

22/59/HR Exempt Business

a) The Pay Review and the Enforcement Officers' Remuneration

The town clerk said he had intended to bring detailed calculations to this meeting of the enforcement officers' enhanced payment for non-standard hours but this had not been possible due to staff absence. He said he would report this to members after the meeting.

However, based on the rough calculations already done, the £25,000 budget set aside for the outcomes of the pay review would no longer be sufficient and he anticipated it would be around £30,000.

Proposed by Cllr B. Larcombe and seconded by Cllr G. Turner, members agreed to **RECOMMEND TO FULL COUNCIL** to approve anti-social hours payments to postholders 207 and 208, to be paid in addition to their normal spinal column point, and that pay protection is not introduced.

b) Administrative and Community Engagement Assistant, Six-Month Probation Review

Proposed by Cllr P. May and seconded by Cllr C. Reynolds, members agreed to **RECOMMEND TO FULL COUNCIL** to approve the administrative and community engagement assistant's (post holder 109) continued employment with the council, effective from 7 December 2022.

The meeting closed at 8.32pm.

LYME REGIS TOWN COUNCIL

STRATEGY AND FINANCE COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 1 FEBRUARY 2023

Present

Chairman: Cllr M. Ellis

Councillors: Cllr C. Aldridge, Cllr B. Bawden, Cllr R. Doney, Cllr B. Larcombe, Cllr P. May, Cllr C. Reynolds, Cllr D. Ruffle, Cllr D. Sarson, Cllr R. Smith, Cllr G. Stammers, Cllr G. Turner

Officers: N. Cleal (finance manager), M. Green (deputy town clerk), A. Mullins (support services manager), J. Wright (town clerk)

22/45/SF Public Forum

There were no members of the public who wished to speak.

22/46/SF Apologies for Absence

Cllr R. Smith – family commitment

22/47/SF Minutes

Proposed by Cllr D. Sarson and seconded by Cllr P. May, the minutes of the meeting held on 30 November 2022 were **ADOPTED**.

22/48/SF Disclosable Pecuniary Interests

Cllr C. Reynolds asked if Cllr B. Larcombe had a pecuniary interest in agenda item 11, Consideration by Dorset Council of Council Tax Premiums on Second Homes and Empty Properties, as he had a second home in Lyme Regis.

Cllr B. Larcombe said he did have another property in another part of the country but he didn't regard it as any more of a conflict of interest than members personally voting for the precept, car park charges or residents' parking permits, from which they could directly benefit.

The town clerk said if it was a universal benefit for all members, they were allowed to participate because a decision couldn't be made if all members were debarred from the discussion. He said if an interest was beyond a universal benefit, there was a pecuniary interest argument. However, he said any decision belonged to the member concerned.

Cllr M. Ellis reiterated it was down to the individual member to declare any pecuniary interests but if anyone had any issues with this, it needed to be taken up in the correct way.

22/49/SF Dispensations

There were none.

22/50/SF Matters arising from the minutes of the Strategy and Finance Committee meeting held on 30 November 2022

Members noted the report.

22/51/SF Update Report

Cllr D. Sarson asked if there was an update on the Charmouth Road park and ride following discussions with the landowner.

The town clerk said the deputy town clerk had met with a representative of the family and it was a positive meeting, so the deputy town clerk hoped to take a report to the Full Council meeting on 15 February 2023.

22/52/SF Equality and Diversity Policy

Cllr C. Reynolds said she believed the council would be in breach of its own policy by not having a mobile hoist to use alongside the beach wheelchairs.

The support services manager said the council had no obligation to provide a hoist and there were practical issues which meant it wasn't feasible to have one.

Cllr B. Larcombe said under the Equality Act, people were asked to take reasonable action and use reasonable judgement to accommodate equality and diversity but sometimes things were beyond resources or reasonable intent.

The support services manager said the equality and diversity policy would be reviewed annually going forward as there was case law which indicated every three years was not sufficient. She said members would also be offered training on the policy annually and staff would receive training annually.

Proposed by Cllr P. May and seconded by Cllr B. Larcombe, members agreed to **RECOMMEND TO FULL COUNCIL** to approve the revised equality and diversity policy.

22/53/SF Breaches of Financial Regulations

The finance manager said there was no requirement to report breaches of financial regulations to members but she wanted to be transparent about any errors and how they had been resolved. She said staffing issues had led to some of the breaches.

Cllr P. May said the most frequent problem seemed to be where BACS payments were made and asked if any procedures could be amended to address this.

Although a procedure was already in place which meant any BACS payments had to be authorised in the bank by two managers, the town clerk said officers intended to bring proposals to members to improve this.

22/54/SF Budget Performance, 1 April – 30 November 2022

The finance manager said in October 2022 a surplus of £226k was reported and this was now at £284k.

Cllr D. Sarson asked why the marketing expenditure was almost £600k over budget.

The finance manager said this was a formula error on the spreadsheet and it didn't affect the overall total. She said marketing expenditure was actually £15k against a budget of £18.5k.

Cllr B. Larcombe noted there were a number of unbudgeted items and he asked why they were not included in the budget.

The town clerk said it was all unexpected expenditure; the tractor would be replaced in 2023-24 but the deposit had to be paid in 2022-23, the lengthsman vehicle broke down and had to be replaced immediately, and the Ware Cliff road collapsed so emergency repairs had to be carried out.

Cllr B. Bawden noted the income from amenities was considerably up on budget and asked if this was normal. She also asked why the replacement of car park machines had cost £5k compared to the £50k budget.

The town clerk said the amenities area had always generated a significant income. He said the budget had been based on pre-Covid levels because officers always made prudent assumptions.

The town clerk said a budget was set to replace the car parking machines but the majority was spent in the previous financial year and there was now a programme of replacing one machine a year.

22/56/SF Consideration by Dorset Council of Council Tax Premiums on Second Homes and Empty Properties

The support services manager read out a letter from A. Schaefer, of Cloverdale Court, a warden controlled, retirement development. He said the property was classed as a second home but they planned to retire to Lyme Regis permanently, however if council tax premiums were applied, they would have no option but to sell. He said the flat was not bought for property or investment, it was not sublet and couldn't be used as holiday

accommodation, the purchase of the property was age restricted to a minimum age of 55, the service fees were over £4,000 per year, maintenance was carried out by local tradespeople, and the current council tax was paid fully with no discounts. A Schaefer said he believed any council tax premiums should not be made retrospectively and perhaps applied to new builds, and retirement or age restricted properties should be exempt. Although he sympathised with local people who were unable to buy or rent affordable homes in the town, he said the introduction of council tax premiums would unfairly punish and discriminate second homeowners.

Cllr M. Ellis said clarity was needed on how the proposal would benefit Lyme Regis and whether homes that were rented out as holiday accommodation would be classed as second homes or whether they would pay business rates. However, as some holiday lets didn't pay business rates, she said this was something Dorset Council (DC) would need to look at.

Cllr B. Bawden said DC was keen to have an open debate but it was a complicated issue; as such, she had set out the timetable of meetings when this issue was to be discussed and when the public needed to submit questions and statements. She felt the town council needed to encourage people to continue to write to DC or attend the relevant meetings.

Cllr B. Larcombe said there would be difficulty in Dorset in administering council tax premiums as it wasn't straightforward.

The town clerk said there was a possibility a lot of second homeowners could begin to rent out their properties if they had to pay council tax premiums. He said the irony was, this would make them eligible for business rates but they could be under the threshold for paying business rates. He said broadly speaking, he felt most people would support DC's position on empty homes but he felt more information and definition was needed on what constituted a second home.

The town clerk felt it was also reasonable to ask DC what it would do with the additional income; would it contribute to wider budgets or would there be a benefit for Lyme Regis.

Cllr G. Stammers said if the £9.5million generated was ring-fenced for building homes, even if they were not in Lyme Regis but close by, this would be of benefit.

Cllr B. Bawden asked in light of the letter read out, whether the council should support retirement properties being exempt from the council tax premium.

Members felt any proposals should apply equally to everyone.

Cllr B. Larcombe said even if second homes were brought back into use as a result of the council tax premium, many of those properties wouldn't be within the reach of young people to buy. He said the answer was building more affordable housing.

Cllr B. Bawden said a lot of DC members, across the political divide, were calling on the council to be more proactive in building and buying homes for genuinely affordable

social housing. She said the council's response to the proposals could include a suggestion that if it went ahead, the income should be ring-fenced for DC to provide social affordable housing.

The town clerk said if DC made the decision to implement council tax premiums, the detail needed to be considered further and there was unlikely to be enough time before DC's final decision to do this.

Members agreed the council couldn't provide a comment at this stage as more details were needed.

Proposed by Cllr P. May and seconded by Cllr C. Aldridge, members agreed to **RECOMMEND TO FULL COUNCIL** to advise Dorset Council that the town council would like to opportunity to properly comment on the consideration of council tax premiums on second homes and empty properties but more information was required about the definition of second homes, how it would benefit Lyme Regis and whether the money raised would come back to the locality, but to support the empty homes policy.

It was agreed a copy of the draft minutes of this meeting would be provided to Cllr B. Bawden before DC's Place and Resources Overview Committee on 6 February 2023 so she could feed back the council's views.

22/57/SF

Investments and Cash Holdings

Cllr D. Sarson asked if any progress had been made in investigating higher interest rates for a portion of the funds held in the Lloyds Liquidity Manager account.

The town clerk said officers were working on this and would bring a report to the Full Council.

Cllr B. Bawden asked if officers were using any environment, social and governance (ESG) criteria in evaluating where to invest the council's funds as this was part of the climate and environmental emergency declaration.

The town clerk said officers were looking at low risk investment and high street banks and building societies. He said members could have the discussion about ethical and green criteria but officers were trying to secure the best interest rates. He said he didn't know if officers knew enough of the criteria but they could try to find out.

Proposed by Cllr B. Larcombe and seconded by Cllr D. Sarson, members agreed to **RECOMMEND TO FULL COUNCIL** that the council continues its approach to investments along the lines the town clerk has outlined and that a further report is taken to the Full Council meeting on 15 February 2023.

22/58/SF

List of Payments

Cllr B. Larcombe asked why the professional fees were so high in relation to the Jubilee Pavilion and Antiques and Craft Centre.

The town clerk said it included surveys and drawings but he would check with the deputy town clerk what was specifically included.

Proposed by Cllr M. Ellis and seconded by Cllr B. Larcombe, members agreed to **RECOMMEND TO FULL COUNCIL** to approve the attached schedule of payments November 2022 for the sum of £376,666.20 and £129,377.99, respectively.

22/59/SF Debtors

Proposed by Cllr M. Ellis and seconded by Cllr B. Larcombe, 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 matters relating to relating to the financial or business affairs of any 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.

22/60/SF Exempt Business

a) Debtors

The finance manager said since the report was written, the total debt had reduced by just under £12k, made up mainly of chalet debt.

Members agreed it was commendable that debt had been brought down to its current level.

The meeting closed at 8.11pm.

LYME REGIS TOWN COUNCIL

TOURISM, COMMUNITY AND PUBLICITY COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 18 JANUARY 2023

Present

Chairman: Cllr C. Reynolds

Members: Cllr C. Aldridge, Cllr M. Ellis, Cllr D. Ruffle, Cllr D. Sarson, Cllr R. Smith, Cllr G. Stammers

Officers: A. Mullins (support services manager), K. Weekley (administrative assistant), J. Wright (town clerk)

Guests: E. Carr (Unique Boutique Events), C. Wyman (Jurassic Fibre)

22/55/TCP Public Forum

There were no members of the public who wished to speak.

22/56/TCP Apologies

Cllr B. Larcombe
Cllr G. Turner – personal commitment

22/57/TCP Minutes

Proposed by Cllr M. Ellis and seconded by Cllr D. Sarson, the minutes of the meeting held on 16 November 2022 were **ADOPTED**.

22/58/TCP Disclosable Pecuniary Interests

There were none.

22/59/TCP Dispensations

There were none.

22/60/TCP Matters arising from the minutes of the previous meeting held on 16 November 2022

Members noted the report.

22/61/TCP Update Report

Members noted the report.

22/62/TCP To receive the minutes of the Coronation Working Group meeting on 2 December 2022

Proposed by Cllr G. Stammers and seconded by Cllr D. Ruffle, the minutes of the Coronation Working Group meeting held on 2 December 2022 were **RECEIVED**.

22/63/TCP Jurassic Fibre

The chairman invited C. Wyman from Jurassic Fibre to give a presentation to members.

C. Wyman said Jurassic Fibre's network covered over 140,000 homes and businesses in the south west. She explained what fibre-to-the-premises (FTTP) was and why it was needed, primarily to replace copper cables, which were less effective than fibre and would be retired in future. She said FTTP would bring higher download speeds, faster connections and greater reliability.

C. Wyman talked about Jurassic Fibre's build approach and said the network was joined by Point of Presence (POP) sites, which were currently located at Honiton, Bridport, Seaton and Chard.

C. Wyman talked through the plan for Lyme Regis and said they hoped to have the lower parts of the town completed by March. She outlined the roadworks that would be necessary to complete the works over the next three months but said they aimed to create minimum disruption.

C. Wyman gave examples of the kinds of community engagement Jurassic Fibre was involved in and said if there was a local event or project the council felt they could be involved in, she would like to hear about it.

C. Wyman gave details of the latest offers and said people could register their interest at jurassic-fibre.com.

Cllr C. Reynolds asked how long it was expected to be before people could sign up to Jurassic Fibre and how much disruption the work would cause.

C. Wyman said she couldn't give definite dates but she could provide updates. She said they aimed to minimise disruption and any road closures would be communicated to the town council.

Cllr G. Stammers asked what the range of each POP was and whether there were any plans to have one in Lyme Regis. She said due to Lyme Regis being a tourist town, a network would have high usage in the summer and low usage in the winter and asked if there would be any allowance made for this.

C. Wyman said Lyme Regis would be connected to the Seaton POP as it wasn't necessary to have one in every location. She said there would also be one in Axminster which would serve the surrounding areas. She said a certain number of properties could be connected to each POP, rather than it being a matter of distance from a POP. However, she would find out more information about the limitations on POPs and report this back to the council.

Relating to the summer and winter usage, C. Wyman said each premise that connected to the POP had their own fibre so it didn't matter how many people were using it and there wouldn't be a problem of signal dropping off if more people were using it.

Cllr R. Smith asked if fibre would allow phone lines and pylons to be taken down.

C. Wyman said perhaps when copper cables were switched off but she would ask for more information and report back.

C. Wyman said Jurassic Fibre aimed for 90% coverage in the towns they covered but it was subject to surveys. She said they didn't currently provide television packages but they could work in conjunction with television providers.

22/64/TCP Pop-Up Street Food Market

The support services manager emphasised Unique Boutique Events were not asking the council's permission to hold the event, as it was on Dorset Council (DC) land, but they wanted the support of the local council before approaching DC for permission.

Cllr C. Reynolds informed members DC was going to hand over management of events on its land in Lyme Regis to the town council. She asked if the town council would therefore receive the income from those events to rent the land.

The town clerk said DC was happy to delegate to the town council the management of events and if there was a financial consideration for this, the town council would want to benefit from that as it spent time and money in preparing the town for events and managing them while they took place.

The chairman invited E. Carr from Unique Boutique Events to present her proposal and take questions.

Cllr C. Aldridge asked if the traders would be from the surrounding area or already based in the town.

E. Carr said she had a database of traders that she had built up over the years and because it was an evening event over four or five hours, it tended to be businesses within a 20 or 30-mile radius. However, she liked to give local businesses an opportunity to trade too, as long as they were able to operate in the same way as a regular street trader, and she would offer a small discount to encourage them to get involved. She said perhaps the town council could help to publicise the opportunity with local businesses.

Cllr C. Reynolds asked if there were any Lyme Regis traders on the database and whether she proposed to increase the number of traders in the future.

E. Carr said she didn't have any Lyme Regis traders but the word would go out once she had permission. She said Theatre Square was a flexible space so she would start with up to six traders so everyone did well and maybe bring in one or two more each time. She said she also aimed to have a turnover of traders so they weren't the same at each event and she tried not to replicate food that was already available in the town.

Cllr M. Ellis said the Marine Theatre was parking vehicles on the lower level and if the town council was going to manage events on DC land, this needed to be addressed. She asked if traders operated from gazebos, trailers or vehicles.

Members discussed whether Friday was the best day for the event but E. Carr said she was happy to discuss with the council the best day and possibly involve the Marine Theatre. She said traders normally operated from gazebos.

Cllr G. Stammers asked if it was feasible to involve local businesses if there were only going to be three events this year and she already had a large database of businesses that might take part.

E. Carr said she didn't think this was a real issue. In her experience, there were lots of reasons local businesses couldn't participate but it was a gesture to invite them.

Cllr D. Ruffle asked what the feedback from local businesses had been in other places where she had run the event.

E. Carr said some businesses had raised concerns about the event taking footfall away from them but she hadn't seen this in her experience. She said the event was finished by 9pm and people often went somewhere else afterwards.

Cllr R. Smith raised concerns about increased pressure on parking.

E. Carr said the event was very much set up for local people and was about regular and local footfall so she wouldn't expect many people to come from outside the town.

Proposed by Cllr G. Stammers and seconded by Cllr D. Ruffle, members agreed to **RECOMMEND TO FULL COUNCIL** to support the proposal from Unique Boutique Events to set up a pop-up street market in Theatre Square between May and August 2023.

22/65/TCP Beach Hut Booking System

The support services manager emphasised the complaints received about the beach hut booking process had been related to the booking of annual, summer and winter packages over the telephone, not related to daily and weekly bookings using the online system. She said various booking processes had been tried over the years and there seemed to be no perfect solution, there were always going to be people who were

unhappy and generally it was those who didn't manage to secure the package they wanted.

The administrative assistant explained some of the issues she had experienced on beach hut booking day and felt drawing names out of a hat might help alleviate some of the problems, although she agreed there would always be people who were unhappy.

Cllr M. Ellis said she didn't agree with drawing names out of a hat and suggested there was one dedicated phone line where staff could take calls and ask which package they wanted, then call them back later to make the bookings.

The administrative assistant said one of the major issues was the current phone system, which needed updating and might help alleviate some of the issues, but as the future of the office accommodation was yet to be determined, the new phone system had not yet been installed.

Cllr D. Ruffle acknowledged that even if there were extra phone lines and staff taking calls, the council couldn't please everyone. He agreed the system needed to be tweaked somehow but felt there would be accusations of fixing even if names were drawn from a hat.

Several members felt a draw was a fairer system because phoning in was prejudiced against those who were unable to stay on the phone for a long period.

Cllr M. Ellis said if a new phone system was needed, the council should go ahead and install it, regardless of whether a decision had been made on office accommodation.

The town clerk said the council didn't want to waste thousands of pounds installing a phone system if it was then decided to move offices. However, a decision was expected to be made on office accommodation in February 2023 and if members decided the office should remain in the current premises, South West Communications could be asked to install the new system immediately.

Cllr M. Ellis suggested people could be asked to submit sealed bids for packages, although members felt this would be unfair as they would go to people with the most money.

The support services manager said members didn't have to change the system at all; the report was on the agenda as members had seen complaints from the public and wanted to consider if there was a better way of administering bookings. She felt a better phone system with a queuing system would improve the system, as people would know exactly where they are in the queue and could decide if they wanted to wait or not, although there were likely to always be complaints.

Proposed by Cllr M. Ellis and seconded by Cllr D. Sarson, members agreed to **RECOMMEND TO FULL COUNCIL** to defer consideration of how to administer the beach hut booking system for 2023 onwards until a decision has been made on office accommodation.

22/66/TCP Uplyme Gateway Shoppers Card

Cllr C. Reynolds said she supported the idea of a shoppers' card for Uplyme residents to encourage community spirit with the village and many people from Lyme Regis lived in Uplyme. However, to ensure there were more benefits for precept payers in Lyme Regis, she proposed the town council's discounts would only be available to Lyme Regis residents.

Cllr M. Ellis said she had been approached by Uplyme residents who felt they were part of the community in Lyme Regis and used the town as much as Lyme Regis residents used their village. She felt a shoppers' card would be a good compromise as Uplyme residents could get discounts from local businesses but only precept payers would benefit from the council's discounts as a 'gift' to them. She said the only cost to the council would be to pay for the cards, which would be different from the normal Gateway Cards, and staff time to issue them.

Cllr G. Stammers said Uplyme Garage was already launching its own discount scheme so it may not want to be involved in the Gateway scheme.

Cllr C. Reynolds said she would speak to the garage about how the two schemes could work alongside each other to ensure Lyme Regis residents could also have discounts.

The support services manager said although it was good for the council to review its initial decision to exclude Uplyme residents following criticism, she was concerned allowing Uplyme residents to only be involved partially in the scheme could reflect badly on the council as it was expecting local businesses to provide discounts but didn't want to offer discounts on its own services. She suggested Uplyme residents should be included in the scheme entirely or not at all.

Members felt a shoppers' card demonstrated the council wanted to do something for Uplyme residents and only offering town council discounts to Lyme Regis residents gave the precept payers something extra.

Cllr G. Stammers said if the council allowed Uplyme residents to have discounts on its own services, this could then lead them to ask for the parking concessions.

Proposed by Cllr M. Ellis and seconded by Cllr C. Reynolds, members agreed to **RECOMMEND TO FULL COUNCIL** to produce a new shoppers' only Gateway Card for Uplyme residents which they can collect from the office by showing proof of residency in a DT7 postcode.

It was clarified it would be a plain white card with 'Uplyme Shoppers' Gateway Card' written on it and that it would be available to anyone with a DT7 postcode, which would include Rousdon and Yawl.

22/67/TCP Seafront WiFi

Proposed by Cllr C. Reynolds and seconded by Cllr R. Smith, members agreed to **RECOMMEND TO FULL COUNCIL** to note the current situation with the seafront WiFi and leave the existing arrangements in place until the availability and timing of a full fibre option can be established, and instruct officers to continue to monitor the line speeds and levels of public usage with a view to making a firm decision about whether to continue to provide free-to-use public WiFi on the seafront and on what basis as soon as the information about the full fibre option is available.

22/68/TCP Grant Review, B Sharp

Members noted the report.

22/69/TCP Managing Consultation Exercises

Members noted the report.

22/70/TCP Seafront and Beach Concessions

Proposed by Cllr M. Ellis and seconded by Cllr R. Smith, 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 matters relating to relating to the financial or business affairs of any 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.

22/71/TCP Exempt Business

a) Seafront and Beach Concessions

Cllr C. Aldridge asked if the applicants suggested a figure, whether they were given guidance on how much to offer, and whether the amount they offered was challenged. She also noted the applications were for varying lengths of time.

The support services manager said as it was tender process, the applicants offered the council the amount they felt was appropriate for the concession and this was either accepted or not, there was no negotiation process. She said the council offered one or three-year concessions so applicants could choose either.

Proposed by Cllr M. Ellis and seconded by Cllr G. Stammers, members agreed to **RECOMMEND TO FULL COUNCIL** to award the deckchair concession for 2023 to Gemma Manders for the amount offered.

Proposed by Cllr M. Ellis and seconded by Cllr G. Stammers, members agreed to **RECOMMEND TO FULL COUNCIL** to award the trampolines (or similar) concession for 2023-25 to Henry Herbert for the amount offered.

Proposed by Cllr M. Ellis and seconded by Cllr G. Stammers, members agreed to **RECOMMEND TO FULL COUNCIL** to award the children's games and activities concession for 2023-25 to United Beach Missions for the amount offered.

The meeting ended at 8.39pm.

DRAFT

LYME REGIS TOWN COUNCIL

TOWN MANAGEMENT AND HIGHWAYS COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 11 JANUARY 2023

Present

Chairman: Cllr C. Aldridge

Members: Cllr B. Bawden, Cllr M. Ellis, Cllr B. Larcombe, Cllr P. May, Cllr C. Reynolds, Cllr D. Ruffle, Cllr D. Sarson, Cllr G. Stammers, Cllr G. Turner

Officers: M. Adamson-Drage (operations manager), M. Green (deputy town clerk) A. Mullins (support services manager)

Absent: Cllr T. Webb

22/51/TMH Public Forum

There were no members of the public who wished to speak.

22/52/TMH Apologies

None.

22/53/TMH Minutes

Cllr B. Bawden said the date on the minutes was 11 November 2022 but it should have been 9 November 2022 and her apologies were not recorded.

Proposed by Cllr B. Larcombe and seconded by Cllr P. May, the minutes of the previous meeting held on 9 November 2022, with the above amendments, were **ADOPTED**.

22/54/TMH Disclosable Pecuniary Interests

There were none.

22/55/TMH Dispensations

There were none.

Matters arising from the minutes of the Town Management and Highways Committee meeting held on 9 November 2022

Jubilee Pavilion

Cllr D. Sarson asked if any detailed quotes had been received for the work to the Jubilee Pavilion.

The deputy town clerk said one quote had been received which gave a range of prices depending on the various scenarios and the range was within the budget.

Trailer Park at Monmouth Beach, Accreted Land and Harbourmaster's Store

Cllr B. Larcombe said he didn't feel the council could support the extension of land for boat storage.

The deputy town clerk said officers were waiting for a response from Natural England (NE) on the request from Dorset Council (DC) that the area of town council-owned accreted land available for the storage of boats be slightly extended beyond what NE had said they would be willing to support. He said NE had concerns about motorised craft being parked on the accreted land and the risk of oil and fuel contamination, although those concerns had been largely addressed.

The deputy town clerk said NE also had concerns about public access to Monmouth Beach from the Cobb and therefore wanted to ensure a wider margin between parked boats and the steps down from the high wall. He said the request from the harbourmaster still allowed access from the high wall to Monmouth Beach.

The deputy town clerk said the council should wait to hear NE's views and then consider its position. If NE was happy, he couldn't see why the council couldn't support the request but it might affect the rent DC was charged because it would be a much bigger area.

Cllr B. Bawden said there was a desire among people in senior positions in DC for negotiations about the whole harbour area to move on more quickly.

Perimeter wall – Churchyard and Insurance Claim

Cllr B. Larcombe said he had previously raised concerns about the wall and asked if there were any updates on the insurance claim.

The deputy town clerk said the insurance claim didn't relate to the collapsed wall; it related to someone tripping on the pathway in the churchyard and this was being looked at by the council's insurers and the claimant's solicitor.

The deputy town clerk said the town council's responsibility for the closed churchyard was clear, which included boundary walls and fences. He said there was also historic

correspondence which indicated sections of the wall had collapsed previously and been repaired by the council. There was little doubt the council would have to pay for the repair of the wall and there was provision in the budget for this.

However, the deputy town clerk said the length and height of the wall was considerable and it may not be possible just to repair the collapsed section. He said the amount in the budget was enough to repair the collapsed section but once the building surveyor's report was available, it was likely work would also be required to the section that had not collapsed.

Cllr B. Bawden said the fence on the pathway on the seaward side of the churchyard was falling down so this also needed to be addressed.

22/57/TMH Update Report

Garden paths

Cllr B. Larcombe asked if the compacted gravel option was chosen, whether the colour could match the existing tarmac colour for aesthetic purposes.

The operations manager said he could investigate this.

Lister Room

Cllr D. Sarson asked if there was an estimate of the cost of the works to the Langmoor and Lister Room roofs created by excessive rain.

The deputy town clerk said temporary repairs could be carried out by council staff, which would not be too costly, but there were other options which could be more costly. He said he was having a meeting later that week to discuss the issue.

The deputy town clerk said there were flaws in the original design of the roofs and the historic issues that related to the method of construction needed to be addressed. He said he believed this could be done within the amount identified in the budget.

Cllr B. Larcombe asked if future proofing this kind of maintenance could be investigated.

The deputy town clerk said this could be investigated but it would add significantly to the cost.

Three Phase supply for Monmouth Beach car park and Woodmead car park

Cllr M. Ellis asked if this was a budgeted item and if not, why it wasn't being brought as a report first for members to consider.

The operations manager said it was not a budgeted item but because of the lead times involved, he was looking at the feasibility in the first instance and then a report could be brought back for members to consider a future budget item.

Cllr C. Aldridge said her understanding was Western Power Distribution (WPD) had said it was impossible to install a three-phase supply.

The operations manager said WPD was installing a new substation at Monmouth Beach so it may now be possible in that area, although he wasn't aware of any changes at Woodmead Road which would make it possible.

22/58/TMH Car Park Permits' Administration

Cllr D. Sarson asked if there was a three-year permit and a person changed their vehicle within that time, how the enforcement officers would know whether the person had a permit.

The operations manager said the person could log into their account and change their permit to a new vehicle.

Cllr B. Larcombe said people could change addresses at any point and asked if it was incumbent on them to let the council know if this was the case.

The operations manager said it was incumbent on the owner to let the council know if they changed vehicle or address. He said if they used a permit and it was found they were not entitled to use it, it would be withdrawn.

Cllr M. Ellis said if someone moved out of Lyme Regis within the three years, they would still have a permit. She said she would be more willing to support a two-year permit.

Cllr B. Larcombe said if it was an administrative burden to issue the permits every year, it should be made an online system.

The operations manager said it was already an online system but due to the demographic of people living in Lyme Regis, many people didn't or couldn't go online and went into the office for their permits, which was the time-consuming element.

Proposed by Cllr P. May and seconded by Cllr B. Larcombe, members agreed to **RECOMMEND TO FULL COUNCIL** to allow residents' concessionary car parking permit renewal every two years and to keep this under review.

22/59/TMH Parking Issues

Cllr B. Bawden, the DC ward member, said she had been following up various highways requests with DC which had been raised and supported by this council. With regards to the county-wide highways and parking review, she had been informed this had been delayed because DC was carrying out its own overall parking review. However, Lyme Regis and Charmouth was on the list for a review but a lot of other towns were also on

the list so she agreed the council should go ahead with making requests for specific problem areas.

Cllr B. Larcombe said the Clappentail bus stop was becoming more dangerous and the council had been told in the past a traffic regulation order was not required to mark out the bus bay. As such, he didn't want this to be delayed by the wider request for a traffic regulation order if this could be progressed separately.

Proposed by Cllr P. May and seconded by Cllr G. Stammers, members agreed to **RECOMMEND TO FULL COUNCIL** to instruct officers to request Dorset Council Highways commences the traffic regulation process to consider road markings on sections of Sidmouth Road, Springhill Gardens and Roman Road to control parking, to include the bus stop bay by the Clappentail/Lyme Road roundabout.

22/60/TMH Drainage Issues at SWiM

The deputy town clerk explained the drainage issues at SWiM and said the improvements were in the council's interests and would benefit both the council and the tenant in the long run.

Proposed by Cllr G. Stammers and seconded by Cllr G. Turner, members agreed to **RECOMMEND TO FULL COUNCIL** to note the ongoing drainage issues at SWiM and approve making a financial contribution of 25% (up to a maximum of £10k) towards the tenant's cost of repairing and improving the current drains and associated works.

22/61/TMH Complaints, Incidents and Compliments

Cllr D. Sarson referred to a complaint about the Marine Parade Shelters lift being out of order. He said the council knew the lift had been broken for several years but if the same person came back and found it was still broken, this would be an issue. He asked if there was any intention of fixing it and if not, would this be a problem where accessibility legislation was concerned.

The operations manager said he had brought a report to this committee some time ago about the lift and he had obtained quotes for a replacement for £70-100k. He said the lift only serviced the Langmoor Room and the upper level of the shelters, not the rest of the gardens, and as such, members decided to leave the lift as it was.

Cllr G. Stammers asked if the lift wasn't providing full access even when it was in use, whether it was possible to remove it.

Cllr C. Reynolds felt the council should either repair it or take it away, which several members agreed with.

Members asked the operations manager to investigate the accessibility implications in removing the lift and that a report be brought to a future meeting.

Cllr B. Larcombe referred to a compliment received about the enforcement officers. He said it was nice to read something positive about them and wanted to give credit to them.

22/62/TMH RNLI Lifeguard Service

Proposed by Cllr M. Ellis and seconded by Cllr B. Larcombe, 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 matters relating to relating to the financial or business affairs of any 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.

22/63/TMH Procurement of Electrical and Plumbing Services

Proposed by Cllr M. Ellis and seconded by Cllr B. Larcombe, 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 matters relating to relating to the financial or business affairs of any 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.

22/64/TMH Advertising Boards

Proposed by Cllr M. Ellis and seconded by Cllr B. Larcombe, 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 matters relating to relating to the financial or business affairs of any 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.

22/65/TMH Trailer Park, Accreted Land and 'Harbourmaster's Store'

Proposed by Cllr M. Ellis and seconded by Cllr B. Larcombe, 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 matters relating to relating to the financial or business affairs of any 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.

a) **RNLI Lifeguard Service**

Cllr B. Larcombe said the lifeguard station was in the middle of one of the safest beaches in the south of England and if there was deemed to be a need for a third lifeguard, why was it located in the safest part where they had no visibility of the most dangerous areas at Broad Ledge and Back Beach. He said he couldn't understand why a lifeboat service was needed to help with missing children. He added that it wasn't about saving lives, it was about promoting the RNLI in the most congested area of Lyme Regis.

Cllr M. Ellis said Back Beach wasn't a designated bathing beach so the lifeguards wouldn't observe there. In considering funding for the lifeguards, she said the council had always come back to the conclusion that if someone was to drown and the council had not funded the lifeguards, it would not reflect well. She said she would find it hard to withdraw funding and there was already an agreement in place which she felt the council should stick to.

Cllr B. Larcombe said if the RNLI widened the service to other beaches in Lyme Regis, he would possibly support a third lifeguard.

Cllr G. Turner said lifeguards wouldn't go too far from their post to deal with lost children but both the coastguards and the lifeboat would go as far as required on land and at sea to find them.

Proposed by Cllr M. Ellis and seconded by Cllr P. May, members agreed to **RECOMMEND TO FULL COUNCIL** to continue with the existing contract for the RNLI lifeguard service.

b) **Procurement of Electrical and Plumbing Services**

Cllr M. Ellis said the council had previously put an advert in the local newspapers to ask if local contractors were interested in providing these services and this would also provide a register of available contractors.

The deputy town clerk said when the council went through this process previously, lots of companies were invited to submit proposals but almost none did. He said he wasn't advising against advertising the opportunity but maybe not to expect much of a response.

Proposed by Cllr P. May and seconded by Cllr B. Larcombe, members agreed to **RECOMMEND TO FULL COUNCIL** to select Topsparks Ltd as the council's preferred supplier for electrical and plumbing services but to also open invitations to other suppliers with a view to reviewing the position in six months.

c) Advertising Boards

Cllr B. Larcombe felt the council could continue to pursue enforcement against a specific business without the need for a solicitor. He asked why the council couldn't take away the advertising board if it was on its land.

The operations manager said the council could take the board away but it had to be returned within a 'reasonable' time and couldn't be disposed of.

Cllr P. May asked if there was any other way the council could enforce the rules around advertising boards, such as insisting businesses had a certain level of public liability insurance, introducing a fee to put boards out, or fining businesses who don't adhere to the rules.

Cllr C. Reynolds felt the council should be taking the same approach to all businesses in the town, rather than singling out this one business. She said in the past when DC had enforced the A board policy and businesses were told to take their boards in, they were put back out the following day.

Cllr M. Ellis agreed there needed to be a consistent approach across the whole town and suggested a letter was sent to all businesses informing them of the rules.

Cllr B. Bawden suggested there could be something in the council's business briefing.

Cllr B. Larcombe said if the council's solicitor wasn't minded to pursue action with the one particular business, the council needed to look for another solicitor to take it forward. He said removing boards and returning them days or weeks later would also act as a deterrent to businesses due to the inconvenience.

Cllr P. May agreed the council should extend as far as possible the amount of reasonable time the council could retain advertising boards, which might encourage people to be more sensible with them.

The deputy town clerk advised members that trying to tackle the issue of advertising boards could harm relationships with local businesses and he felt DC should be dealing with the issue.

Cllr M. Ellis left the meeting at 8.25pm.

Cllr G. Stammers said it was unfair on staff to continue to remove advertising boards and have the potential for confrontation with business owners.

The deputy town clerk said neither DC nor its predecessor Dorset County Council had ever brought a prosecution against a business for advertising boards.

Cllr M. Ellis returned to the meeting at 8.27pm.

Proposed by Cllr P. May and seconded by Cllr D. Sarson, members agreed to **RECOMMEND TO FULL COUNCIL** not to pursue the prosecution of a business refusing to move an advertising board, and to remove boards from any businesses which do not comply with the A board policy and to keep them for as long as is reasonably possible.

Members agreed the A board policy should be sent in the business briefing.

d) Trailer Park, Accreted Land and ‘Harbourmaster’s Store’

Members discussed the request from the harbourmaster to phase the increase in rent for the trailer part and accreted land.

The deputy town clerk said if members were minded to support the request, it should be stipulated that the benefit of the phasing directly went to the local harbour users instead of being used by DC to offset the subsidy it currently put in to the harbour.

Cllr B. Larcombe said the council had never had the money it was owed for the land and as such, it was indirectly subsidising DC. He felt the council should be paid what it was owed immediately.

It was proposed by Cllr B. Larcombe and seconded by Cllr D. Ruffle to refuse the request from the harbourmaster to phase the increase in rent for the trailer park and accreted land over three years.

This motion was not carried.

Proposed by Cllr P. May and seconded by Cllr B. Bawden, members agreed to **RECOMMEND TO FULL COUNCIL** to phase the increased rent to Dorset Council for the trailer park and accreted land over two years.

Members discussed the request from the harbourmaster that the notice period to vacate the store at Monmouth Beach be extended from 31 January 2023 to 31 July 2023.

Cllr M. Ellis said she did not support the extension as the council had plans for the use of the store and there was no guarantee the work would be completed on DC’s new store by the end of July. She said the council needed to do what was in its best interests and ensure its equipment was stored safely.

Cllr G. Stammers said DC had had a year’s notice to vacate so they must have a plan in place.

It was noted that the vacation date of 31 January 2023 was before the Full Council meeting on 15 February 2023 when any resolution could be agreed, so retrospective approval would be given by the Full Council.

Proposed by Cllr M. Ellis and seconded by Cllr P. May, members agreed to **RECOMMEND TO FULL COUNCIL** to refuse the request from the harbourmaster to extend the notice period to vacate the store at Monmouth Beach from 31 January 2023 to 31 July 2023.

The meeting closed at 8.58pm.

DRAFT

Committee: Full Council

Date: 15 February 2023

Title: Receipt of a Petition

Purpose of Report

To inform members of a petition which will be presented by Seb Cope during the public forum; the petition is in response to a resolution of the extraordinary Full Council on 25 January 2023

To allow members to consider how they wish to respond to the petition

Recommendation

Members receive and consider how they wish to respond to the petition

Background

1. At the extraordinary Full Council meeting on 25 January 2023, the council considered outside seating at the Oyster and Fish House. Following consideration, the extraordinary Full Council resolved:

‘that the council recognises the unique importance of our gardens to the enjoyment of the town and our duty to protect them from commercial development; we therefore request that the temporary commercial measures permitted by Lyme Regis Town Council under government Covid restrictions are brought to an end and any temporary structures erected in the gardens are removed by the end of March 2023.’

2. In response to the Full Council’s decision, an online petition was started by asking the council to reconsider its decision. At 4pm on Thursday 9 February 2023, the petition had 8,200 signatures.
3. The petition, ‘hopes Lyme Regis Town Council will reconsider their decision and Mr Hix will be able to continue using the decking.’
4. Members are reminded that standing order 11a states:

‘A resolution of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 6 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.’

John Wright
Town clerk
February 2023

Committee: Full Council

Date: 15 February 2023

Title: Appointments to External Bodies

Purpose of Report

To allow members to make additional nominations to external bodies

Recommendation

Nominate a replacement member to the St Michael's Business Centre Management group, a substitute member to the Lyme Regis Harbour Consultative Group and consider if a replacement member is required for the DAPTC

Background

1. Nominations to external bodies were made at the annual meeting of the council on 1 June 2022.

Report

2. Following Cllr John Broom's passing, new council representatives are sought for the organisations to which he was appointed.
3. Cllr Broom was a representative on the DAPTC (Western Area Committee and Larger Councils), the St Michael's Business Centre Management group, and the substitute member on the Lyme Regis Harbour Consultative Group.
4. As Cllr B. Larcombe is also a representative on the DAPTC, it may not be necessary to appoint another member at this point.
5. Appointments will be for the remainder of this council year, i.e. until the beginning of May 2023.

Adrianne Mullins
Support services manager
February 2023

Committee: Full Council

Date: 15 February 2023

Title: Internal Audit Report, Visit two 2022-23

Purpose of Report

To inform members of the outcome of the internal auditor's second visit for 2022-23

Recommendation

Members note the internal auditor's report and approve the management responses

Background

1. Internal audit is an important part of the council's governance and managerial framework and, as such, it is important the town clerk takes responsibility for any observations and recommendations arising from the internal auditor's visits.
2. The council's internal auditor is Darkin Miller – Chartered Accountants. The internal auditor's remit is to establish there is proper book-keeping, risk management arrangements, bank reconciliation and year-end procedures, and controls are in place for payments, budgets, income, petty cash, payroll, and assets.
3. Darkin Miller was appointed as the council's internal auditors for the financial years 2015/16, 2016/17 and 2017/18 at the Full Council meeting on 22 July 2015.
4. Following a recommendation from this committee, on 13 December 2017 the Full Council appointed Darkin Miller as the council's internal auditor for a further two years, i.e., 2018/19 and 2019/20. On 8 January 2020, the council approved Darkin Miller's appointment for a further three years.
5. The council normally engages Darkin Miller for up to eight days a year; this covers four audit visits which usually last for two days.

Report

6. Darkin Miller's second audit visit for 2022-23 took place over two days on 16 and 18 January 2023. The second day was interrupted by heavy snow, hence the delay in presenting Darkin Miller's final report to council, **appendix 21A**. The report contains six recommendations: two medium and four low.

Naomi Cleal
Finance manager
February 2023

DARKIN MILLER ~ CHARTERED ACCOUNTANTS

Accountancy ~ Internal Audit ~ Taxation



FINAL

Internal audit report 2022/23

Visit 2 of 3

LYME REGIS TOWN COUNCIL

Date: 9th February 2023

Report author: R Darkin-Miller
Email: r.darkin@darkinmiller.co.uk

Darkin Miller Limited trading as Darkin Miller ~ Chartered Accountants
Registered Office: 24e Deverel Road, Charlton Down, Dorchester, Dorset DT2 9UD
Principal and Director: Rosie Darkin-Miller LLB (Hons) BFP FCA
Company registered in England no. 8590012

Introduction

This report contains a note of the audit recommendations made to Lyme Regis Town Council following the carrying out of internal audit testing on site on the 16th and 18th January 2023 with some work carried out remotely.

The audit work has been carried out in accordance with Appendix 9 of the 'Governance and Accountability for Local Councils: A Practitioners' Guide', as supplemented by the requirements of later AGARs.

An internal audit covers the review of the operation of the Council's internal control environment. It is not designed to review and give full assurance over every transaction carried out by the Council. Instead it enables the auditor, following the sample testing of a number of different types of transaction, to give an opinion as to whether or not the control objectives are being achieved across a range of financial and governance systems.

Audit Opinion

As this audit report is an interim one, no audit opinion is offered at this stage. The report issued after the final visit for 2022/23 (which will be in May or June 2023) will contain the audit opinion.

The following areas were reviewed during this audit visit:

1. Payments
2. Risk Management (work in progress)
3. Budgetary Control
4. Income (work in progress)
5. Petty Cash

Audit Recommendations

Recommendations made during the audit are shown in appendix one to this report.

Recommendations are graded as follows:

Rating	Significance
High	Either a critical business risk is not being adequately addressed or there is substantial non-conformity with regulations and accepted standards.
Medium	Either a key business risk is not being adequately addressed or there is a degree of non-conformity with regulations and accepted standards.
Low	Either minor non-conformity with procedure or opportunity to improve working practices further.

The number of recommendations made at this audit visit and their priority are summarised in the following table:

Rating	Number
High	0
Medium	2
Low	4
Info	0
TOTAL	6

I would like to thank John Wright, Town Clerk; Mark Green, Deputy Town Clerk; Naomi Cleal, Finance Manager; Adrienne Mullins, Support Service Manager; and Matt Adamson-Drage, Operations Manager for their assistance during this audit.

Darkin Miller ~ Chartered Accountants
2022/23 INTERNAL AUDIT OF LYME REGIS TOWN COUNCIL
FINAL REPORT VISIT 2 OF 3: 9th FEBRUARY 2023

Appendix 1 – Recommendations and Action Plan

Recommendation number	Detail	Priority (Low/Medium/High)	Management Response	Responsible Officer	Due Date
3.2 – Minute amendments	<p>I reviewed the minutes to confirm that there was no unusual financial activity. I found no such activity but did note the following: Council - minute 22/23/C of the meeting of 27/07/22 refers in error to the minutes of the meeting of 20/06/22 (the minutes of the June meeting were dated 22/06/22). Council - minute 22/32/C of the same meeting notes 'RESOLVED: Proposed by Cllr J. Broom and seconded by Cllr B. Larcombe, members agreed to RECOMMEND TO FULL COUNCIL to approve CCTV Policy unchanged.'</p> <p>I recommend that minute 22/23/C is corrected to record the correct date, and the wording of minuted 22/32/C is reviewed in order to ensure that the appropriate resolution was recorded.</p>	L	Agreed. To go to Full Council.	SSM	15/02/23
5.8 – Finish review of parking charges (individual spaces)	<p>I was unable to agree the prices charged in relation to two individual car park spaces (Church Cliff and View Road). The Deputy Town Clerk noted that many of the related car park spaces have had prices set on varying basis, some on the basis of valuation advice, others based on amounts tendered by the licensee, and some prices relating to the number of letting rooms and whether they are let for residential or holiday</p>	M			

	<p>purposes. He noted that the Council is in the process of reviewing the charges in order to apply a simpler and consistent charging methodology, with a recommended charge likely to be in place by the end of March 2023, and a new charging scheme to be put in place during the 2023/24 financial year.</p> <p>I recommend that the review and rationalising of charges is completed as planned in order to ensure that charges are consistent, that appropriate levels of fees are generated by Council assets, and that it is easy to check that the correct fee is being charged.</p>		Agreed. Take it Strategy and Finance 22 March 2023	MG	22/03/23
5.9 – Ensure equal quarterly invoices issued	<p>I noted that one of the rental amounts due for the year was being invoiced quarterly but with a varied amount being charged each time. This was due to an historic informal agreement allowing the tenant to make larger payments during the busy summer periods. The Deputy Town Clerk noted that it would be better for the Council's ability to manage and monitor debt to move back to invoices which were based on the quarterly amount due, even if the tenant still chose to pay more in the summer and less in the winter.</p> <p>I recommend that the invoicing returns to being based on a quarter of the amount due as discussed, as this will make it easier to manage debtors in the event of amounts falling overdue.</p>	L	Agreed	FM	Q1 of the new financial year
5.10 – Recode Woodmead car park income	I checked to see that income was properly recorded and promptly banked. I noted that £1033.71 of net car park income related to Woodmead car park was coded	L			

	<p>in error to Monmouth Beach car park income as both amounts had been received in one sum. Woodmead car park income to 16/01/23 was £241k, so this is an error rate of 0.4%.</p> <p>I recommend that the share of income related to Woodmead is recoded in order to ensure that coding and budget monitoring reports are correct.</p>		Officers aware – completed	FM	02/03/23
5.11 – check JustPark charges for May and June 2022	<p>I checked the prices charged for phone and pay car park charges. I found that for most car park income relating to May and June 2022, JustPark charges a 3% administration fee and a 10p convenience charge plus, where customers opt for it, a 10p SMS reminder charge and (for some) a 10p SMS receipt.</p> <p>The third party charges levied by JustPark for car park phone and pay do not appear to have been noted by Council.</p> <p>I recommend that the charges levied by JustPark are noted by Council so that there is clarity over the Council's charges and third party charges for services provided by the Council.</p>	L	Agreed. Will note at Full Council 15/02/23	FM	15/02/23
5.12 – Recover input VAT on JustPark administration fees and check postings as compared to	<p>I also noted that the JustPark fees for May 2022 are coded as T0 in the Council's accounts, meaning that no input VAT was recovered. JustPark levies VAT on its fee, so VAT is recoverable.</p> <p>I also noted a difference on the totals of the May 2022 reports from JustPark as compared to the amounts</p>	M			

JustPark reports	<p>posted to the Council's accounts.</p> <p>I recommend that the input VAT relating to the administration fee is recovered and that the difference is investigated and resolved.</p>		<p>We struggle with communication from Just park but are waiting on for information on retrieving VAT invoices, as their website does not present VAT in the breakdown of fees.</p>	FM	March 22
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Committee: Full Council

Date: 15 February 2023

Title: Investments and Cash Holdings

Purpose of Report

To allow members to consider investment options

Recommendation

Members consider the report and instruct the town clerk on any measures they wish to introduce to increase the council's investment income

Background

Treasury Management

1. The council's financial regulations state its approach to treasury management, see below:

'Lyme Regis Town Council aims to hold a minimum reserve of 50% of budgeted income. With the approval of the council, this reserve can be varied in response to external and internal events, e.g., major programmed expenditure, financial uncertainty. In addition to this reserve, the council also holds surplus funds as a result of the timing of income and expenditure. It is important that such funds are invested prudently with regard to the council's fiduciary responsibility to local council taxpayers the priority for security and the liquidity of investments.'
2. The council's policy on investment is risk-based, i.e., low, medium, or high; it has remained a low-risk approach for some time.
3. Through the budget-setting process, the council aims to undertake a review of its investments and loans and determine its appetite for investment risk. This approach may be varied by the council from time-to-time as circumstances dictate.
4. The council's financial regulations further state that the council's current approach to investments and risk must be:
 - made in sterling
 - short term: investments will not normally exceed 12 months
 - made with recognised and reputable financial institution.
5. During the 2023-24 budget-setting process, the finance manager and town clerk undertook to review the council's investments and report back to members.

Economic environment

6. Up until December 2021, the Bank of England base rate has been below 1% for the previous 13 years; the Bank of England base rate determines the commercial interest rates offered by financial institutions. During this period of low interest rates, the council's return on its invested spare cash, i.e., its reserve, has been low, typically averaging 0.5%. Through marginally higher levels of inflation, this has seen a real decline in the value of these cash holdings, although this has not been material.
7. Since December 2021, the base rate has increased from 0.1% to 4.0%. This has been in response to the increasing rate of rate of inflation which, measured by the Consumer Price Index, has steadily risen from 0.7% in February 2021 to 10.5% in December 2022, peaking at 11.1% in October 2022.
8. There are many complex factors which can affect indicators for interest-rate decisions, such as inflation, economic growth rate and unemployment. The following gives a flavour of what analysts are predicting for 2023 and 2024:
 - in its fiscal forecast published in November 2022, the Office for Budget Responsibility predicted the bank rate would rise from to 4.8% in quarter 3, 2023 and reduce to 4.5% in quarter 3, 2024
 - the Bank of England has projected the bank rate could reach 5.2% in the fourth quarter of 2023, before falling to 4.7% in 2024 and 4.4% in 2025
 - Scotiabank forecast the UK's key interest rate to rise to 4.25% in 2023 and decline to 3.25% in 2024
 - ING forecast the interest rate will fall to 3.00% in quarter 1, 2024, and reduce to 2.25% in quarter 4, 2024.

How much can the council afford to invest and for how long?

9. The council's substantive policy position is to hold a reserve which is 50% of budgeted annual income. As part of the 2023-24 budget-setting process, the council agreed to hold a reserve of £1 million. This sum was set slightly higher than 50% of budget income (£946,294) because of economic uncertainty.
10. Officers have worked on the assumption the council does not want to change its low-risk investment strategy and, therefore, have reviewed savings account options available, only. The following details major banks' quotes for a one-year fix on a sum of £100,000:
 - Barclays 1.5%
 - Virgin Money don't offer rates to local government
 - Nationwide don't offer rates to local government
 - NatWest 3.5%
 - Santander we need to open an account for a quote

- Cooperative 1.1%
- Lloyds 2.8%

11. The best interest rates are offered by the council's existing business account providers, NatWest and Lloyds and further discussions have produced quotes for six and nine-month fixes:

	six months	nine months
NatWest	3.2%	3.3%
Lloyds	2.7%	2.75%

12. Based on the interest rates offered by NatWest, officers believe the council could reasonably invest £800,000 for one-year; this could be broken down into sums of £200,000. This would generate £28,000 in interest.
13. To allow for the possibility of significant unbudgeted expenditure¹, the council could invest two separate sums of £100,000 with NatWest for six months. This would generate £3,200 during the fixed period: an annual equivalent of £6,400. If a fix had to be broken, £100,000, only would be subject to penalties in the first instance.
14. Moving forwards, officers propose the council undertakes a structured six-month review in its investments; needless to say, if there were any intervening material events, officers would bring a separate report to members.
15. Officers propose the council's current account is held with Lloyds Bank; this account has an interest rate of 0.6% and is principally supported by the council's budget surplus. The total amount of money held will vary throughout the year but for every £100,000 held on average, the account will generate annual income of £600.
16. At the Strategy and Finance Committee on 1 February 2023, Cllr Bawden asked if officers had considered ethical banks. In response, officers have made some enquiries.
17. Ethical financial providers focus on making positive contributions to society and changing the world for the better. Both NatWest and Lloyds operate to published ethical codes of practice. While ethical policies vary from bank to bank, they share some common themes:
- Positive contribution to the environment through cutting their own emissions, funding climate positive projects or refusing to invest in fossil fuels
 - Ensuring there are no human rights abuses in their supply chains or within the organisations they lend to
 - Avoiding irresponsible and risky lending

¹ The probability of this is low. The council reserve at 31 December 2022 is £1,771,00. The 2023-24 budget is based on a £1 million reserve and a prudent year-end surplus of £227,226. Further, the council's income is higher than routine expenditure in the early part of each year and project expenditure normally occurs later in the year.

- Funding charities and social enterprises in the UK or fairtrade projects globally
- Having a transparent culture surrounding their investments and how well they are succeeding with their goals.

18. To gain a sense of the interest rates offered by ethical banks², officers contacted the three most ethically rated banks: Triodos Bank, Charity Bank and Ecological Building Society for information about their interest rates on a one-year fix:

- | | |
|-------------------------------|--|
| • Triodos Bank | no new deposits accepted |
| • Charity Bank | 3.36% |
| • Ecological Building Society | don't offer rates to local authorities |

19. In approving any approach, members' attention is drawn to the Financial Services Compensation Scheme which limits deposit protection to £85,000. Further details are provided in the footnote³.

20. The judgement is, the trade-off between preferential interest rates and the risk of holding the council's cash in a small number of banks, only.

Naomi Cleal
Finance manager
February 2023

John Wright
Town clerk

² As identified by 'choose fair price comparison' Ethical Banking in the UK: Which banks are the most ethical, Dr Lucy Brown, July 2022.

³ Customer deposits held by banks, building societies and credit unions (including in Northern Ireland) in UK establishments that are authorised by the Prudent Regulatory Authority (PRA) are protected by the Financial Services Compensation Scheme (FSCS) up to £85,000. This includes, for example, eligible deposits in current accounts, savings accounts, cash ISAs (held with a deposit taker) or savings bonds. The deposit protection limit applies to the total eligible deposits of each person, per PRA-authorised firm. A PRA-authorised firm may own several banking and building society brands. This means that anyone who has deposits in more than one account under a single brand, or multiple accounts under different brands owned by a single firm, is only protected up to a total of £85,000 across all these accounts.

Committee: Full Council

Date: 15 February 2023

Title: Harbour Dredging and Beach Replenishment – Request from Dorset Council for Contribution Towards Costs

Purpose

To allow members to consider a request from Dorset Council for a financial contribution towards the cost of harbour dredging and beach replenishment in 2023 and 2024

Recommendation

Members consider a request from Dorset Council for a financial contribution towards the cost of harbour dredging and beach replenishment in 2023 and 2024

Background

1. In 2018 and in response to a request from the then West Dorset District Council, members agreed to make a one-off financial contribution of £4,000 towards the cost of harbour dredging and beach replenishment in Lyme Regis.
2. The relevant 2018 report setting out the context to that request, together with a copy of the committee discussion and decision are attached as **appendices 23A and B**, respectively.
3. It is very clear from the report and minute that members viewed the 2018 decision as a 'one-off', having regard to the lack of funding in that year from the Environment Agency. There was no commitment to provide funding in future years and no request was made and no funding provided in 2019.
4. In 2020, Dorset Council (DC) made a further request for a retrospective contribution towards works which had been undertaken in that year, including the harbour dredging, beach replenishment and shingle regrading.
5. The amount sought in 2020 was £15,000 and the relevant correspondence explaining the reasons why that approach was made is attached as **appendices 23C and D**.
6. In a verbal report to Full Council, it was noted the total cost of the work in 2020 was £150,000, that the DC contribution was £60,000, with the remainder from the Environment Agency (EA) and other partnership funding. It was also reported the EA was reluctant to give funding to projects that didn't include wider partnership funding. Members noted an element of the works were of amenity value to the town council as owner of the sandy beach. However, it was also noted the ability to deposit spoil from the harbour onto the beach saved money because it would otherwise have to be transported and deposited elsewhere.
7. Members declined to make a contribution – minute 19/235/C (September 2020) refers.

Report

8. DC has now requested the town council considers making a financial contribution towards the cost of the harbour dredging and beach replenishment works in 2023 and in 2024.
9. A copy of the email containing the request and the reasons for it is attached as **appendix 23E**. The request references two lots of expenditure incurred in the same (2022/23) financial year. This is because the 2022 works were undertaken later than planned whilst the intention is to carry out the 2023 works much earlier to minimise disruption to traders and beach and seafront users.
10. The amount sought in 2023 is 'up to £45k' towards a total cost of £145k. The cost is stated to be more than anticipated but is less than in 2020 because the earlier works also included major regrading of the shingle beach.
11. The 2023 works are planned to be undertaken prior to Easter, during March low tides.
12. Members are asked to consider the request from DC for a funding contribution.
13. Any contribution for 2023 would be unbudgeted expenditure from the current year (2022/23) and would impact on the year-end reserve position, albeit that position is currently looking at least as good as forecast.

Mark Green
Deputy town clerk
February 2023

Committee: Town Management and Highways

Date: 17 January 2018

Title: Harbour Dredging

Purpose of the Report

To allow members to consider a request from West Dorset District Council (WDDC) for a financial contribution in 2018 and in future years from this council towards the cost of dredging the harbour, maintaining the town's sea defences and replenishing the sandy beach

Recommendation

Members consider the principle of making a financial contribution towards the cost of dredging the harbour, maintaining the town's sea defences and replenishing the sandy beach in 2018 and in future years and, if supported, indicate the maximum level of any contribution and any conditions which might apply

Background

1. Each year, WDDC manages a contract to dredge the harbour and pool area. This work maintains a navigable channel to and from the harbour and ensures the floating pontoons are useable throughout the season.
2. Dredged material is deposited on the town council-owned sandy beach, which has the joint benefits of maintaining sea defences and replenishing the beach for continued use by visitors.
3. The total quantity of material dredged annually is around 10,000 tons, or about 5,000m³.
4. Historically, this work has been wholly funded by the Environment Agency (EA) pursuant to a bid made to the agency by WDDC.
5. The agency's five-year funding period has now come to an end.
6. Although a further bid is being submitted to the EA by WDDC, it is very unlikely to result in 100% funding going forwards because of reduced agency budgets and changed funding priorities. No agency funding will be available for 2018 in any event because of their decision-making timescales.
7. Historically, the annual cost of the works has amounted to about £40k and the expectation is that those costs will continue relatively unchanged.

Report

8. The chairman of this committee, together with the deputy town clerk, met with a WDDC engineer and the harbourmaster on 11 January 2018 to discuss the situation and the way forward.
9. Although the management and maintenance of the harbour is the responsibility of WDDC, the dredging works do have wider benefits. These include flood protection for the town, including the protection of many valuable, income-generating town council-owned assets along the seafront. In addition, the works replenish 'our' sandy beach, which would otherwise quickly become seriously depleted and potentially unusable over time.
10. Given the wider benefits, it may be reasonable for this council to consider make a contribution towards the costs of the dredging works both in 2018 and going forwards.
11. If members are supportive of the general principle of this council making a contribution, it is suggested that any contribution be conditional on WDDC (and/or the EA) being the majority funder and this council's contribution being limited to no more than £10k in 2018 (when no EA funding will be available) and £5k in any future years.
12. No budget currently exists for any contribution towards these works, although the funds could be identified from within reserves. It could also be a suitable candidate for part of the partnership funding with Lyme Bay Holidays.
13. Any recommendations from this committee will be considered by the Full Council on 14 February 2018.

Mark Green
Deputy town clerk
January 2018

17/82/TMH Harbour Dredging

The deputy town clerk said WDDC had applied for further Environment Agency (EA) funding for this work, but the agency's budgets had been cut and priorities had changed. Therefore, it was unlikely the EA would fully fund the work going forward so there would be a funding shortfall.

Members discussed whether the town council should contribute towards the cost, and if so, how much.

Cllr J. Broom confirmed the work would be done regardless of whether the town council contributed. However, if WDDC could demonstrate that local stakeholders were working together, the EA was likely to look more favourably on the funding application.

There was general agreement that if the town council did contribute, it should be for one year only, with no commitment to continued funding or liability on the council.

To provide some context, the deputy town clerk said the harbour had an operating budget of £250k, and had broken even for the last three years, with a small profit this year.

It was proposed by Cllr J. Scowen and seconded by Cllr D. Hallett not to make a financial contribution towards the cost of dredging the harbour, maintaining the town's sea defences and replenishing the sand in 2018.

This motion was not carried.

Proposed by Cllr S. Miller and seconded by Cllr Mrs M. Ellis, members agreed to **RECOMMEND TO FULL COUNCIL** to make a financial contribution of £4,000 towards the cost of dredging the harbour, maintaining the town's sea defences and replenishing the sand in 2018, only.

Hi Mark,

I hope you are well and that you've had a good summer despite the pandemic.

We've discussed before the benefits of the sand beach to the local economy and a contribution to the annual costs of maintaining the volume and profile. Last year LRTC contributed to works, and this year we would like to ask the same of you again. Given the amount of work that goes into the management of the asset throughout the year in response to storms, and the annual recycling of beach material we would like to ask for a contribution of £15k.

For context and to aid your decision making (I understand this will need to go before Cllrs?), I have summarized below the costs, funding processes and funding that I have sought from the EA to assist with the management of the beach;

Costs this year for dredging, beach recycling and storm response have been in the order of £150k. The dredging is partly to aid navigation in and out of the harbour, maximize berthing in the harbour and provide sufficient water depth for pontoons to be placed in the Pool area south of the harbour entrance, in addition, the dredging also provides material (sand) to replenish the beach – maintaining flood protection and an important amenity asset. After successfully drafting a business case to the EA I have managed to secure 5 years of part funding (amounting to ~£300k total) for carrying out the various activities, the rest of the funding has to come from other sources. Dorset Council provides the majority of the additional funding required, however, a contribution from LRTC would help cover additional works after storms.

The £15k contribution will greatly assist with the considerable costs we have incurred this year.

I hope you agree that in terms of volume etc. the beach is looking very healthy and has proved to be as popular as ever this year. It was unfortunate that works took place during the extremely good weather we had earlier in the year, Covid-19 led to us delaying the works until such time it was deemed safe. Monitoring data shows that without the beach management the sand beach will gradually decline over time so it's imperative we carry out the annual works whenever possible.

If you would like to discuss anything mentioned above in more detail please let me know.

Kind regards
Rob

Robert Clarke
Project Engineer
Flood & Coastal Erosion Risk Management & Special Projects

Dorset Council

Thank you for getting back to me.

I fully understand Covid will have had an impact so appreciate that your abilities for new expenditure will be curtailed.

Yes the EA have contributed, we have funding secured for 5 years but this only goes part way towards overall costs and it does rely on us securing contributions from elsewhere as it's recognised the sand beach is an amenity asset. Without wishing to go into a lot of detail; I have to fill in a PF (Partnership Funding) Calculator, if I achieve a particular percentage I get part or all the money to cover the project costs. Any contribution from LRTC would be a small percentage towards the overall costs of maintenance.

Any further questions please do not hesitate to contact me, I look forward to hearing the outcome of your discussions with Councillors.

Regards
Rob

Robert Clarke
Project Engineer
Flood & Coastal Erosion Risk Management & Special Projects

Dorset Council

From: Matthew Penny
Sent: 27 January 2023 16:02
To: John Wright ; Mark Green **Cc:** Ken Buchan
Subject: Annual Dredging/Beach Management Costs Contribution

Dear John and Mark

As per our recent meeting, please find below the financial figures that relate to Lyme Regis Harbour dredging and beach material recycling.

As discussed at our meeting, one of the imperatives is to complete the above work at Lyme Regis before Easter. This means that implementation must be targeted for completion during the Spring Tide lows on 20 to 22 March 2023. So, the cost of the works this year will be incurred within the current financial year on the back of that occurred in May / June 2022, also in this financial Year. The cost of the work has also risen due to inflationary pressures experienced across the sector, and incorporating required operational and H&S improvements.

To fund this second dredging activity in the current financial year we can draw upon the EA funding of £66,000 and, in discussion with the Harbour Master, it has been determined that the harbour can fund a further £40,000 out of general funding that has a small surplus in Lyme Regis generated from rentals and mooring fees. This leaves a shortfall of £45,000, and we would appeal for assistance from the Lyme Regis Town Council for a contribution to cover this cost.

At this stage it is too early to say what the exact required contribution will be for the works in 2024, but conservatively I assume that the requested contribution would be of similar magnitude given the impact of inflation and continued benefit to the Town Council. We of course will be open and transparent around this when future discussions take place.

As motivation for the appeal to the Town Council members we set out the following:

1. Lyme Regis as a whole benefits from a healthy sandy beach and operational harbour.
2. The Town Council is the only other significant stakeholder and beneficiary.
3. Front Beach needs regular recycling of sand drawn down by storms, to return the sand and maintain beach profile.
4. The sandy Front Beach is a drawcard for local tourists and changing it to a shingle beach to retain a defence against wave attack and landslip, would have a negative impact on tourism.
5. Lyme Regis Town Council and not the harbour benefits from car parks income adjacent to the harbour and beach.
6. Some of the additional costs this year will be incurred for water quality testing, and for riddling of rocks and larger stones out of the recycled beach sand. Both activities directly benefit the Town Council and Lyme Regis residents. Cllr Bawden has specifically requested the water quality testing.

	Details	March	April
	Lyme Regis		
	Budget		
	DC Coastal Risk Team	£ 66,000.00	
	Lyme Regis Town Council	£ 45,000.00	
	Harbour	£ 40,000.00	
	Total budget	£ 151,000.00	£ -
	Cost		
	Pre contract Bathy & lidar survey	£ 3,880.00	
	Dredging	£ 84,604.30	
	Beachwork	£ 53,640.00	
	Water quality survey	£ 5,010.30	
	Post contract Bathy survey	£ 3,880.00	
	Total cost	£ 151,014.60	£ -

Kind regards

Matt

Matthew Penny
Service Manager Flood & Coastal Erosion Risk
Management
Place Services
Dorset Council

dorsetcouncil.gov.uk



Committee: Full Council

Date: 15 February 2023

Title: Extension Request for the Removal of Outside Seating

Purpose

To allow members to consider a request from Coastal Marks to allow more time for the removal of the outside seating at the Oyster and Fish House

Recommendation

Members consider the request and instruct the town clerk

Background

1. On 25 January 2023, the council passed the following resolution:

‘to agree that the council recognises the unique importance of our gardens to the enjoyment of the town and our duty to protect them from commercial development; we therefore request that the temporary commercial measures permitted by Lyme Regis Town Council under government Covid restrictions are brought to an end and any temporary structures erected in the gardens are removed by the end of March 2023.’

Report

2. The town clerk has been approached by Coastal Marks for an extension of the council’s 31 March 2023 deadline for the removal of the outside decking at the Oyster and Fish House.
3. The request undertakes not to use the outside seating after 31 March 2023 but does not give a proposed date for the removal of the outside seating. The town clerk has spoken to Mark Hix to obtain this information, but he isn’t able to give a date, yet. At the time of writing, the town clerk is waiting for Mark Hix to contact him with a proposed date and will inform the meeting.

John Wright
Town clerk
February 2023