



John Wright
Town Clerk

Lyme Regis Town Council

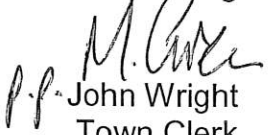
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Strategy and Finance Committee

Notice is hereby given of a meeting of the Strategy and Finance Committee to be held in the Guildhall, Bridge Street, Lyme Regis, on Wednesday 10 July 2019 commencing at 7pm when the following business is proposed to be transacted:


John Wright
Town Clerk
05.07.19

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.

AGENDA

1. Election of Chairman and Vice-Chairman

To allow the committee to receive nominations and elect its chairman and vice-chairman for the council year 2019/20

2. Terms of Reference

To allow the committee to receive its terms of reference

3. 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

4. Apologies

To receive and record apologies and reasons for absence

5. Minutes

To confirm the accuracy of the minutes of the Strategy and Finance Committee meeting held on 24 April 2019

6. 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 and 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.

7. Dispensations

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

8. Matters arising from the minutes of the Strategy and Finance Committee meeting held on 24 April 2019

To update members on matters arising from the meeting that are not dealt with elsewhere on this agenda and to allow members to seek further information on issues raised within the minutes of the meeting.

9. Update Report

To update members on issues previously reported to this committee

10. Minutes of the Dorset Council working group meeting held on 11 June 2019 (attached)

11. A Review of the Information Policy

To allow members to review the Information Policy

12. The Annual Review of the Communications/PR Policy and Procedure

To allow members to undertake the annual review of the Communications/PR Policy and Procedure, in accordance with standing order 5.j.xix

13. Sidmouth Road Park and Ride

To allow members to consider whether any further planning application should be made for the use of land at Sidmouth Road (Ware Cross) as a site for a public park and ride facility

14. Request from St Michael's Parish Church for Grant Funding

To allow members to consider a request from St Michael's Parish Church for grant funding towards works to the church tower

15. Climate and Environmental Emergency

To allow members to consider a motion from Cllr B. Bawden on the declaration of a climate and environmental emergency

16. Request from Lyme Regis Community Land Trust to Undertake a Feasibility Study over the Woodmead Halls Car Park area for Possible Affordable Housing for Rent to Local People

To allow members to consider a request from Lyme Regis Community Land Trust to undertake a feasibility study over the Woodmead Halls car park area for possible affordable housing for rent to local people

17. Filming Money

To allow members to consider how the £15,000 received from Fossil Films for the filming of Ammonite should be spent

18. Exempt Business

Committee: Strategy and Finance

Date: 10 July 2019

Title: Election of Chairman and Vice-Chairman

Purpose of Report

To allow the committee to receive nominations and elect its chairman and vice-chairman for the council year 2019/20

Recommendation

- a) The committee receives nominations for the chairman of this committee and elects its chairman for the council year 2019/20
- b) The committee receives nominations for the vice-chairman of this committee and elects its vice-chairman for the council year 2019/20

Background

- 1. Standing order 4.d states the council may appoint standing committees and 'shall permit a committee to appoint its own chairman at the first meeting of the committee.
- 2. Consequently, nominations are sought for the chairman and the vice-chairman of this committee.
- 3. Other relevant standing orders that inform and govern the election of chairmen and vice-chairmen are detailed below.
- 4. Standing order 3.t states:

'Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda. If at least two members request, voting may be by signed ballot.'

- 5. Standing order 8.a states:

'Where more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

6. Standing order 8.b. states:

As the first business of a council is to elect a chairman (the mayor in the case of Lyme Regis Town Council) who is also an ex-officio voting member of all committees, they are in a position to open and chair a sub-committee meeting temporarily, with the benefit of a casting vote, until a committee chairman is elected. In the mayor's absence, the deputy mayor could officiate in the same way. The town clerk or other officer cannot open or chair a committee or sub-committee meeting.'

7. The election of the chairman and vice-chairman of Strategy and Finance Committee will be reported to the Full Council on 24 July 2019.

John Wright
Town clerk
July 2019

Committee: Strategy and Finance

Date: 10 July 2019

Title: Terms of Reference

Purpose

To allow the committee to receive its terms of reference

Recommendation

The committee receives its terms of reference

Background

1. On 15 May 2019, the Full Council approved the terms of reference for its committees.
2. The terms of reference for the Strategy and Finance Committee, along with the general terms of reference that apply to all the council's committees is attached, **appendix 2A**.
3. Any recommendations from this committee will be considered by the Full Council on 24 July 2019.

John Wright
Town clerk
June 2019

Terms of Reference

2. Committees – General

- 2.1 The purpose of the council's committees is to consider issues under their remit. Issues will normally be outlined in a report prepared by officers and each report will normally include a recommendation.
- 2.2 Any recommendation(s) from a council committee will be considered at the subsequent meeting of the Full Council. Any decision or recommendation from a council committee has no status until it has been adopted by the Full Council by way of a resolution. This is unless a committee has devolved powers, i.e. Planning in respect of making recommendations direct to Dorset Council on planning applications.
- 2.3 Each committee will:
 - 2.3.1 Elect its chairman and vice-chairman from among its membership;
 - 2.3.2 Confirm the accuracy of the minutes of the last committee meeting;
 - 2.3.3 Agree and review the terms of reference for sub-committees, working or advisory groups that report to the committee;
 - 2.3.4 Receive nominations to existing sub-committees, working or advisory groups that report to the committee;
 - 2.3.5 Elect chairmen and vice-chairmen to existing sub-committees, working or advisory groups that report to the committee;
 - 2.3.6 Appoint any new sub-committees, working or advisory groups, confirmation of their terms of reference, the number of members (including, if appropriate, substitute councillors), receipt of nominations and the election of chairmen and vice-chairmen to them;
 - 2.3.7 To examine on behalf of the council various policies, strategies and plans relating to its subject area and to report these to the Full Council;
 - 2.3.8 To undertake reviews or policy development tasks in relation to any matters falling within the remit of the committee;
 - 2.3.9 To work with other relevant committees of the council where an area of work is shared with that committee.
- 2.4 Council-approved projects and objectives will be delegated to the relevant committee.

- 2.5 No business may be transacted at a committee meeting of the Full Council unless at least one third of the whole number of members of the committee are present and in no case shall the quorum of a meeting be less than three.

3. Strategy and Finance Committee

- 3.1 The purpose of the Strategy and Finance Committee is to discharge all of the council's functions except those reserved to the Full Council and those matters' specifically delegated to other committees, including:

- 3.1.1 Preparation and management of the council's budget and precept
- 3.1.2 Review of inventory of land and assets, including buildings and office equipment
- 3.1.3 Control, monitoring and review of income and expenditure, both revenue and capital
- 3.1.4 Treasury management
- 3.1.5 The development and review of the corporate plan
- 3.1.6 Establish and review council-wide policies that are not within the remit of other committees and beyond the remit of a single committee
- 3.1.7 Consider all governance arrangements, except those that are the remit of the Human Resources Committee
- 3.1.8 Receive details of any requests for information made under the Freedom of Information Act 2000.
- 3.1.9 Receive details of formal complaints made to the council
- 3.1.10 Compliance with legislation, regulation and best practice
- 3.1.11 Carrying out functions on behalf of the Full Council, in particular the:
 - 3.1.11.1 Review and adoption of standing orders and financial regulations
 - 3.1.11.2 Review and confirmation of arrangements for insurance cover in respect of all insured risks
 - 3.1.11.3 Review of the system of internal control and risk management
 - 3.1.11.4 Establishing or reviewing the council's complaints' procedure

- 3.1.11.5 Establishing or reviewing the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998
- 3.1.11.6 Setting the dates, times and place of ordinary meetings of the Full Council for the year ahead
- 3.1.11.7 To receive the internal and external auditors' reports
- 3.1.11.8 Performance management

LYME REGIS TOWN COUNCIL
STRATEGY AND FINANCE COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 24 APRIL 2019

Present

Chairman: Cllr S. Miller

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

Officers: Mr J. Wright (town clerk), Mr M. Green (deputy town clerk), Mr. M. Stainer (temporary finance manager)

Absent: Cllr P. Ridley

18/104/SF Public Forum

No members of the public present wished to speak in the public forum for this meeting.

18/105/SF Apologies for Absence

Cllr Mrs. M. Ellis – civic duties
Cllr S. Larcombe – work commitments
Cllr O. Lovell

18/106/SF Minutes

Cllr J. Scowen felt that comments he had made concerning minute 18/95/SF (Hydrock report) warranted recording. This was not supported.

Proposed by Cllr B. Larcombe and seconded by Cllr Mrs. C. Reynolds, the minutes of the meeting held on 13 March 2019 were **ADOPTED**.

18/107/SF Disclosable Pecuniary Interests

There were none.

18/108/SF Dispensations

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

18/109/SF Matters arising from the minutes of the Strategy and Finance Committee meeting held on 13 March 2019

Audio recording of council meetings

Several members questioned why audio recording was not being trialled at this meeting, as stated in the agenda report.

The town clerk said that an inexpensive device for audio recording had now been purchased and would be used at the meeting of Full Council on 1 May.

Hydrock report

Several members, including Cllr B. Larcombe and Cllr J Scowen, reiterated their concerns the report had taken so long and remained incomplete. Given the forthcoming elections, this might mean that some existing councillors would not now have the opportunity to participate in the production of the final version of the report. They also questioned why it had not yet been circulated to them and why the consultants had been paid if the work was considered unsatisfactory.

The deputy town clerk said officers also had concerns about the time taken to carry out the work but that stage payments were part of the agreed contractual arrangements and a significant amount of work had been undertaken; particularly data collection and analysis. A significant sum was retained against the satisfactory completion of the contract and this would not be released unless or until the various concerns were addressed.

The town clerk said that a meeting was being arranged between the consultants, deputy town clerk and Cllr J. Broom and the various concerns would be dealt with at that meeting.

Cllr J. Broom reinforced his concerns about the current form of the report and assured other members that he would robustly represent their and his concerns.

The chairman undertook to circulate the draft the report to members this week.

Minutes of the Dorset Council working group meeting held on 26 February 2019

In response to a question from Cllr B. Larcombe, the town clerk said the meeting scheduled for 30 April clashed with a meeting of the Planning Committee and would be re-scheduled early in the new administration.

Dorset and East Devon National Park Proposal

Cllr B. Larcombe questioned whether this council had been formally consulted about the national park proposal and, if so, what the response had been. He suggested that Lyme Forward might be engaged to carry out any consultation on the council's behalf.

The town clerk believed the consultation on the Glover Report had ended on 18 December and that the town council had not been formally requested to respond. His view was that the council had not reached a position and wanted the opportunity to

consider the matter further. He was not aware of any formal consultation which was specific to the Dorset and East Devon proposal; the Glover Report was a wider and non-area-specific national exercise.

Cllr R. Doney mentioned that the Lyme Regis Society was hosting a presentation by the proposers of the Dorset NP. The talk would follow the LRS AGM which started at 2.30pm on Tue 30th April at Woodmead Halls.

18/110/SF Update Report

Ice Cream Parlour

In response to questions and concerns expressed by Cllr S. Williams, the deputy town clerk explained that there was a long list of parties interested in taking on the ice cream parlour. The intention was to re-let it as soon as works to the leaking roof and interior had been completed.

Beach hut keys would no longer be administered from the café, this arrangement had never been entirely satisfactory for anyone involved. Keys were now held in individual key safes in the adjacent kitchenette. Daily bookings, which were currently being administered from the office, would change to an online booking system later in the year.

Power Boat Club

Cllr D. Hallett was concerned that the council was treating the club differently to other organisations or individuals in a similar position.

In response to questions and concerns from members, the town clerk explained that no further response had been received from the club or their representatives and he was taking advice from the council's solicitors about the correct next steps. It was important that the council followed the correct legal procedures and it might be that the matter would need to be brought back to the first appropriate meeting of the new administration. An extraordinary meeting would be arranged if necessary.

Park and Ride

In response to questions, the deputy town clerk referred to the planning requirement to carry out reinstatement works at the Sidmouth Road site and stated that the council would not be paying rent for the whole of the current year, given the decision not to re-submit a planning application for the continued use of the site.

18/111SF Internal Audit Report, Visit Two 2018-19

Cllr B. Larcombe asked why there had been problems with bank reconciliation given the employment of a finance locum to assist in the office. He also asked whether the stated timescale for the production of electronic leases was realistic, given workload and priorities in the office and the inability to meet the previous deadline.

The town clerk explained that the locum had been employed for two days per week and only a part of that limited time had been office-based. The last 9 months had been

a challenging time given a combination of workload, staff absences and staff turnover in the office. He emphasised the auditor's comments that 'given the loss of a critical full-time member of staff, I consider that the Council's systems are operating more effectively than I would have expected'.

He introduced Michael Stainer, the new temporary finance manager who explained that his immediate priority was ensuring completion of year-end accounting. He stated that the reconciliation issue referred to by the auditor had now been resolved and that any others were being dealt with.

The town clerk stated that he would be happy for the deadline to produce electronic versions of all leases to be extended, although some preliminary work had already taken place.

Members agreed that the deadline to produce electronic versions of all leases be extended to 30/12/2019.

The chairman emphasised his commitment to ensure that no further issues with bank reconciliation occurred in future.

Members **NOTED** the Internal Audit Report, Visit Two 2018-19

18/112/SF Budget Performance, 1 April 2018 to 28 February 2019

Several members raised a variety of issues concerning the budget statement, including:

- the danger of becoming overdependent on raising car park income, which could not be increased every year,
- the need for a proper asset management and maintenance plan which included anticipated annual expenditure requirements which could then be properly budgeted for,
- the need for the new administration to fundamentally review the council's commitment to major grants to local organisations post 2020,
- the risk of some unforeseen and major problem, such as a landslip, affecting town council-owned and income-generating assets.

The town clerk emphasised the council's strong financial position and the significant improvement in that position which had occurred over the life of the current administration. He was concerned about the level of unbudgeted expenditure which had been approved 'in year', without which the council would probably have shown a small surplus. He set out the challenges which the council was likely to face in the next year or two and emphasised the need to constantly look at ways of generating new or increased income streams. If some major natural disaster were to occur the it would require major external funding to resolve the likely consequences.

He agreed that a proper asset plan was an important exercise and that some initial work had already been undertaken. He did, however, caution that any plan needed to be fit for purpose and properly inform real priorities.

Members **NOTED** the report Budget Performance, 1 April 2018 to 28 February 2019.

18/113/SF Investments, Cash Holdings and Loans

Proposed by Cllr J. Broom, seconded by Cllr C. Mrs C. Reynolds members agreed to **RECOMMENDED TO FULL COUNCIL** that:

- a) The Lloyds fixed term deposit of £101,485.44 maturing at the end of April 2020 be reinvested in a similar 12-month deposit at 1.00% (currently 0.90%) and that a further £100k of the balance in the Lloyds instant account (currently £501,595.88) be reinvested in a similar 12-month deposit; this will increase the interest on this sum from 0.05% to 1.00%.
- b) Any decision to transfer a further £100k from the Lloyds instant account to a 12-month deposit account be deferred until there is greater certainty about the 2018/19 year-end balance and the tendered cost of the roof repairs to the shelters' building.
- c) Discussions continue with Santander to obtain a better rate of interest for the approximately £160k banked with them at an interest rate of 0.8% and which matured at the end of February 2019; if this cannot be achieved, then the balance be re-invested with another provider on the most preferential terms reasonably and prudently achievable.

18/114/SF Debtors Report

Proposed by Cllr S Miller 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 information relating to the financial or business affairs of a particular person within the meaning of paragraphs 1 and 8 of schedule 12A to the Local Government Act 1972 (see Section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985), as amended by the Local Government (Access to Information) (Variation) Order 2006. Members noted the report.

18/115/SF Exempt Business

(a) Debtors Report

Members discussed the latest position with regard to an ongoing legal situation at some length. At the request of the town clerk, they gave guidance as how best to proceed given various scenarios.

There was debate about the licensing of tables and chairs along the Marine Parade and members were concerned that the situation should be regularly monitored to ensure that the numbers were in accordance with the various licences issued and that the areas occupied did not encroach beyond the permitted boundaries. The need to preserve safe access at all times was emphasised.

The meeting closed at 8.35pm.

AGENDA ITEM 8

Committee: Strategy and Finance

Date: 10 July 2019

Title: Matters arising from the minutes of the Strategy and Finance Committee meeting held on 24 April 2019

Purpose of the Report

To update members on matters arising from the meeting that are not dealt with elsewhere on this agenda and to allow members to seek further information on issues raised within the minutes of the meeting.

Recommendation

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

Report

18/109/SF – Matters arising from the minutes of the Strategy and Finance Committee meeting held on 13 March 2019

Hydrock report

The first draft of the first part of the report was emailed to all members on 26 April 2016. The subsequent draft was sent to members as part of the Town Management and Highways Committee agenda for the meeting on 26 June 2019.

18/110/SF – Update Report

Ice cream parlour

The works required to the roof are more extensive than originally thought. It will involve dust, noise and disruption, including the removal of several square metres of tarmac on the Marine Parade to access historic waterproof membrane to access and repair the roof membrane.

In the circumstances, it was felt unreasonable to carry out this work during the school summer holidays and when several major events are taking place.

In addition, the architect has had great difficulty in finding a contractor who can carry out this work at reasonable notice.

The intention is to proceed with the process of finding a new tenant in the interim so they are ready to carry out their fit-out works immediately after the roof repair works have been completed.

Committee: Strategy and Finance

Date: 10 July 2019

Title: Update Report

Purpose of Report

To update members on issues previously reported to this committee

Recommendation

Members note the report

Report

Bowls club

There has been no response to an email sent to the chairman of the bowls club on 25 March 2019 confirming the council's decision made on 13 February 2019 regarding the lease for the bowls club car park.

This has been followed up by officers.

Aside from the car park lease, the lease for the clubhouse and green has expired and arrangements for its renewal need to be discussed with the bowls club.

Community Infrastructure Levy (CIL)

A CIL payment of £17,087.88 was made to the town council on 17 June 2019. CIL is a levy local authorities can choose to charge on new developments in their area. The money is used to fund infrastructure the council, local community and neighbourhoods want.

The payment relates to six developments in Lyme Regis: Harbour Heights, Lucerne, land at Shire House, Somer Fields, Highbury Cottage and Beau Sejour.

John Wright
Town clerk
July 2019

LYME REGIS TOWN COUNCIL

DORSET COUNCIL WORKING GROUP

MINUTES OF THE MEETING HELD ON TUESDAY 11 JUNE 2019

Present

Members: Cllr J. Broom, Cllr Mrs M. Ellis, Cllr B. Larcombe, Cllr D. Sarson, Cllr J. Scowen, Cllr G. Turner, Cllr S. Williams

Officers: Mrs A. Mullins (admin officer), Mr J. Wright (town clerk)

1. Monmouth Beach site meeting

Members met with the town clerk at Monmouth Beach to view the areas under discussion.

2. Election of chairman

Cllr J. Scowen proposed Cllr B. Larcombe as chairman, seconded by Cllr S. Williams.

Cllr Mrs M. Ellis proposed Cllr J. Broom as chairman, but this was not seconded.

Cllr B. Larcombe was **ELECTED** chairman of the Dorset Council working group.

3. Re-adoption of the terms of reference

Members re-adopted the terms of reference.

4. Apologies

Cllr Ms B. Bawden
Cllr Miss K. Ellis

5. Minutes of the meeting held on 26 February 2019

Proposed by Cllr B. Larcombe and seconded by Cllr G. Turner, the minutes of the meeting held on 26 February 2019 were **ADOPTED**.

5. Presentation from the town clerk on the trailer park and accreted land

Members discussed the accreted land at Monmouth Beach, which was the subject of a lease between the Crown and the former West Dorset District Council (WDDC). Cllr J. Broom said he understood the lease was only to maintain the outfall sewer, in which case, WDDC, now Dorset Council (DC), had very limited rights.

The town clerk said he would try and obtain a copy of the lease to determine any restrictions which might apply. He said the council would then need to consider how it wanted to deal with the accreted land as the matter had been held in abeyance for the

last four years while discussions were ongoing with WDDC over the transfer of assets and services.

Members were concerned about DC's encroachment onto the accreted land, which the town council held title to, particularly the 'bays' which had recently been created by the harbourmaster.

The town clerk said he had previously met with WDDC's property services manager responsible for Lyme Regis and pointed out the issue of encroachment, and had also had discussions with the head of the assets team about this matter. He said there had been no response from them since, and he understood Cllr Daryl Turner had taken this up with Dorset Council.

The town clerk confirmed the harbourmaster had expanded onto the accreted land without any authority from the town council or himself. He said the town council had so far been passive about this, as it could have formed part of a deal with WDDC for asset transfers. However, he believed Natural England may also intervene as it had concerns about the use of that land.

Members were concerned the new structures on the accreted land would affect the way storms hit the Cobb wall. There was also concern about the concrete which had been built up to the west of the high wall.

The town clerk suggested he asked someone senior from DC to discuss these matters with him, perhaps involving Cllr Turner.

Cllr Mrs M. Ellis asked if DC knew the extent of structures and encroachment on the land. She also said the council needed to find out Natural England's position.

The town clerk said Natural England was pursuing the matter with DC but if it didn't get anywhere, it had indicated it would come back to the town council as the landowner. He said this was raised around nine months ago and there had been no update since.

Members were also concerned about whether the lease between the council and DC only allowed boats to be parked on the land, not vehicles, because DC would be in breach of the lease if it was sub-letting to the sailing club for parking.

It was agreed the town clerk would write to John Sellgren, DC's director of place, to inform him the council was now focusing in on its assets, to raise the issue of various leases being held over, the council's concerns about encroachment onto land it holds title to, and the need to begin discussions about new arrangements for that area following the breakdown in negotiations over transfer of assets and services.

It was also agreed a deadline for a response would be given, and a copy of the email would be sent to Cllr Turner with a covering note.

The meeting closed at 8.38pm.

Committee: Strategy and Finance

Date: 10 July 2019

Title: A Review of the Information Policy

Purpose of Report

To allow members to review the Information Policy

Recommendation

Members approve the Information Policy

Background

1. Standing order 5.j. identifies the business that shall be transacted during the course of the council year, either by the Full Council or following consideration and recommendation from the relevant committee: the requirement for 'Review of the council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation' is detailed paragraph 5.j.xviii of the council's standing orders.
2. The information policy, **appendix 11A**, was last considered by the Full Council on 9 May 2018.
3. The information policy draws together those areas that the Information Commissioner's Office (ICO) oversees and enforces: Data Protection Act 1998, the Freedom of Information Act 2000, the Privacy and Electronic Communications Regulations 2003 and the Environmental Information Regulations 2004.
4. The policy gives an overview of the law and regulations, and details how the council will interpret and apply them. It also details the absolute and qualified disclosure exemptions; the public interest test; the handling of requests, timescales and appeals, and fees.
5. The policy also details the relationship between the provision of information and data protection legislation. The council is working towards compliance with the General Data Protection Regulation¹ and will review its Information Policy alongside this project
6. The policy is on the council's website.
7. There are no proposed officer amendments to the policy.
8. Any recommendations from this committee will be considered by the Full Council on 24 July 2019.

John Wright
Town clerk
July 2019

¹ This has identified as an objective for 2019-20.

Information Policy

1. Introduction

- 1.1 There are various pieces of legislation about holding, accessing and processing information and data.
- 1.2 The Information Commissioner's Office (ICO) is the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals. They rule on eligible complaints, give guidance to individuals and organisations, and take appropriate action when the law is broken. The ICO enforces and oversees the Data Protection Act, the Freedom of Information Act, the Environmental Information Regulations, and the Privacy and Electronic Communications Regulations.
- 1.3 Personal information falls under the Data Protection Act 1998.
- 1.4 All other information falls under the Freedom of Information Act 2000.
- 1.5 Environmental information falls under the Environmental Information Regulations 2004.
- 1.6 The Privacy and Electronic Communications Regulations 2003 govern electronic marketing.
- 1.7 This policy details how Lyme Regis Town Council interprets the law and complies with regulations. It gives a general overview of the legal requirements imposed on the council, defines how the council will make information accessible and advises how it will protect, store and dispose of information.
- 1.8 Lyme Regis Town Council supports the objectives of openness, accountability and transparency in the public sector.
- 1.9 Under the Freedom of Information Act 2000, each public authority must adopt and maintain a Publication Scheme. This is a method of making information available to the public. The scheme details the information the council will routinely make available, see appendix A.

2. Publication Scheme

- 2.1 There are three ways to obtain any information held:

- 2.1.1 The council's website

- This includes meeting agendas, minutes and the council's governance and financial operating policies and procedures

- 2.1.2 Inspecting of documents at the council's offices

Contact the town clerk to view documents. Some documents may take some time to locate, so it may be necessary to make an appointment. Normal working hours are Monday to Friday, 9am to 4.30pm.

2.1.3 Submit a written or email request

- 2.2 Information held by the town council which does not fall within the Publication Scheme may be requested in writing, and will be considered in line with the provisions of the Freedom of Information Act 2000. The request for information must include a name, address for correspondence, and a description of the information required.
- 2.3 Lyme Regis Town Council will respond within 20 working days of receipt of a written request and confirm whether or not it holds the information, advise whether a fee will be charged and provide the information (after any relevant fee has been paid) unless an exemption applies.
- 2.4 If an information request is subject to a charge, the information will not be released until that fee is paid.

3. Freedom of Information Act 2000

- 3.1 The Freedom of Information Act 2000 deals with access to official information; regulations deal with environmental information.
- 3.2 The Act provides individuals or organisations with the right to request information held by a public authority. They can do this by letter or email.
- 3.3 The Act is fully retrospective and applies to all information, not just information filed since the Act came into force.

4. Environmental Information Regulations 2004

- 4.1 These regulations give the public the right to access environmental information held by public authorities. The request can be made by letter, email, telephone or in person.
- 4.2 Environmental information is divided into the following six main areas:
 - 4.2.1 The state of the elements of the environment, such as air, water, soil, land, fauna (including human beings)
 - 4.2.2 Emissions and discharges, noise, energy, radiation, waste and other such substances
 - 4.2.3 Measures and activities such as policies, plans, and agreements affecting or likely to affect the state of the elements of the environment
 - 4.2.4 Reports, cost-benefit and economic analyses
 - 4.2.5 The state of human health and safety, contamination of the food chain
 - 4.2.6 Cultural sites and built structures (to the extent they may be affected by the state of the elements of the environment)

5. The Right to Know

- 5.1 The right under the Freedom of Information Act (FOIA) and the Environmental Information Regulations (EIR) to request information held by public authorities, known as the right to know, came into force from January 2005.
- 5.2 The Act allows access to recorded information such as emails, meeting agendas and minutes, research or reports held by the council.
- 5.3 The Freedom of Information Act 2000 gives applicants two statutory rights: to be told whether or not the public authority holds information; and if it does, to have that information communicated to them.

6. Exemptions

- 6.1 Some information is exempt from disclosure.
- 6.2 There are 23 exemptions in the FOIA, some of which are absolute and some qualified. There are 12 exceptions from disclosure in the EIR, all of which are qualified.
- 6.3 Where information falls under an absolute exemption, the harm to the public interest that would result from its disclosure is already established, e.g. personal information, or if disclosure would result in an actionable breach of confidence.
- 6.4 There are five exemptions that are likely to apply to information held by the Town Council:
 - 6.4.1 Information that is readily accessible to the applicant by other means
 - 6.4.2 Information that constitutes Court records
 - 6.4.3 Information that is defined as personal data under the Data Protection Act 1998
 - 6.4.4 Information that has been provided in confidence
 - 6.4.5 Information prohibited from disclosure by law

If a public authority believes that the information is covered by a qualified exemption, it must apply the public interest test.

7. Public Interest Test

The public interest test favours disclosure where a qualified exemption or an exception applies. In such cases, the information may be withheld only if the council considers that the public interest in withholding the information is greater than the public interest in disclosing it.

8. Handling of Requests

- 8.1 The council must normally supply the information requested in the format requested within 20 working days of receipt of a written request; confirm whether or not it holds the information; advise whether a fee will be charged and provide the information (after any relevant fee has been paid) unless an exemption applies.
- 8.2 However, the town council does not have to confirm or deny the existence of the information or provide it if: an exemption applies; the request is vexatious; similar to a previous request; or, the cost of compliance exceeds an appropriate limit.
- 8.3 If the town council decides not to disclose the information requested it will give reasons for its decision, explain how the exemption or exception applies and explain the arguments under the public interest test.
- 8.4 If an applicant is unhappy with a refusal to disclose information, they can request a formal review of the decision by a person not directly involved with the refusal. If the review concurs with the decision not to disclose the information the applicant can complain to the ICO. The ICO will investigate the case and either uphold the council's use of an exemption or decide that the information must be disclosed.

9. Fees

- 9.1 The FOIA only allows the council to charge for answering Freedom of Information requests when costs exceed £450.
- 9.2 In these cases the council can decide to:
 - 9.2.1 refuse the request; or
 - 9.2.2 comply with the request and charge for allowable costs as prescribed in the regulations (a fee notice will be sent to the applicant requesting the appropriate fee); or
 - 9.2.3 comply with the request free of charge
- 9.3 The request for information will not be answered until the fee has been received.
- 9.4 If the cost of completing the request is more than the estimate then the council will incur the additional cost. However, where the cost is less than the estimated cost then the difference will be refunded to the applicant.
- 9.5 The council will charge 10p per A4 sheet and 15p per A3 sheet (b&w only) for photocopying and printing documents, plus recover the actual cost of postage or any other transmission costs from the applicant. Colour copies will be charged at 15p per A4 sheet and 20p per A4 sheet. Staff costs will be charged at £25 per hour.

10. Appeal Process

- 10.1 The role of the Information Commissioner's Office (ICO) is to enforce and promote the FOIA and the EIR. It has responsibility for ensuring that information is disclosed promptly and that exemptions from disclosure are applied lawfully.

- 10.2 Cases can be referred to the ICO if, for example, there has been excessive delay or if the application of an exemption or a refusal made on public interest grounds is disputed. The ICO may serve a decision notice on the council either confirming the decision or directing it to disclose information within a certain timescale. Non-compliance with a decision notice may constitute contempt of court.
- 10.3 Finally, if either the applicant or the council disagrees with the ICO's decision, an appeal can be lodged within 28 days to the independent Information Tribunal.
- 10.4 The Information Tribunal may uphold the ICO's decision notice, amend it, e.g. change the time frame for release of information, or overturn it. Non-compliance with the Information Tribunal's notice may also constitute contempt of court.

11. Data Protection

- 11.1 Lyme Regis Town Council is also bound by the Data Protection Act 1998.
- 11.2 The Data Protection Act (DPA) 1998 establishes a framework of rights and duties which are designed to safeguard personal data.
- 11.3 The DPA aims to balance the legitimate needs of organisations to collect and use personal data for business and other purposes against the right of individuals to respect for the privacy of their personal details.
- 11.4 Personal data may be held electronically or in paper records.
- 11.5 There is a fine line between determining what is personal data and what is not. Therefore, to help decide whether filed information falls within the scope of the Act, below is a reference guide comprising of a series of questions which, when worked through in order, is intended to help determine whether the data held is personal data. If the answers to the questions are yes, then the data is personal data for the purposes of the DPA.
 - 11.5.1 Can a living individual be 'identified' from the data or from other information in your possession, or likely to come into your possession?
 - 11.5.2 Does the data 'relate to' the identifiable living individual, whether in personal or family life, business or profession?
 - 11.5.3 Is the data 'obviously about' a particular individual?
 - 11.5.4 Is the data 'linked to' an individual so that it provides particular information about that individual?
 - 11.5.5 Is the data used, or is it to be used, to inform or influence actions or decisions affecting an identifiable individual?
 - 11.5.6 Does the data have any biographical significance in relation to the individual?
 - 11.5.7 Does the data focus or concentrate on the individual rather than on some other person, object, transaction or event?

- 11.5.8 Does the data impact or have the potential to impact on an individual, whether in a personal, family, business or professional capacity?
- 11.6 Even if the information is not considered personal data, it may however be information of a sensitive nature such as data about an employee's religious beliefs, medical background, sexual orientation, criminal records etc.
- 11.7 The DPA it is underpinned by a set of eight principles:
 - 11.7.1 Personal data shall be processed fairly and lawfully.
 - 11.7.2 Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
 - 11.7.3 Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
 - 11.7.4 Personal data shall be accurate and, where necessary, kept up to date.
 - 11.7.5 Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
 - 11.7.6 Personal data shall be processed in accordance with the rights of data subjects under this Act.
 - 11.7.7 Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
 - 11.7.8 Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.
- 11.8 The council will ensure it handles personal data and complies with the spirit of these principles.
- 11.9 The Act states that anyone who processes personal information must comply with the eight principles and that the area covered by the Act provides individuals with important rights, including the right to find out what personal information is held on computer and most paper records.
- 11.10 The town council is registered with the Information Commissioner's Office that it processes personal data. Failure to notify the ICO is a criminal offence. The main purpose of notification and registration with the ICO is for transparency and openness.
- 11.11 The Data Protection Act contains a number of exemptions from the rights and duties in the Act, and personal data must be processed in accordance with the Act unless one of the exemptions applies.

11.12 Should an individual or organisation feel they are being denied access to personal information that they are entitled to by the town council, or feel their information has not been handled according to the eight principles, they can contact the ICO.

11.13 Complaints are usually dealt with informally, but if this is not possible, enforcement action can be taken.

12. Privacy and Electronic Communications Regulations

12.1 The Privacy and Electronic Communications Regulations apply to unsolicited electronic marketing messages sent by telephone, fax, email or text.

12.2 If, at any time, the council wants to make automated telephone calls or send faxes to individuals they must have the subscriber's consent and their identity must be clearly included in calls or faxes.

12.3 If they wish, subscribers (individuals or businesses) can opt out of direct marketing phone calls both to a land line and a mobile number. People on the Telephone Preference Service register will not receive these types of calls unless they give their permission.

12.4 Individual and corporate subscribers can also register their objection to receiving unsolicited direct marketing faxes by registering their number with the Fax Preference Service.

12.5 Unsolicited marketing material by electronic mail (this includes texts, picture messages and emails) will only be sent if the person has chosen to receive them, unless the email address was obtained as a result of a commercial relationship. The council will always give the individual the opportunity to stop receiving the emails.

12.6 Spam is the use of electronic messaging systems (including most broadcast media, digital delivery systems) to send unsolicited bulk messages indiscriminately. The most widely recognised form of spam is e-mail spam, also known as unsolicited bulk email (UBE), junk mail or unsolicited commercial email (UCE).

12.7 The ICO is working with its European counterparts and the US to try to reduce spam, but currently there is no legislation to cover spam sent to business addresses. The town council has processes and software in place to protect the email server as far as reasonably possible from spam.

13. General Responsibility

13.1 All town council members and officers have a duty to comply with the Freedom of Information Act 2000, the Data Protection Act 1998, the Environmental Information Regulations 2004 and the Privacy and Electronic Communications Regulations 2003.

- 13.2 The council will issue procedural guidelines to complement this policy setting out how a request for information should be dealt with. In addition, staff training will be provided.
- 13.3 It is, however, the responsibility of the person who receives the information request to ensure that it is responded to according to the Act. Additional advice and support in this regard is available from the town clerk.

14. Additional Information

- 14.1 Additional guidance on the Freedom of Information Act, Environmental Information Regulations and the Data Protection Act are available on the ICO's website: www.ico.gov.uk.

- 14.2 Alternatively the ICO can be contacted by post, telephone or email:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow
Cheshire, SK9 5AF

Helpline telephone number: 01625 545745
Email: mail@ico.gov.uk

15. Document Management Policy

- 15.1 This policy applies to all documents produced by the council and all documents received in its offices. Its objective is to aid sensible, timely management and disposal of all filing, paperwork, records and documentation.
- 15.2 It is important that records are carefully retained and systematically filed as they are required for inspection by a number of agencies, e.g. internal audit, external audit, HMRC.
- 15.3 Retention and Disposal of Documents

The requirements for the retention of specific records are laid down in the Accounts and Audit Regulations for Local Authorities. The advised periods and reasons for the retention of records are detailed on the table below.

Record	Minimum retention period	Comments
Annual Leave Records	3 years	
Application Forms (unsuccessful Applicants)	6 months from appointee duties	
Audit Till Rolls	3 years	
BACS Amendments and Error Reports	6 years	
BACS Details	6 years	
Bank Reconciliation Records	6 years	
Bank Statements and Advices	6 years	
Bond Certificates – Copy	6 years	After redemption

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Bonds/ Mortgages Register	Indefinitely	
Budget Working Papers	6 years	
Capital Registers	Indefinitely	
Car Allowance Claims	3 years	
Car Allowance Records	6 years	
Car Lease Records	2 years	From end of lease
Car Loan Records	6 years	From end of loan
Cash Books	6 years	
Consolidated Loans Pool Registers	Indefinitely	
Consolidated Loans Pool Working Papers	6 years	
Collection and Deposit Books	6 years	
Computer Input Forms	2 years	
Contract Documents	Contract period + 2 years	From final payment
Contract Payment Certificates	Contract period + 2 years	From final payment
Controlled Stationery Records	Indefinitely	
Copy Orders	3 years	
Copy Renewal/ Endorsement Memos	Indefinitely	
Correspondence Files	6 years	
Correspondence with Successful Contractors	Contract period + 2 years	From final payment
Council Meeting Minutes	Indefinitely	Can be transferred to SCC Archives
Creditor Cheque Lists	6 years	
Deduction Tabs	6 years	
Deeds of Covenant	12 years	After final payment
Delivery Notes	3 years	
Expenses Claims (mileage, subsistence)	6 years	HMRC requirements
Employers Liability Insurance	40 years	Management and Statute of Limitations
Final Account Working Papers	6 years	
Finance Ledgers	Indefinitely	
Flexi-time Records	3 years	
Grant Claims / Returns	6 years	
Half Yearly Interest Schedules	Indefinitely	
Health and Safety Inspection Records	21 years	
Insurance Claims and Correspondence	6 years	
Insurance Policies (other than Liability Insurance)	3 years	After discontinuation
Insurance Registers	Indefinitely	
Insurance Schedules	Indefinitely	

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Insurance Valuations	6 years	Unless re-valued
Internal Ledger Transfers	6 years	
Inventory of Furniture & Equipment	Indefinitely	
Investment Certificates	6 years	After holding
Invoices (including credit card payment slips)	6 years	
Journal Entries	6 years	
Leasing Payments	6 years	
Leasing Registers	Indefinitely	
Leaver Forms	6 years	
Liability Insurance	Indefinitely	
Loans Transfer Registers	Indefinitely	
Manual Cheque Payment Records	6 years	
Maternity Pay Records	3 years	
Members Allowance Claim Forms	6 years	
Members Attendance Registers	Indefinitely	
Micro-fiche Records	Indefinitely	
Mortgage Deeds & Bond Certs. (repaid)	6 years	From cancellation
New Starter Forms	6 years	
Notification of Coding	3 years	After end of tax year
Orders	3 years	
Other Payroll Tabs	6 years	
Overs and Shorts Records	6 years	
Overtime Claims	3 years	
Overtime Records	6 years	
P45 Forms	3 years	
Paid Invoices	6 years	
Pay Slips – copies	7 years	
Paying-In Books	6 years	
Payroll Cheque Lists	6 years	
Payroll Control Account Reconciliations	6 years	
Payroll Control Total Tabs	6 years	
Payroll Deduction Tabs	6 years	
Permanent Amendments	6 years	
Personnel Files	Indefinitely	
Petty Cash Imprest Records	6 years	
Petty Cash Receipts	6 years	
Postal Remittance Books	6 years	
Public Liability Insurance	21 Years	
Private Health Care Records	6 years	HMRC requirements
PWLB Year End Statements	6 years	
Receipt Books	6 years	

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Renewal/ Endorsement Memos - Copy	Indefinitely	
Replacement Cheque Records	3 years	
Returned Cheque Records	6 years	
Securicor Records	6 years	
Shorts and Overs Records	6 years	
Sickness Records	3 years	
Staff Records	6 years	
Stock Transfer Forms	6 years	
Stop Cheque Lists	6 years	
Summaries of Accumulated Totals	6 years	
Sundry Debtor Accounts	6 years	From date paid or written off
Sundry Debtor Records	3 years	
Superannuation Correspondence	Indefinitely	
Superannuation Records	6 years	Main records held with SCC
Tax and NI Details	6 years	
Taxable Benefit Details	6 years	HMRC requirements
Temporary Loans Records	3 years	After repayment
Temporary Variations	3 years	
Tenders - Unsuccessful Quotations	3 years	
Tenders - Successful Quotations	Contract period + 2 years	From final payment
Till Rolls (Receipting Machine)	3 years	
Timesheets	Last completed audit year	Audit and Working Time regulations
Unpresented Cheque Listings	6 years	
VAT Returns and Records	6 years	
Write Off Schedules	Indefinitely	
Year-end Financial Tabs	Indefinitely	
Year-end Payroll Tabs	12 years	

- 15.4 General documentation, not listed above, may be kept for reference purposes, however, will be destroyed after five years.
- 15.5 Any documents relating to town council-owned land and property will be retained indefinitely by the town council or by the council's solicitor to give a complete picture of refurbishments, disposals or acquisitions.
- 15.6 Documents produced by and readily available from other sources will be destroyed when they are outdated or superseded.
- 15.7 Development control and planning applications will be destroyed automatically after one year. If, however, a particular application forms part of a planning

history for a specific site or town council-owned property, then the application will be kept indefinitely or until such times as the site is developed.

- 15.8 Within six months of a member of staff leaving Lyme Regis Town Council employment, the individual's personnel file will be reviewed, any superannuation or salary documentation will be extracted and the remaining documentation will be destroyed. If there is likely to be a claim made against the town council under employment or other relevant legislation, the personnel file will be archived until such times as any claim has been dealt with or legal advice states that it may be destroyed.

15.9 Storage of Documents

- 15.9.1 Documentation readily in use or where easy and regular access is required will be stored at the town council's offices.
- 15.9.2 Officers are encouraged to scan documentation where and when appropriate so that it is stored electronically for future reference. The IT systems are automatically backed up on a regular basis to ensure the safe keeping of electronic documents.
- 15.9.3 Older paperwork and documentation will be archived either at the town council's offices or off site. Any documents of an historical nature will be offered to the County Records Office or the museum, as appropriate.
- 15.9.4 If need be, documents will be stored in secure conditions either at the town council's offices, with the council's solicitor or at an offsite storage facility.
- 15.9.5 Certain specific documentation such as meeting minutes will be offered to the county archives at Dorset County Council in Dorchester.

15.10 Destruction of Documents

- 15.10.1 All confidential or sensitive documents and any documents containing personal information covered by the Data Protection Act that are earmarked for disposal will either be shredded at the Town Council offices or sent for destruction by a recognised contractor specialising in the disposal of confidential waste.
- 15.10.2 All general documentation and paper waste will be recycled.

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Publication Scheme

1. Introduction

- 1.1 This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information identified by the Information Commissioner's Office and referred to in paragraph 2. Additional information the definition of these classes is issued by the Information Commissioner.
- 1.2 The scheme commits an authority:
 - 1.2.1 To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below
 - 1.2.2 To specify the information which is held by the authority and falls within the classifications below
 - 1.2.3 To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme
 - 1.2.4 To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public
 - 1.2.5 To review and update on a regular basis the information the authority makes available under this scheme
 - 1.2.6 To produce a schedule of any fees charged for access to information which is made proactively available
 - 1.2.7 To make this publication scheme available to the public

2. Classes of information

2.1 Who we are and what we do

Organisational information, locations and contacts, constitutional and legal governance

2.2 What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts

2.3 What our priorities are and how we are doing

Strategy and performance information, plans, assessments, inspections and reviews

2.4 How we make decisions

Policy proposals and decisions. Decision-making processes, internal criteria and procedures, consultations.

2.5 Our policies and procedures

Current written protocols for delivering our functions and responsibilities.

2.6 Lists and registers

Information held in registers required by law and other lists and registers relating to the functions of the authority.

2.7 The services we offer

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

3. The classes of information generally not included

3.1 The classes of information will not generally include:

3.1.1 Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure

3.1.2 Information in draft form

3.1.3 Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons

4. The method by which information published under will be made available

4.1 The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained. Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

4.2 In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

4.3 Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

4.4 Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

5. Charges which may be made for information published under this scheme

5.1 The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

5.2 Material which is published and accessed on a website will be provided free of charge.

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- 5.3 Charges may be made for information subject to a charging regime specified by Parliament.
- 5.4 Charges may be made for actual disbursements incurred such as:
- 5.4.1 photocopying
 - 5.4.2 postage and packaging
 - 5.4.3 the costs directly incurred as a result of viewing information
- 5.5 Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.
- 5.6 If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

6. Written requests

- 6.1 Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

7. Information available from Lyme Regis Town Council under the Publication Scheme

- 7.1 All information on the website is free, all hard copy will be charged at 10p per A4 sheet (b&w)

7.2

Information to be published	How the information can be obtained
Who is who on the council and its committees	Website / hard copy
Contact details for the Proper Officer and council members (named contacts where possible with telephone number and email address)	Website / hard copy
Location of main council office and accessibility details	Website / hard copy
Staffing structure	Website / hard copy
Annual return form and report by auditor	Website / hard copy
Finalised budget	Website / hard copy
Precept	Website / hard copy
Borrowing approval letter	Hard copy
Financial standing orders and regulations	Website / hard copy
Grants given and received	Website / hard copy
List of current contracts awarded and	Hard copy

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value of contract	
Members' allowances and expenses	Hard copy
Current strategic plan	Website / hard copy
Annual report to parish or community meeting (current and previous years)	Website / hard copy
Quality status	Hard copy
General Power of Competence	Hard copy
Timetable of meetings (council, any committee/sub-committee meetings and town meetings)	Website / hard copy
Agendas of meetings (as above)	Website / hard copy
Minutes of meetings (as above) – excluding information that is properly regarded as private to the meeting	Website / hard copy
Reports presented to council meetings - excluding information that is properly regarded as private to the meeting	Website / hard copy
Responses to consultation papers	Website / hard copy
Responses to planning applications	Website / hard copy
Bye-laws	Hard copy
Class 5 – Our policies and procedures	
Procedural standing orders	Website / hard copy
Committee and sub-committee terms of reference	Website / hard copy
Delegated authority in respect of officers	Hard copy
Members' Code of Conduct	Website / hard copy
Policy statements	Hard copy
Policies and procedures for the provision of services and about the employment of staff	Hard copy
Internal policies relating to the delivery of services	Website / hard copy
Equality and diversity policy	Website / hard copy
Health and safety policy	Website / hard copy
Recruitment policies (including current vacancies)	Website / hard copy
Policies and procedures for handling requests for information	Website / hard copy
Complaints' procedures (including those covering requests for information and operating the publication scheme)	Website / hard copy
Information security policy	Website / hard copy
Records management policies (records retention, destruction and archive)	Website / hard copy
Data protection policies	Website / hard copy
Schedule of charges (for the publication of information)	Website / hard copy

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Class 6 – Lists and Registers	
Assets Register	Hard copy
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice)	Hard copy
Register of members' interests	Website / hard
Register of gifts and hospitality	Hard copy
Allotments	Website / hard copy
Burial grounds and closed churchyards	Hard copy
Community centres and village halls	N/A
Parks, playing fields and recreational facilities	Website / hard copy
Seating, litter bins, clocks, memorials and lighting	Hard copy
Bus shelters	Hard copy
Markets	N/A
Public conveniences	Hard copy
Agency agreements	Hard copy
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees, cremations, scattering of ashes, hiring of football and cricket pitches)	Website / hard copy
Newsletter	Website / hard copy

Committee: Strategy and Finance

Date: 10 July 2019

Title: The Annual Review of the Communications/PR Policy and Procedure

Purpose of Report

To allow members to undertake the annual review of the Communications/PR Policy and Procedure, in accordance with standing order 5.j.xix

Recommendation

Members approve the amended Communications/PR Policy and Procedure

Background

1. The law governing communications in local authorities can be found in the Local Government Acts 1986 and 1988. Communications activity must adhere to the Code of Recommended Practice on Local Authority Publicity 2011.
2. Standing order 5.j.xix requires that during the course of the council year, either the Full Council or the relevant committee establishes or reviews the council's policy for dealing with the press/media.
3. The policy and procedure are attached, **appendices 12A and 12B**.
4. There are no amendments recommended by officers.
5. Any recommendations from this committee will be considered by the Full Council on 24 July 2019.

Adrianne Mullins
Administrative officer
July 2019

Policy

Communications and Public Relations

Purpose

To define the roles and responsibilities within Lyme Regis Town Council for working with the press and media.

To support good internal and external communications.

To help ensure the town council operates and communicates information in a transparent and open manner.

To help ensure that the town council provides the public and press with accurate and timely information, communicated in a professional manner.

To help achieve effective two-way communications between the council and the local, regional and national press to promote and enhance the reputation of both the council and the town of Lyme Regis.

To help ensure the town council's image and reputation are communicated in a cohesive, consistent and positive manner.

Policy

For the purpose of this policy, external communications define four main mediums:

1. Printed materials – E.g. newsletters, posters
2. Electronic materials – E.g. email, website, social media
3. Media relations – E.g. press releases, media enquiries, press statements
4. Public relations – E.g. events, council meetings

All communications' activity should reflect the principles of confidentiality, Data Protection, Freedom of Information, and copyright, and the Code of Recommended Practice on Local Authority Publicity 2011, with reference to the Local Government Acts 1986 and 1988.

This policy is also supported by the town council's standing orders and code of conduct.

Supporting Procedure

This policy is supported by a Communications and PR Procedure.

Implementation date: 24 July 2019

Review Date: July 2020

Adrianne Mullins
Administrative officer
July 2019

Communications and PR Procedure

1. Introduction

- 1.1 This procedure supports the Communications and PR Policy and should be read in conjunction with this policy.
- 1.2 This procedure should also be read in conjunction with the town council's standing orders and code of conduct. Standing order 22.a. states: 'Requests from the press or other media for an oral or written comment or statement from the council, its councillors or staff shall be handled in accordance with the council's policy in respect of dealing with the press and/or other media'.
- 1.3 The town council recognises its responsibility to help communicate accurate and timely information to the press and public in a professional manner. Proper co-ordination will ensure that messages put out by the council are consistent and accurate.
- 1.4 The council is accountable to the local community for its actions and this can only be achieved through effective two-way communication.
- 1.5 The purpose of the town council's Communications and PR Policy and Procedure is to ensure its members and staff effectively communicate this information to promote the openness and transparency of the council.
- 1.6 The town council also recognises the distinction between communication from 'the town council', and communication from individuals as 'councillors'.
- 1.7 Communication of information may be viewed in four main mediums; print, electronic, media relations, and public relations. However, communication with the press and public takes place every day on a very basic level, i.e. desk enquiries, speaking to residents in the street.
- 1.8 The town council respects freedom of speech and this procedure is not intended to restrain this.
- 1.9 Local councils and their representatives are governed by national legislation and codes of practice. The law governing communications in local authorities can be found in the Local Government Acts 1986 and 1988. Communications activity must adhere to the Code of Recommended Practice on Local Authority Publicity 2011, which provides guidance on the content, style, distribution and cost of local authority publicity. This code is statutory guidance and therefore councils must have regard to it and follow its provisions. Copies of these documents are available for inspection in the council office.
- 1.10 All publicity will be produced in line with the council's equality and diversity guidelines.

2. Handling General Requests

- 2.1 All staff and councillors are responsible for communicating basic and routine information to the press and public in relation to their specific job duties or role within the council and its committees.

- 2.2 Requests for information outside of the remit of an individual's responsibilities should be referred to the relevant member of staff or councillor.

3. Responding to media enquiries

- 3.1 The town council respects the media's role in delivering information to the public and responses will be given in recognition of deadlines, which are crucial to effective media relations.
- 3.2 The media are crucially important in conveying information to the community, so the council must maintain positive, constructive media relations.
- 3.3 The media work on behalf of the local community to hold the council to account for its policies and actions, and it is therefore important that they have access to officers and members and to background information to help them in this role.
- 3.4 Requests for interviews, information or photographs from the media should be referred initially to the administrative officer, or in their absence, to the deputy town clerk.
- 3.5 Any response will be collated in conjunction with the town clerk, deputy town clerk, or operations manager. Where possible, responses will be given by committee chairmen, or in their absence, vice-chairmen. All responses will be signed off by the town clerk, or in their absence, the deputy town clerk.
- 3.6 Official statements from the town council must be issued on a document bearing the council's masthead, an appropriate title, dated, and with details of who to contact for further information.
- 3.7 Statements made must reflect the minuted opinion of the council, where applicable.
- 3.8 Councillors may be approached directly by the media and can provide responses, making it clear that the views given are their own and not necessarily those of the council. Members should not claim to be commenting on behalf of the town council.
- 3.9 The town council recognises that councillors have private lives and may be approached by the media in relation to their roles outside of the council. In this instance, members must make it clear they are not commenting as an elected councillor or on behalf of the town council.
- 3.10 Requests to take photographs of councillors or staff in relation to council business must be agreed by the individual and in the case of staff, by their line manager.
- 3.11 There is no out-of-hours media relations service, although councillors can be contacted outside of normal office hours as their contact details are available in the public domain. In extreme circumstances, the town clerk is listed as the contact in the council's emergency procedure and will liaise with the media if necessary.
- 3.12 The council should not pass comment on anonymous allegations or allegations about individual councillors or staff.

- 3.13 The council is open and accountable and should always explain if there is a reason why it cannot answer a specific enquiry.
- 3.14 Members and staff must alert the town clerk as soon as a potentially positive or negative issue which may attract media interest becomes known. They should not wait until contact is made by the media.

4. Issuing news releases

- 4.1 As well as responding to media requests, the town council will pro-actively issue news releases and distribute them to the relevant media.
- 4.2 Press releases must be issued on a document bearing the council's masthead, an appropriate title, dated, and with details of who to contact for further information.
- 4.3 Press releases are non-party political and wherever possible will include a quote from a councillor.
- 4.4 Releases will not publicise the activities of individual councillors or persuade the general public to hold a particular view.
- 4.5 Photographs may be issued with the news releases and captions must be included in the release. If photographs include councillors or staff, point 3.10 will apply.
- 4.6 Press releases will be sent by email to the relevant media, displayed on the town council website, on the council's noticeboards, on the council's social media pages, and if applicable on the lymeregis.org website.
- 4.7 The administrative officer will be responsible for developing news releases in conjunction with the relevant councillor or staff member. Any other officer or members may draft a press release, but they must be issued through the council office in line with points 4.2 to 4.6, and in agreement with the town clerk, or in their absence the deputy town clerk.
- 4.8 Letters to the editor of a newspaper do not qualify as press releases and caution is advised when submitting a letter of this kind. It may be appropriate for the council to submit a letter on occasions, such as correcting factual errors. These letters should be factual and brief.
- 4.9 Other ways to correct inaccurate reporting about the council include issuing a separate news release, a conversation with the journalist concerned, a personal letter to the editor, or legal advice.
- 4.10 Officers and members have a responsibility to identify newsworthy items and seek opportunities where it may be beneficial to issue a press release.
- 4.11 Although not common practice within this council, councillor press releases may be issued. These are personal releases and are written and issued by the councillor responsible. This type of release may or may not be political and should not include the name of any officer, use the council masthead or crest, or the council telephone number, address, or email as a point of contact. It would be beneficial for copies of

intended releases to be provided to the town clerk in advance of their release to the press.

6. Media attendance at council meetings

- 6.1 Local media outlets will be provided on request with the agendas, reports and minutes of meetings, prior to them taking place, as required by the Local Government Act 1972.
- 6.2 The press will be provided with reasonable facilities, i.e. seating and a desk, at meetings or part of a meeting at which they are entitled to be present, as outlined in standing order 3.o.
- 6.3 The photographing, recording, broadcasting or transmitting the proceedings of meetings by the media is outlined in standing order 3.m and 3.n.

7. Council website

- 7.1 The council website should provide an informative online resource for residents and visitors, giving information about the council, the town, councillors and staff, services provided by the council, the local community, news, links to useful websites, minutes and agendas, and a search facility.
- 7.2 Information on the website should be accurate and kept up-to-date.
- 7.3 Press releases and council notices should be displayed in the news section of the website.

8. Council column

- 8.1 The council will produce a monthly news column for the local press, providing residents with interesting and informative news about the council, its staff and members, and community issues that are linked to the council.
- 8.2 The column will be produced by the administrative officer, or in their absence, the deputy town clerk. Ideas for inclusion in the newsletter can be submitted by councillors, staff, and members of the community.
- 8.3 Items to be included in the column will be discussed and agreed through the fortnightly publicity meetings attended by the town clerk, administrative officer and delegated members. The group will also discuss other press and publicity matters.

9. Council noticeboards

- 9.1 Priority is given on the council's noticeboards to official council documents, such as agendas, public notices, election information, and legal issues affecting the council.
- 9.2 Where possible, the council will display posters and information for community related issues.

10. Publicity in Election Periods

- 10.1 In the period between the notice of an election and the election itself, the council is subject to rules which impact on how it can communicate with the public.
- 10.2 During this period, council publicity should not deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual members or groups of members. This ensures that no individual councillor gains an unfair advantage by appearing in official publicity.
- 10.3 In these circumstances, where a quote is required, the relevant officer may be quoted.

Implementation date: 24 July 2019

Review Date: July 2020

Adrianne Mullins
Administrative officer
July 2019

Committee: Strategy and Finance

Date: 10 July 2019

Title: Sidmouth Road Park and Ride

Purpose of Report

To allow members to consider whether any further planning application should be made for the use of land at Sidmouth Road (Ware Cross) as a site for a public park and ride facility

Recommendation

That, having regard to the lack of detailed support and justification for the continued use of land at Sidmouth Road (Ware Cross) as a site for a public park and ride facility, members resolve not to submit any further planning application for that purpose

Background

1. The Sidmouth Road (Ware Cross) park and ride site was initially provided solely as a temporary measure. It was intended to provide replacement car parking whilst Monmouth Beach/Cabanya car parks were used as a compound in connection with extensive land stabilisation works undertaken along the seafront area by the then West Dorset District Council in 2006.
2. The site continued in use long after the ground stabilisation works were completed by virtue of a succession of short-term, temporary planning permissions. In more recent years, the planning authority, East Devon District Council, had emphasised that the use could not continue without a much more detailed justification than had previously been submitted.
3. It was noted that the site was outside of development limits, in the Area of Outstanding Natural Beauty (AONB) and in an area where 'development' of this kind would not normally be permitted.
4. A revised application for the continued operation of the Sidmouth Road park and ride site was submitted in March 2017. This followed the refusal of an earlier application which had been submitted in October 2016.
5. The revised application generated further queries from the planning authority about the need for the facility. Although another temporary permission was eventually granted, it was made absolutely clear that any operation beyond 10 September 2017 would require the submission of a further application accompanied by much more comprehensive and current supporting information.
6. For 2018, the Sidmouth Road site did not operate, and no further application was submitted. The park and ride service ran solely from the Charmouth Road

site which, during this same period, had been granted permanent planning permission for use by up to 400 cars.

7. In May 2018, consultants Hydrock were appointed by the town council to look at various transport, signage and car parking issues affecting the town and its wider environs. This work was not aimed specifically at providing a justification for the continued use of the Sidmouth Road park and ride site; rather it was an independent, objective and expert analysis of the wider issues which might or might not support the submission of a further planning application.

Report

8. Drafts of the Hydrock work have now been received by the council and were reported to the last meeting of the Town Management and Highways committee held on 26 June 2019.
9. The reports examine a range of issues, including actual and projected peak car park usage, both now and in the future. The officer view is that the information contained in the reports does not substantiate the need for a second park and ride site at the present time and would not help support a further planning application for the Sidmouth Road site.
10. Given the history of this matter, it is felt sensible to make clear at this stage that the town council does not intend to submit a further application for the Sidmouth Road site. Instead, the council will work collaboratively with others to develop and implement a more effective car parking and signage strategy for the town and surrounding area which makes the best possible use of existing assets and seeks to minimise the adverse impacts of car-borne visitors.
11. In the first instance, an approach, supported by the local MP, has been made to the regional director of Highways England about signage to the town via the A35. The intention is to involve both local highway authorities and others in any subsequent discussions.
12. A condition of the expired planning permission for the Sidmouth Road site requires that various remedial works be undertaken, including the removal of tarmac, gates and signs, together with the reinstatement of the roadside bank and hedge. This will involve cost to the council and the use of an external contractor. These works will need to be completed as soon as possible and discussions have already taken place with the land owner and his land agent.
13. Any recommendations from this committee will be considered by the Full Council on 24 July 2019.

Mark Green
Deputy town clerk
July 2019

Committee: Strategy and Finance

Date: 10 July 2019

Title: Request from St Michael's Parish Church for Grant Funding

Purpose of Report

To allow members to consider a request from St Michael's Parish Church for grant funding towards works to the church tower

Recommendation

Members consider the request from St Michael's Parish Church for grant funding towards works to the church tower

Background

1. St Michael's Parish Church tower is suffering from water ingress. To resolve the problem, the church wants to hack off the render to the tower and undertake any necessary works to the stonework and brickwork beneath; the church tower was originally rendered in the 1930s to resolve water ingress through stonework and brickwork.

2. In 2018, St Michael's took advice from the church architect and tendered for works. At that point in time, the project cost, including professional fees, and VAT, was £133,541. In addition, the church added a client contingency of £15,000 which brought the total project cost to £148,541.

3. The cost breakdown was:

	£
Works	121,401
Fees	12,140
Client contingency	15,000
Total	148,541

4. On 27 June 2018, this committee received a request from St Michael's Parish Church to meet half the project cost. At that point in time, it had raised c.£10,000 toward the project and was in the process of submitting a £50,000 bid for grant funding to the Coastal Revival Fund.

5. On 27 June 2018, this committee submitted the following recommendation to the Full Council:

‘to underwrite the church tower project to a maximum sum of £66,770.50¹, for the purpose of the Coastal Revival Funding application only, and should this funding application fail, the church will need to re-

¹ The maximum sum was based on 50% of the works and professional fees, only. It did not include the contingency sum identified by St Michael's Parish Church.

set its parameters for funding overall and if it wishes, the church can come back to the council to request it underwrites a new funding proposal.'

6. This recommendation was approved by resolution of the Full Council on 11 July 2018.
7. St Michael's Parish Church's Coastal Revival Funding bid was unsuccessful.

Report

8. The church has continued to raise funds for the works to the church tower, **appendix 14A**. In summary:

	£
Funds raised	29,260
Grants awarded, but not received	22,000
Investment income ²	25,000
Total	76,260

9. However, a significant shortfall remains against the project budget of £150,000. Furthermore, the project budget is likely to increase at the margins; the contractor has stated his price will increase by 3%.
10. Attached, **appendix 14B**, is an emailed titled, 'Report on St Michael's church July 2019'. The email includes a grant funding request to the council. It also provides details of the archdeacon's consent to use investment income to fund the project, the level of funding required to start the project, i.e., 80%, and the recent plaster fall which has caused the main door to be closed and increased the urgency of undertaking works to the church tower.
11. The amount of grant funding requested is detailed in **appendix 14A**. The council can consider the full amount, i.e., £73,740 (£77,382 adjusted for the corks' contractor's price inflation) or identify any other amount it considers reasonable.
12. The council must also be mindful of three issues which are principally the church's concern but could impact on the council:
 - works and professional fees VAT; VAT has to be paid but can be reclaimed. This could create cash flow issues
 - if the project isn't fully funded but starts on site, there is no guarantee the church can raise the outstanding funds; this could be up to 20% of the project cost
 - the nature of these works could reveal further repairs that are beyond the client's contingency sum

² Investment income is the reserve held by the parish church. It derives income from its investments to support its day-to-day expenses.

13. In making its decision, the council needs to consider three things: the impact on its 2019-20 budget, the opportunity cost, and advice on financial assistance to the church.

Impact on the 2019-20 budget

14. The council has a 2019-20 budget deficit of £569,000. This is a product of the project costs included in the 2019-20 budget, £588,000. The year-end deficit will be met from the council's reserve which currently stand at c£1,400,000.
15. Because of the level of deficit and its impact on the council's reserve, any significant additional expenditure must be carefully considered.

Opportunity cost

16. Opportunity cost refers to the loss of other alternatives when one alternative is chosen. If the council awards a grant to St Michael's Parish Church, this reduces its ability to make other decisions in the future which may be more pressing.
17. In addition, the council is committed to a major review of its grant funding during autumn 2019. A decision taken ahead of this review could be regarded as an unfair precedent and assessed as benefitting one organisation at the detriment of others.

Advice on financial assistance to the church

18. Since St Michael's Parish Church's grant funding request to the town council in 2018, the town clerk has become aware of advice from the National Association of Local Councils on financial assistance to the church. The town clerk has also sought further advice from the council's solicitors, Kitson and Trotman and its internal auditor, Darkin Miller.
19. All of the advice is consistent and throws into question whether a parish council can legally provide financial assistance to a church³; the legal argument is summarised below.
19. The Local Government Act 1894 confirms the powers, duties and liabilities conferred on parish councils and is explicit that these do not include the affairs and property of the church or those held for an ecclesiastical charity.
20. The question is, does the prohibition still apply or is it overridden by legislation made after the 1984 Act?
21. The council could argue the General Power of Competence in s.1 of the Localism Act 2011 overrides the 1894 Act and allows the council to make a grant payment to St Michael's Parish Church. This is consistent with the current

³ This refers to the Church of England, only.

government view which is, there is no need for further legislation on this matter as it believes the 1894 Act restrictions do not override the provision of later Acts of Parliament, i.e., s.1 of the Localism Act 2011.

22. However, there is an accepted legal principle, applied by the courts, which is that in interpreting what an Act of Parliament means, a specific provision overrides one of a general nature, i.e., if two statutory provisions are in conflict or overlap, the detailed provision will prevail over the more general one.
23. In this instance, s1 of the Localism Act 2011 is a general provision and the relevant section of the Local Government Act 1894, i.e. s8, is a specific provision.
24. In addition, s.2 of the Localism Act 2011 confirms the general power of competence does not allow an eligible parish council to get around any statutory prohibition, restriction and limitation which existed before the general power was introduced.
25. There is no current case law to resolve the question of whether or not the 1894 Act restrictions override the provisions in later Acts of Parliament and, ultimately, it would be for the courts to determine the extent of any prohibition from the 1894 Act. Any court action started to resolve this is likely to be expensive.
26. The council could take counsel's opinion, but any advice is unlikely to add anything to what we already know. In summary, the advice of the National Association of Local Councils is that we should act prudently on this matter; the advice of Kitson and Trotman is that we should act cautiously.
27. Any recommendations from this committee will be considered by the Full Council on 24 July 2019.

John wright
Town clerk
July 2019

FUNDS RAISED

Mayor's Charity 4463	Church fundraising
Grants	Tower Trundle 3336
Erskine Mutton 7000	Antonio Trattoria 1320
All Churches Trust 3000	Other 7914
Montagu Chapter 1000	-----
-----	Church fundraising 12570 (net of costs £973)
Total received 28033	

Grant pledges

Garfield Weston 10000

Dorset Historic Churches 12000

Total £50,033

The Garfield Weston grant pledge is valid for two years from 15th November 2018 and the Dorset Historic Churches Trust grant pledge is valid for three years from 26th June 2018.

Lyme Regis PCC has been asked to make a grant to the appeal of £25,000. It is expected that this will be discussed at the PCC meeting to be held on 9th July. If this grant is approved the appeal total sum raised would rise to £75,033, being 50% of the anticipated overall cost.

TOTAL COST OF PROJECT

A detailed specification of work was produced by the Church Architect. This has been submitted to the Diocese of Salisbury and the appropriate conservation bodies. The Local Authority has been formally consulted. All approvals have been received and the Faculty was granted in August 2018.

The contract was put out to competitive tender and the lowest tender of four received was from Ellis & Co in the sum of £121,401 (plus recoverable VAT).

The total estimated cost of the project is as follows:

Ellis & Co 121,401 (plus recoverable VAT)

Professional fees 14,568 (including irrecoverable VAT)

Contingency 14,031

Total £150,000

The tender from Ellis & Co was made in February 2018. It is anticipated that there may well be an increase due to inflation. Although the main contract included provisional sums for making good stonework etc, there

may be additional costs not yet included. Our insurers have specified the need for roof/scaffolding alarms to be in place to guard against the theft of metal. The cost of these is not included in the main contract.

In particular, the Church Clock needs attention having been out of action for over two years. The clock has a large Victorian movement which requires regular attention. The clock has three electric winding mechanisms, one for the clock itself and two for the chimes of the quarter hours and hours. It is known that the clock mechanism has a mechanical fault. The chiming mechanism has been disconnected for three years or so and it too requires a repair. The Cumbria Clock company have proposed an inspection of the external workings of the clock when the scaffolding is in place during the rendering works. No costing has been obtained for the work required but it would be reasonable to estimate a total cost, including irrecoverable VAT, of about £5,000. This would utilize over a third of the contingency noted above.

It should be noted that although the VAT on the Ellis & Co main contract is recoverable, the VAT will have to be paid out and then claimed by way of grant from the Listed Places of Worship Scheme. The time taken between payment and receipt of the VAT grant is likely to be two to three months. This cash flow issue will need to be covered in some way.

*Prepared by Tim Bacon
PLC REP.*

Begin forwarded message:

APPENDIX 14B

From: Keith Vivian <
Date: 2 July 2019 at 14:29:01 BST
To: townclerk@lymeregistowncouncil.gov.uk
Cc: brianlarcombe@hotmail.co.uk
Subject: Report on St Michaels church July 2019

Hope fully this brings up to date the state of play for the reasons we are approaching The Council again .perhaps you could also give the six new councillors Appendix 7A from last year if you think appropriate .There will be later today the financial detail s to date Audrey V

Exactly a year ago St .Michaels Church were encouraged to approach the previous Council for a grant to help us effect repairs to the Tower,parts of which are Saxon .This was advised in our quinquennial report from our Diocesan Architect as needing action as there was ingress of water.

We were also also applying for monies from the Coastal Revival Fund for which we were considered a good fit ,supported by the CCT and Lyme Forward .

We would then have been able to begin the work last year in the right weather conditions as all the Relevant permissions and Faculties had been obtained from the Diocese and Historic Buildings and the work had been put out to Tender by our architect and accepted by the PCC.

Your Council at the time supported the application making it conditional on success in the Coastal Revival Fund .Their monies went to the Marine Theatre ,The Hub and so we lost the support of the Council and were unable to proceed .

The DAC requires us to have 80% of the cost in place before work can commence . You will remember too ,that both our Team Rector and Team Vicar left Lyme as Stephen retired and Jane became Team Rector of a post in North Devon .

To date we have not found a possible applicant for the TeamRectors post .We are fortunate to have the voluntary services of retired personnel and the births ,deaths and marriages and other activities are there for our Town and many visitors .

Our demographic in Lyme means we have very elderly congregations on fixed incomes but many visitors in and out of season .

Our Church too looks after Lyme Regis Primary School providing the Chair and Vice Chair of Governors and the the largest proportion of the Governing Body .The children's education is in our care in Lyme and for many of you both Church and School were part of your lives in our small Town .

You can imagine how devastated we were when a serious fall of plaster caused the main Door to be closed last week ,and that on a weekend when we were hosting a huge event with 50 children from Devon joining a choir of adults and children from Lyme and district in a major first Performance specially composed for them with a specific grant from the Adhelm Fund .

02/07/2019

We are appealing to you for a grant that we can add to the considerable monies we have made (see enclosed) since last year .The PCC have permission from our Archdeacon to use £ 25,000 from investments income from which we use for the maintenance and running of the Church .and sums have been obtained from other church Funds .The Mayor of the previous two years generously made the Tower Fund her Charity and today we have received £ 1000 from an American visitor whose ancestor was christened in our Church in 1620s .

The fact that your Civic Church remained the holder of past history and was hospitable to him in his short stay of barely a week resulted in this gesture towards the Tower repairs .

Dawn Baker Treasurer PCC

Tim Bacon PCC representative

Audrey Vivian co ordinator Tower Appeal

Committee: Strategy and Finance

Date: 10 July 2019

Title: Climate and Environmental Emergency

Purpose of Report

To allow members to consider a motion from Cllr B. Bawden on the declaration of a climate and environmental emergency

Recommendation

Members consider and approve Cllr B. Bawden's motion on the declaration of a climate and environmental emergency, appendix 15A

Background

1. During the public forum at the Full Council on 29 May 2019, Mr S. West, asked the council to declare a climate emergency.
2. Climate change was not on the Full Council agenda and the town clerk said he would bring a report to a committee in the next cycle of meetings to allow members to begin to think through the town council's approach to declaring a climate emergency.

What is a climate emergency declaration?

3. There is no single definition of what a climate emergency means. In most instances, a locality sets a timeline and plan for becoming carbon-neutral, with dates ranging from 2028 to 2050.
4. The declaration acknowledges the urgency of the situation and applies pressure to government and its agencies to put resources in place to help reduce carbon emissions.

Who's declared a climate change emergency?

5. In May 2019, the UK parliament declared a climate emergency. In June 2019, the prime minister followed official advice from the Committee on Climate Change and set 2050 as the date for the end of greenhouse gas emissions, making the UK the first major economy to do so.
6. More locally, Devon County Council, Somerset County Council, Dorset Council, and Chard and Bridport town councils have declared climate emergencies.

The motion

7. A motion is attached, **appendix 15A**; it is submitted by Cllr B. Bawden. The motion is to declare a climate and environmental emergency.

What can the town council do?

8. The council can take action on areas under its direct control, it can act independently and with other organisations to influence and raise awareness, and it can fulfil its regulatory responsibilities.

Areas under the council's direct control

9. Since the Full Council on 29 May 2019, the town clerk has met with Simon West, who called on the council to declare a climate emergency, and spoken to Grenville Barr, Plastic Free Lyme, to identify the initiatives the town council could take to support a climate emergency declaration. Initiatives identified, include:
 - migration to an electric fleet of vehicles
 - solar panels on the roof of the cadet hut
 - the installation of water points on the seafront
 - free use of the town bus for Gateway Card holders
 - a review of water consumption
 - the purchase of green utilities
 - the ethical investment of reserves and surpluses
 - the introduction of recharging points
 - green tourism initiatives, e.g., a parking levy invested in tree growing in the tropics
 - a move towards an electronic office
 - sustainable and eco-friendly cemetery and gardens
 - an energy efficient and eco-friendly office refurbishment.
10. These initiatives, along with others which will be identified in the future, need to be costed and programmed through the council's objective and budget-setting process in the Autumn.
11. In addition, a model for calculating and reviewing the town council's carbon footprint and how this can be offset needs to be developed.

Working with others

12. The town council already works with and takes advice from Turn Lyme Green and Plastic Free Lyme.
13. Paragraph 8 of Cllr Bawden's motion refers to setting up and supporting other groups. On 27 June 2019, Simon West contacted the town clerk inviting the town council to join a newly-formed group, Lyme Regis One Planet Working Group.
14. The working group intends to sign up to the 'Be the Change' initiative and work towards the UN Sustainable Development Goals. These are initiatives that the council could consider in the future. Information on these initiatives are

available at <https://www.un.org/sustainabledevelopment/be-the-change/> and <https://www.un.org/sustainabledevelopment/>.

15. It seems appropriate for the council to identify at least one member to sit on Lyme Regis One Planet Working Group; the council can inform the group of progress against its own climate change and environmental objectives. Through the working group, the council could also influence others and promote the importance of tackling climate change.
16. On 16 May 2019, Dorset Council declared a climate emergency and established a cross-party executive advisory panel to develop a climate change plan. The town council needs to work closely with its Dorset Council ward member, Cllr Daryl Turner, who's on the advisory panel, to link activities.
17. Low Carbon Dorset¹ was established in 2018 to promote the transition to a low carbon economy to reduce greenhouse gas emissions, specifically carbon dioxide. Its specified aims are to help improve energy efficiency, increase the use of renewable energy, and aid the development of new carbon products.
18. Low Carbon Dorset provides free technical advice, grants, workshops and detailed energy surveys.
19. The town clerk has contacted Low Carbon Dorset to see if they can support the council in any of its initiatives.
20. Finally, the council should actively engage in publicity to promote its position on the environment. It should also seek to support events that promote environmental initiatives; on 22 July 2109, sculptures will appear on the shingle beach, highlighting the impact of plastics, waste and over-consumption of resources on our local environment and beyond.

Regulatory responsibilities

21. Councils already have legal and regulatory responsibilities for the environment. Most of these are the responsibility of principal councils, e.g., waste disposal, air and noise pollution. Looking to the future, there is a real possibility regulatory functions for the environment will be delegated to town councils and we must anticipate and prepare for these responsibilities.
22. Any recommendations from this committee will be considered by the Full Council on 24 July 2019.

John Wright
Town clerk
July 2019

¹ Low Carbon Dorset is funded by the European regional Development Fund (ERDF) and supports business, community and public sector organisations in Dorset, Bournemouth and Poole. Funding is for three years. The programme is run by Dorset Council and the Dorset area of Outstanding Natural Beauty. Low carbon grants are available for up to 40% of project costs, between £5,000 and 250,000.

Lyme Regis Town Council agrees to:

1. Declare a 'climate and environmental emergency'.
2. Sign up to the 'Be the Change' initiative in partnership with the UN to work towards the Sustainable Development Goals (and be the first town council in the South West to join?)
<https://www.un.org/sustainabledevelopment/be-the-change/>
3. Work with existing groups and organisations already fulfilling sustainability, environmental and climate action - Turn Lyme Green/ Plastic Free Lyme; Lyme Forward; the Lyme Regis Development Trust; the Lyme Regis Society; the business community, churches, schools, charities and voluntary groups - to deliver selected Sustainable Development Goals.
4. Pledge to make Lyme Regis Town Council carbon neutral by 2030, taking into account both production and consumption emissions.
5. Call upon National Government and Dorset Council to provide the powers and resources to make the 2030 target and SDGs possible.
6. Work with other local councils to determine and implement best practice methods to limit global warming to less than 1.5°C.
7. Continue to work with partners across the Lyme Regis area (Uplyme and Charmouth) to deliver the new goals through all relevant strategies and plans.
8. Set up and support a 'One Planet'('Be the Change'/SDG) Working Group to:

- conduct an audit of all Town Council activities and implement sustainable practices
 - calculate carbon footprints for all Town Council activities then seek offsetting mechanisms for them
 - review the Town Council's progress and good work
 - co-ordinate existing and potential activities of the community groups and interested individuals towards achievement of the Sustainable Development Goals
9. Prepare a report within 6 months with the actions Lyme Regis Town Council will take to address the 'climate and environmental emergency' and achieve success in more Sustainable Development Goals as a partner in the UN's 'Be The Change' initiative through the 'One Planet' group:
<https://www.un.org/sustainabledevelopment/be-the-change/>
Lazy Person's Guide - <https://www.un.org/sustainabledevelopment/takeaction/>

B. Bawden

17th May 2019

Revised 3rd July 2019

Committee: Strategy and Finance

Date: 10 July 2019

Title: Request from Lyme Regis Community Land Trust to Undertake a Feasibility Study over the Woodmead Halls Car Park area for Possible Affordable Housing for Rent to Local People

Purpose of Report

To allow members to consider a request from Lyme Regis Community Land Trust to undertake a feasibility study over the Woodmead Halls car park area for possible affordable housing for rent to local people

Recommendation

Members consider the request from the Community Land Trust and indicate their support or otherwise for them procuring a feasibility study. If members are mindful to support the request, it is recommended this is entirely without prejudice to this council's subsequent consideration of any proposals which might emerge from the study

Background

1. This council, in conjunction with Raglan Housing Association, explored the possibility of affordable housing on a section of Woodmead car park in 2013-14.
2. Raglan Housing Association withdrew from this project in 2014 following planning concerns raised by West Dorset District Council (WDDC). Those concerns centred around: the loss of car parking; the conflict between residents and car park users; the size of the gardens, i.e. they were too small; and the impact of the development on the character of the area.
3. At that time, the council suggested the Community Land Trust (CLT) should be approached to establish if it was interested in pursuing the development of affordable housing on a section of Woodmead car park.
4. The CLT confirmed it was prepared to consider the project but before doing so wanted to understand the town council's commitment to housing development on Woodmead car park.
5. The CLT subsequently gave further thought to the project and developed an outline proposal which it asked the council to consider and support.
6. That proposal was considered at the meeting of Full Council held on 12 December 2017. It differed from the Raglan proposal in various significant regards, principally: housing was located at the front of the car park, not at the rear; the homes were for single persons and couples, not families, and the loss of public car parking was reduced by the proposed acquisition of land at the rear of the emergency services' building to provide replacement public car parking.

7. When members considered that proposal, several concerns were raised; including loss of parking, potential conflict between residents and car park users, the impact on the general character of the area, the proposed allocations' policy and a desire to understand how the scheme at Garmans Field (Timber Hill) proceeded, including the demand for it and the application of the allocations' policy in practice, before considering any other proposals further.
8. Members resolved not to support the outline proposals at that time (**minute 17/136/C refers**).

Report

9. The CLT have now submitted a fresh request to undertake a feasibility study over the whole of Woodmead car park area for possible affordable housing for rent to local people. The area includes some land not owned by this council.
10. The study would not involve the council in any commitment to support any proposals which might emerge from the study and all costs would be met from other sources.
11. Since the 2017 proposal, the 15 units at Garmans Field have been completed and let solely to tenants with a confirmed local connection. The CLT state that, at that time, 38 qualifying applicants were disappointed; it is their view that the demand will have increased since 2017.
12. The request received from the CLT is attached as **appendix 16A** and an aerial view of the car park area is attached as **appendix 16B**.
13. Representatives of the CLT will be present at the meeting to explain their request and to answer questions from members.
14. As with the submission of a planning application, anyone can undertake a feasibility study on any area of land if it doesn't involve intrusive ground investigation or other 'physical' works. In the case of the CLT, the council is its custodian trustee and it is clearly important for there to be a strong degree of 'common purpose' and co-operation.
15. On the basis that the study is entirely without commitment to any proposals which may emerge from it and at no cost to the council, then it may be a useful exercise which can also identify additional/replacement parking and/or revised and more efficient layouts of the council's land.
16. Any recommendations from this committee will be considered by the Full Council on 24 July 2019.

Mark Green
Deputy town clerk
July 2019

Request for Council to agree to Lyme Regis CLT conducting a feasibility study over the Woodmead Halls Car park area for possible affordable housing for rent to local people.

It was 2017 when this request was initially made. It was primarily turned aside because the then council remained unconvinced that the occupants of our development at Garmans Field that were soon to be allocated, would have a local connection. Things have moved on since that time however. Community Land Trusts now enjoy both good and fruitful relationships with Councils nationwide. There is far easier to obtain funding for the provision of affordable homes than hitherto. And, of the fifteen CLT units at Garmans Field, all tenants have a confirmed local connection. In all this change it is only the need that remains constant, in fact we believe that it has increased. At the time of the Garmans Field allocations it was established that no less than thirty eight qualified applicants were disappointed. It is likely that the number will have increased subsequently.

With this in mind we seek the Council's permission once again to commission a feasibility study over the whole of the Woodmead Halls Car Park. We would emphasise at this juncture that we have no thoughts of blanketing the area with affordable housing, even if this was considered to be a possibility. We have it in mind to erect around 10 to 15 one bedroomed maisonettes somewhere along the edge to cater for local people who work in the town or have another need to live here. Even these thoughts are purely in embryo and the study is to establish whether or not this particular fox will- run.

We realise that car park spaces are at a premium in a holiday resort and, with this in mind we have contacted the owners of the area of grass behind the fire station with a view to acquiring it and offering it to the council as a land swap thus minimising the loss of parking spaces our project will entail.

To sum up our request will not involve the Town Council in any commitment at this stage, either regarding housing or financial outlay as the cost of the study will be met from other sources. Some councillors will recall a project for housing in this area suggested by former councillor Lovell that subsequently was abandoned because it became rather too cumbersome. We will not be using that one as a basis but will bring a fresh approach to the situation.

The Lyme Regis Town Council owns the freehold of the Garmans Field scheme with the Lyme Regis CLT as the beneficial owner. All the houses will revert to Council ownership at the end of their Lease to the Yarlington Housing Group.

We are grateful to those Councillors who have already asked us questions, and the CLT is very happy to work with the Council to improve the affordable rental housing situation in Lyme Regis for the benefit of local people in perpetuity. The CLT is a charity for the benefit of local people and set up as a Limited Company with a membership from the local community. The directors all work for free and no-one is paid a salary or honorarium.

The accompanying map shows the land that the CLT would seek to acquire from the SW Ambulance Trust and the County Fire Brigade, who have given their support to our aims.

K D Jenkin,

Chairman Lyme Regis CLT.



Committee: Strategy and Finance

Date: 10 July 2019

Title: Filming Money

Purpose of Report

To allow members to consider how the £15,000 received from Fossil Films for the filming of Ammonite should be spent

Recommendation

Members consider how the £15,000 received from Fossil Films for the filming of Ammonite should be spent

Background

1. A film based on the life of Mary Anning was filmed in Lyme Regis in March 2019 by Fossil Films.
2. The filming required use of Bell Cliff, which is owned by this council.
3. Fossil Films has made a donation of £15,000 to the council as a thank you for use of the area and hopes it can be used to create a beneficial legacy for the town.
4. Suggestions from the public on how to spend the money have included the proposed Mary Anning statue and youth causes in Lyme Regis.
5. Members are asked to consider how the money should be spent.
6. Any recommendations from this committee will be considered by the Full Council on 24 July 2019.

John Wright
Town clerk
July 2019