



John Wright
Town Clerk

Lyme Regis Town Council
Town Council Offices
Guildhall Cottage
Church Street
Lyme Regis
Dorset
DT7 3BS

email: enquiries@lymeregistowncouncil.gov.uk

Tel: 01297 445175
Fax: 01297 443773

Town Management and Highways Committee

Core Membership: Cllr J. Broom (chairman), Cllr J. Scowen (vice-chairman), Cllr R. Doney, Cllr Mrs M. Ellis, Cllr D. Hallett, Cllr P. Hicks, Cllr S. Miller, Cllr B. Larcombe, Cllr Mrs C. Reynolds, Cllr G. Turner, Cllr S. Williams

Dear Councillor,

Notice is hereby given of a meeting of the Town Management and Highways Committee to be held in the Guildhall, Bridge Street, Lyme Regis, on Wednesday 27 February 2019 commencing **on the rise of the Extraordinary Full Council Meeting**, when the following business is proposed to be transacted:


John Wright
Town Clerk
21.02.19

AGENDA

1. Public Forum

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

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

2. Apologies

To receive and record any apologies and reasons for absence

3. Minutes

To confirm the accuracy of the minutes of the Town Management and Highways Committee meeting held on 16 January 2019 (attached)

4. 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.

5. Dispensations

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

6. Matters arising from the minutes of the Town Management and Highways Committee meeting held on 16 January 2019

To update members on matters arising from the previous 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 previous meeting

7. Update Report

To inform members about progress on significant works and issues

8. Dorset Council's CCTV Project

To allow members to consider being included in the Dorset Council's CCTV project to allow Dorset Police access to monitor the council's CCTV

9. Lengthsman Agency Agreement

To allow members to approve the draft lengthsman agency agreement between Dorset County Council and the town council

To inform members the purchase or hire of a flail mower will be required

10. Langmoor and Lister Gardens Lighting Project

To inform members about proposals for lighting a section of the gardens and to seek authority to waive financial regulations and to negotiate design and contract prices without competition

11. South Avenue parking permits

To allow members to re-consider requests from local residents for permit parking controls in South Avenue

12. Refurbishment of Council Offices

To update members on the proposed refurbishment of the council offices

13. Henry's Way Play Park

That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded while members consider this item in accordance with the Public Bodies (Admission to Meetings) Act 1960

14. Complaints and Incidents

15. Exempt Business

To move 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 in view of the likely disclosure of confidential matters about information relating to an individual, and information relating to the financial or business affairs of any particular person, within the meaning of paragraphs 1 and 8 of schedule 12A to the Local Government Act 1972

(see Section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985), as amended by the Local Government (Access to Information) (Variation) Order 2006.

a) Agenda item 13 – Henry’s Way Play Park

LYME REGIS TOWN COUNCIL

TOWN MANAGEMENT AND HIGHWAYS COMMITTEE

MINUTES OF THE MEETING HELD ON WEDNESDAY 16 JANUARY 2019

Present

Chairman: Cllr J. Broom

Members: Cllr R. Doney, Cllr Mrs M. Ellis, Cllr D. Hallett, Cllr P. Hicks, Cllr B. Larcombe, Cllr S. Miller, Cllr J. Scowen, Cllr G. Turner

Officers: Mr M. Adamson-Drage (operations manager), Mrs A. Mullins (administrative officer)

18/70/TMH

Public Forum

Mrs Z. Patrick

Mrs Patrick spoke in relation to agenda item 8, Dogs on the Beach. She said she had lived in Lyme Regis for a year and was shocked to hear dogs were allowed on the sand beach without any control. She said when she heard the distressing news about a child being attacked by a dog, she was surprised to hear it hadn't happened more often. Mrs Patrick said she had seen many incidents on the beach since she had been in Lyme Regis. She said during the summer when there were many visitors there was a dog ban on the beach, so there were never any issues if she went to the beach with her grandchildren. She said when the ban was lifted from 1 October, many people still wanted to swim but dogs were all over the beach so it was difficult to do so. Mrs Patrick said there should be a safe space where people could swim and bring children to the beach without worrying about being attacked by a dog or the mess they made. She said even if people picked up after their dog there was still residue left in the sand, which was a public health issue. She said if someone was ill, they wouldn't be able to prove which dog made the mess. Mrs Patrick said as it was a small beach, if there were 10 dogs and it was full, there was virtually no space to sit. She said toddlers were on the beach all year round and children came after school to enjoy the beach. She said dogs were allowed on all the other beaches in Lyme Regis so it would still be possible for them to go in the sea. Mrs Patrick said for those people who wanted to enjoy the beach dog free there was nowhere for them to go, which she felt was unfair. She said she hoped the town council would send a strong message to West Dorset District Council (WDDC) about this, as she understood the council was originally not in favour of dogs being allowed on the beach, and she would support the case.

Mr M. Saunders

Mr Saunders spoke in relation to agenda item 15, Seasonal Concessions as he had applied to run a paddleboarding concession. He said he and his wife had been safely teaching and promoting paddleboarding for the last six years, based at their shop Boylo's, which was open 364 days a year for advice, lessons or sales. He said they had also supported town events by offering free paddleboarding. Mr Saunders said they would intend to run the concession from their shop seven days a week as they

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had in the past. This would include qualified instructors, a flexible service, and advice and guidance. He said when conditions were favourable, they were on hand for lessons, guidance and rentals, a business which ran in harmony with the shop. He said this meant there was no requirement for beach storage or clutter, and they could also offer people somewhere secure to store their valuables rather than leaving them on the beach, eliminating the risk of crime. He said all the equipment was stored in the shop, so there was no requirement for racks or containers on the beach. Mr Saunders said everything was stored and secured in the shop so there was no need to leave it on the beach or bring a vehicle onto the seafront on a daily basis. He said paddleboarding was a key part of their business plan and they had recently agreed a considerable rent increase. Mr Saunders said he and his wife enjoyed worked in Lyme Regis and as a helm on the lifeboat, using the sea safely was of paramount importance, something which he and the whole Boylo's team always had in mind. He said Boylo's could offer a fun and safe paddleboarding package, benefiting the local economy, residents and visitors. He said they looked forward to encouraging paddleboarders to Lyme Regis and showing them the best of the seaside town.

Mrs S. Bennett

Mrs Bennett also spoke in relation to agenda item 15, Seasonal Concessions as she had applied to run a paddleboarding concession. She said she had trained with the Academy of Surfing Instructors (ASI) as a paddleboarding instructor, and she was a fitness instructor, swimming coach and triathlon instructor. She said she wanted a presence on the beach and many local people had commented there was no presence on the beach. Mrs Bennett said paddleboarding was the most accessible of all watersports, easy to learn and a way to have fun in a safe way. She said a designated area could be made available for it.

18/71/TMH

Apologies

Cllr Mrs C. Reynolds – holiday
Cllr S. Williams – holiday

18/72/TMH

Minutes

Cllr R. Doney asked for an amendment to minute number 18/57/TMH, Seagull Control. He requested the word 'trial' was changed to 'demo' in his comments.

Proposed by Cllr B. Larcombe and seconded by Cllr P. Hicks, with the above amendment, the minutes of the previous meeting held on 14 November 2018 were **ADOPTED.**

18/73/TMH

Disclosable Pecuniary Interests

There were none.

18/74/TMH

Dispensations

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

18/75/TMH

Matters arising from the minutes of the Town Management Committee meeting held on 14 November 2018

Cemetery chapel

Cllr D. Hallett asked why the roof was only repaired, as he believed it needed replacing.

The operations manager said the report from the builder confirmed a new roof would be required in two to three years' time.

Charmouth Road park and ride

Cllr J. Broom reported the income from the park and ride was c.£30k, which may result in a loss to the council of up c.£2k.

Hydrock traffic survey

Cllr J. Broom said the deputy town clerk was meeting with Hydrock the following week to review the draft report and providing he was happy with it, the report should be with the council shortly after.

Dorset Police Community Safety Accreditation Scheme

Cllr Mrs M. Ellis said she and the town clerk had met with Inspector Darren Stanton the previous week and she would try and get a report for members on what was discussed.

Cash machine

The operations manager said Cashzone was now looking at a new pod-style machine. He said the company was waiting for operational sign-off on this type of machine before it could confirm if it would be installed in Lyme Regis.

Henry's Way play area

The operations manager said he had met with several play equipment companies who were putting together quotes.

Anning Road play area surface

The operations manager said he was meeting with Eibe, the company which installed the park and surface, on 4 February 2019 to look at the site.

CCTV

The operations manager said he had met with Central Southern Security and it was hoped the system could be fitted in February. He said he had also asked the company to quote for cameras looking at the balustrade above Marine Parade Shelters due to incidents of vandalism in the area.

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Cllr B. Larcombe requested an item on the agenda of the next meeting to discuss the refurbishment of Guildhall Cottage.

18/76/TMH **Update Report**

Millennium clock

The operations manager said several electrical faults had been repaired, the battery had been replaced, an issue with the mains was identified, and an annual service was carried out. He said the issue of water ingress, which it was believed was causing condensation in the faces, was being resolved.

18/77/TMH **Dogs on the Beach**

Members agreed the extent of the dog ban needed to be looked at again by WDDC. Cllr B. Larcombe said the whole of front beach needed to be reviewed, including the pebble area and especially areas where the high-water mark didn't reach.

Cllr Mrs M. Ellis said the family of the boy who was attacked should be encouraged to pursue a prosecution as the council was unable to.

Proposed by Cllr B. Larcombe and seconded by Cllr G. Turner, members agreed to **RECOMMEND TO FULL COUNCIL** to press West Dorset District Council to extend the dog ban to an all-year-round order for the length of the main front beach in Lyme Regis (sand and pebbles).

18/78/TMH **Speed Indicator Device**

Members agreed Sidmouth and Charmouth Roads were ideal locations for the speed indicator device (SID) to be located and agreed a solar device would be beneficial.

Cllr B. Larcombe asked if the SID had a camera inside.

The operations manager said the SID could record data but couldn't record number plates or take pictures.

Cllr R. Doney said the ability to record data may be helpful in trying to justify the mobile speed van being in Lyme Regis. He said he would be interested to know if there were SIDs which did have cameras, as this information could be passed to police in the same way as the Community Speedwatch schemes worked.

Cllr Mrs M. Ellis suggested having a survey done first on the suitability of Sidmouth and Charmouth Roads before deciding whether to invest in a solar SID.

Proposed by Cllr Mrs M. Ellis and seconded by Cllr P. Hicks, members agreed to **RECOMMEND TO FULL COUNCIL** to have a survey done on the suitability of Sidmouth and Charmouth Roads for deployment of the speed indicator device, and if suitable, to report back to the Town Management and Highways Committee to allow members to consider if a solar device should be purchased.

18/79/TMH Replacement Caravan, 7 Monmouth Beach

Proposed by Cllr S. Miller and seconded by Cllr B. Larcombe, members agreed to **RECOMMEND TO FULL COUNCIL** to approve the request to replace a static caravan at 7 Monmouth Beach.

18/80/TMH Strawberry Field Bunded Areas

Cllr D. Hallett said Strawberry Field was intended for sporting facilities and he was concerned building bunded areas would restrict its use for other purposes.

Cllr S. Miller said this should not deflect the council from getting a proper review of what could be achieved at Strawberry Field, which all members agreed with.

Proposed by Cllr Mrs M. Ellis and seconded by Cllr B. Larcombe, members agreed to **RECOMMEND TO FULL COUNCIL** to agree to build bunded areas at Strawberry Field for bulk storage.

18/81/TMH Tiled Areas – Broad Street

Cllr J. Broom confirmed this request to remove the tiled areas would not include the paving slabs in Broad Street.

Proposed by Cllr B. Larcombe and seconded by Cllr G. Turner, members agreed to **RECOMMEND TO FULL COUNCIL** to make a request to Dorset County Council to remove the tiled areas of the pavement on Broad Street.

Cllr R. Doney said he also had some concerns about the cobbles at the bottom of Bell Cliff steps, as they were a problem for people with limited mobility or vision. He requested this was looked into to see if the council could do something about improving it.

18/82/TMH South West Britain in Bloom

Cllr J. Scowen said he understood entry to the competition was a long-term project, but he hoped the council would still press ahead with raising the standards in the gardens, which members generally agreed with.

Cllr Mrs M. Ellis said standards across the whole town, not just the gardens, would need to improve to have any success in the competition.

Cllr B. Larcombe said members needed to understand the costs of bringing the town up to competition standard.

Cllr G. Turner asked if there was any progress with the project to light the gardens.

The operations manager said the company Limelight had agreed to light up an area of the gardens in January as a demonstration for members, but the date had not yet been set.

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Proposed by Cllr B. Larcombe and seconded by Cllr P. Hicks, members agreed to **RECOMMEND TO FULL COUNCIL** to defer entry into the South West Britain in Bloom competition until the true costs are known and the council is confident it has a reasonable chance of doing well in the competition.

18/83/TMH **Review of Christmas and New Year 2018**

Members noted the report.

18/84/TMH **Seasonal Concessions**

Proposed by Cllr Mrs M. Ellis and seconded by Cllr S. Miller, members **RESOLVED** that under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for this item of business as it included confidential information relating to the financial or business affairs of a particular person within the meaning of paragraphs 1 and 8 of schedule 12A to the Local Government Act 1972 (see Section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information) Act 1985), as amended by the Local Government (Access to Information) (Variation) Order 2006.

18/85/TMH **Complaints and Incidents**

Members noted the report.

18/86/TMH **Exempt Business**

a) **Seasonal Concessions**

Members agreed the kayak hire and worked well in previous years and should continue.

Members discussed the two applications for paddleboarding and agreed there was not enough room on the beach for two businesses offering the same activity.

Members asked officers if more than one non-motorised watersports' concession could be operated on the beach at the same time.

The administrative officer said it was in the council's gift to agree to as many concessions as it wished, and that paddleboarding and kayaking had operated alongside each other in previous years.

Members acknowledged Boylo's had been allowed to run paddleboarding in 2018 and the charge for this had been incorporated into their rent for the retail unit in Marine Parade Shelters.

As this historic agreement had been made, and in an effort to support a council tenant, members agreed the application from Boylo's should be accepted.

Proposed by Cllr Mrs M. Ellis and seconded by Cllr J. Scowen, members agreed to **RECOMMEND TO FULL COUNCIL** to approve the tender from Boylo's Watersports for a three-year non-motorised watersports concession for paddleboarding, and to

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approve the tender from Lyme Kayak Hire for a one-year non-motorised watersports concession for kayak hire.

The meeting closed at 8.23pm.

DRAFT

Committee: Town Management and Highways

Date: 27 February 2019

Title: Matters arising from the minutes of the Town Management and Highways Committee meeting held on 16 January 2019

Purpose: To update members on matters arising from the previous 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 previous meeting.

Recommendation

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

Report

18/75/TMH – Matters arising from the minutes of the Town Management and Highways Committee meeting held on 14 November 2019

Cemetery chapel

The cemetery chapel roof was repaired in December 2018 but will require further extensive work to repair rotten battens within two years. A conservation artist has been instructed to clean and repair the stencils and wall markings inside the building. This is expected to take place in March 2019.

Hydrock report

The draft report is expected before the date of the meeting and a verbal report will be given at the meeting.

Dorset Police

A report of the meeting between Inspector Darren Stanton, the mayor and the town clerk was provided in the members' briefing on 25 January 2019.

Anning Road play area surface

Eibe's senior playspace consultant and a representative from Eibe's surfacing contractor visited the play park with the operations manager on 4 February 2019. They confirmed they would visit the play park after Easter to spray a surface binder over the tiger mulch. This should help to prevent further deterioration of the surface and help to ensure the surface is colourfast for at least two years. They did not agree that the surface was laid too thinly.

They recommended not treating the robinia wood and that significant splits in the wood over one metre in height should be filled with wood filler. They are also sending some supplies to replace missing fixtures and fittings.

CCTV

Central Southern Security attended between 4 and 8 February 2018 to upgrade the CCTV system. Cameras yet to be fitted include the amenities' hut and the Candles on the Cobb pavilion.

18/77/TMH – Dogs on the Beach

A letter was sent to Cllr Daryl Turner, as chairman of West Dorset District Council's (WDDC) Overview and Scrutiny Committee, and WDDC's environmental health manager (environmental protection) to be submitted to the committee at its meeting on 22 January 2019.

Following consideration by the committee, the following was agreed by the Strategy Committee on 7 February 2019:

- That the following items should be included in the public consultation for the review of the PSPO (Dog Controls) to be commenced later in 2019:
- Consideration of bespoke PSPO dog controls for individual areas
- Requiring dogs to be kept on a lead in defined areas (e.g. defined areas of beach, etc.) when the excluding requirements are not in place (i.e. 01 October – 30 April)
- Designating named streets – or a defined area – under the Road Traffic Act; this would have the effect of requiring dogs to be kept on a lead at all times on or adjacent to named roads or roads within a defined area
- A review of relevant signage in respect of the PSPO controls

18/78/TMH – Speed Indicator Device

The survey for alternative locations at Timber Hill, Sidmouth Road and Charmouth Road was due to take place on 21 February 2019. The proposed specific locations and details of further required works will be reported to the next meeting of this committee on 10 April 2019.

18/79/TMH – Replacement Caravan, 7 Monmouth Beach

The replacement caravan will be installed w/c 25 February 2019.

18/81/TMH – Tiled Areas – Broad Street

A request to remove the tiled areas of Broad Street was made to Dorset County Council on 20 February 2019.

18/84/TMH – Seasonal Concessions

Further information was reported to the Full Council on 13 February 2019 regarding the application from Lyme Kayak Hire. As a result, it was resolved to award Lyme Kayak Hire a three-year concession period, instead of one year.

Mark Green
Deputy town clerk
January 2019

Matt Adamson-Drage
Operations manager

Committee: Town Management and Highways

Date: 27 February 2019

Title: Update Report

Purpose of the Report

To inform members about progress on significant works and issues

Report

Beach Huts

Twelve new beach huts, with pitched roof, are on order with Poultons of Dorset and will be delivered fully painted in our designated pastel colours and fitted w/c 11 March 2019. The first 12 existing huts (Cobb Gate end) will be removed the week before to Woodmead car park. These will be available to view in the car park from 8 March 2019 and will be sold on a first-come-first-served basis from that day for £50 each. All sold huts must be removed by the buyer from the car park by 1 April 2019. Any remaining huts will be removed by the external works team. Private owners will be contacted soon to appraise them of the new beach hut specifications.

Marine Parade Toilets

The retention amount to Skinner has not yet been released as the last defect has not been rectified. This child's tap requires replacing.

Candles on the Cobb Pavilion Toilets' Refurbishment

The new doors have been fitted, the new toilet furniture is on order and the toilets walls and floors will be repainted soon.

Gardens Entrance Pillar

HJ Leaf builders have been instructed to carry out the repair works to the pillar which should be completed this week. The repair costs, £1,454.49+VAT, are being recovered through insurance. The gate is at Newton Forge for repair and, at the time of writing, was to be ready in time for the pillar repair.

Woodland Walk

The external works' team have completed the woodland walk, including steps and handrails. Sign boards, displaying what can be seen, more bird feeders and bird boxes will be installed soon.

Topographical Gardens Survey

Three quotes were sought for the topographical survey of the gardens. Lewis Brown chartered land surveyors have been instructed to undertake the survey and subsequent monitoring at a cost of £3,000+VAT.

Guildhall Window

Roger Hussey of John Stark and Crickmay Partnership has been instructed to produce survey drawings of the Guildhall and Guildhall Cottage, including the tourist information centre, to facilitate a pre-planning application, possibly by the end of the year, to reduce the protrusion of the Guildhall oriel window by nine inches. This survey will also support the council office refurbishment.

Judy Enticknap, our conservation consultant, is preparing a heritage statement and both are in contact with Historic England to ensure the best chance of success. Historic England are contacting HGV satnav companies to ensure the A3052 is designated as not navigable by HGVs. This work has been undertaken due to Highways England and Dorset County Highways refusing to alter signage into the town on the A35 and A3052, respectively.

Tarmac

Monmouth beach car park potholes are booked in for resurfacing from 3 April 2019 after the boats have left the end of the car park.

Jubilee Pavilion Glass Eye

The works to infill the glass eye with concrete are expected to commence w/c 4 March 2019.

West Dorset District Council (WDDC) Toilets

Cllr Reynolds and the operations manager met with the new WDDC facilities manager, Matt Hodgett, on 15 February 2019. He has replaced both Paul McNeil (former facilities manager) and Chris Hibberd (former facilities team leader). We visited Broad Street, Marine Parade, Cobb Arms and Monmouth Beach car park toilets during the meeting. He assured us service would improve going forward, both in terms of maintenance and cleaning, and the meeting was very positive. He sent a maintenance crew to Lyme Regis on 19 February 2019 as a direct response to the meeting.

Matt Adamson-Drage
Operations manager
February 2019

Committee: Town Management and Highways

Date: 27 February 2019

Title: Dorset Council's CCTV Project

Purpose of the Report

To allow members to consider being included in the Dorset Council's CCTV project to allow Dorset Police access to monitor the council's CCTV

Background

1. The town clerk and operations manager met with Inspector Darren Stanton on 11 January 2019. He spoke, among other topics, about the Dorset Council's CCTV project initiative, which was also raised by Insp Stanton and the police and crime commissioner, Martyn Underhill, at the Full Council meeting on 13 February 2019.
2. Insp Stanton put officers in touch with Peter Davies, licensing and community safety manager for Dorset Councils Partnership. Peter Davies is dealing with the project on behalf of several councils. The town clerk and operations manager met with Peter Davies on 6 February 2019.

Report

2. The project allows Dorset Police to monitor the CCTV footage from a council's own CCTV cameras, over the internet, at the police CCTV operations centre. Currently Bridport, Dorchester and Weymouth and Portland Councils have their CCTV monitored by the police for 12 hours a day.
3. The project is at no cost to the councils concerned.
4. Any recommendations from this committee will be considered by the Full Council on 20 March 2019.

Matt Adamson-Drage
Operations manager
February 2019

Committee: Town Management and Highways

Date: 27 February 2019

Title: Lengthsman Agency Agreement

Purpose of the Report

To allow members to approve the draft lengthsman agency agreement between Dorset County Council and the town council

To inform members the purchase or hire of a flail mower will be required

Recommendation

Members approve the draft lengthsman draft agency agreement with Dorset County Council

Background

1. A draft agency agreement was brought to this committee in 14 June 2017 following detailed discussions with Dorset County Council (DCC). Discussions have continued between the town clerk, the operations manager and DCC since then and town council staff have been liaising directly with their opposite numbers at DCC, attending training days.
2. A lengthsman position was agreed and appointed in June 2017 and a vehicle was purchased. A works supervisor/lengthsman position was agreed and appointed in March 2018. Both lengthsman staff undertook the appropriate New Roads and Street Works training in October 2018 allowing them to safely work on the road, and the appropriate signage for vehicles working on the road is being purchased.

Report

3. The draft agency agreement is at **appendix 9A** and includes provision empowering the town council to cut back vegetation obstructing the highway and remove items obstructing the highway, typically 'A' boards. It does not include provision for the licensing and enforcement of skips, scaffolding or trees.
4. These powers do not mean the town council will carry out the functions instead of Dorset Highways but rather that the town council can carry them out on their behalf. Any work undertaken will require liaison with DCC on a case-by-case basis and means DCC can focus resources elsewhere. The duties the town council lengthsman may undertake under this agreement include the following as examples:
 - Vegetation obstructing the highway: Cut back vegetation on main routes into Lyme Regis and liaise with landowners, where required, to cut back their vegetation. Report back to DCC.
 - Drains and Gulleys: Provide an initial assessment response to street drain

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and gulley problems and remove the blockage where able. Report back to DCC.
Note: Only DCC have the camera and power flush equipment for this task.

- Pavement surfaces: Provide an initial assessment response and repair where able. Report back to DCC.
 - Potholes: Provide an initial assessment response and repair on minor routes only, where able. Report to DCC.
 - 'A' board enforcement: Distributing DCC's 'A' Board enforcement leaflet and encouraging businesses to comply through liaison. If businesses refuse to comply, removing A boards. Report back to DCC.
5. A flail mower for the town council's tractor will be required to cut highways' vegetation. On initial investigation a new flail mower from Buglers will cost approximately £12,000. Officers have asked for quotes for second-hand machinery and are investigating hiring options. One of the issues is the horsepower of the tractor has to be matched to the mower. The New Holland T5040 tractor has a category 2, three-point hitch and its power take off (pto) is rated at 70 hp. Members should note this will be unbudgeted expenditure.
6. Any recommendations from this committee will be considered by the Full Council on 20 March 2019.

Matt Adamson-Drage
Operations manager
February 2019

Dated **XX XXX XXXX**

DORSET COUNTY COUNCIL

And

LYME REGIS COUNCIL

Agency Agreement

Under s.101 of the Local Government Act 1972 relating to specified highway
functions

Legal Services
Dorset County Council
County Hall
Colliton Park
Dorchester
Dorset
DT1 1XJ

THIS AGREEMENT is made the **XX XXX XXXX**

BETWEEN

DORSET COUNTY COUNCIL of County Hall, Colliton Park, Dorchester, Dorset DT1 1XJ ("the Principal")

and

LYME REGISTOWN COUNCIL of Town Council Offices, Guildhall Cottage, Church Street, Lyme Regis, Dorset, DT7 3BS ("the Agent")

BACKGROUND

(1) The Principal and the Agent are local authorities constituted by the Local Government Act 1972.

(2) For the purposes of the Highways Act 1980, the Principal is the highway authority for highways (other than trunk roads) situated in Dorset and for the purposes of the Road Traffic Regulation Act 1984, the Principal is a traffic authority and a local traffic authority,

(3) By virtue of Section 101 of the Local Government Act 1972 and, subject as provided therein, a local authority may arrange for the discharge of any of its functions by another local authority.

(4) This discharge of functions is made in accordance with Section 9EA of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.

(5) The Principal and the Agent have agreed that the Agent will act as agent for the Principal and discharge certain of the Principal's highway functions on the terms set out in this Agreement ('the Agency').

IT IS AGREED THAT:

1. TERM AND TERMINATION

1.1 This Agreement shall commence on the **XX XXX XXXX** ('the commencement date') and shall continue until it is ended:

1.1.1 by either party giving a minimum of six months' written notice;

1.1.2 by the Principal under clause 11.1 (serious breach by the Agent).

2. PARTNERSHIP WORKING

2.1 The parties are committed to the efficient delivery and operation of the Agency for the benefit of the local community and will co-operate in a spirit of partnership to comply with their obligations under this Agreement.

3. PRINCIPAL

3.1. The Principal may continue to exercise the functions described in Schedule 1 and Schedule 4, in accordance with s101(4) of the Local Government Act 1972.

- 3.2. In particular, the Principal will exercise those functions to the level and frequency set out in its Highways Maintenance Plan for the time being in force and as necessary for the performance of its duties as highway authority and traffic authority.

4. AGENT'S FUNCTIONS

- 4.1. The Agent is empowered in the performance of the Agency to exercise on behalf of the Principal, such powers of the Principal as highway authority and traffic authority and listed in the Schedule of Functions at Schedule 1 ("the Agency Functions").
- 4.2. The Agent's Functions under this Agreement are exercisable solely within the area outlined in red on the plan in Schedule 3, known as Lyme Regis.
- 4.3. The authority given in Clause 4.1 shall include power to take or defend any legal proceedings on behalf of the Principal and to issue any consent or licences or enter into any agreements that may be necessary, subject to the terms of this Agreement. The Agent will notify the Principal within 21 days of receipt of any such claim.
- 4.4. The Agent shall not further delegate these functions except to a committee, sub-committee or an officer of the Agent.

5. AGENT'S OBLIGATIONS

- 5.1. The Agent shall provide the Agency to the highest standard with reasonable care and skill in compliance with this Agreement and the Schedule of Functions and shall conform with such legislative requirements and current specifications as are relevant to the provision of the Agency.
- 5.2. In performing the Agency, the Agent shall conform to all relevant policies and procedures of the Principal, including but not limited to those contained in Schedule 4 and in relation to health and safety matters.
- 5.3. The Agent shall properly manage and monitor performance of the Agency and immediately inform the Principal if the Agency or any part of the Agency is not, or may not be performed, and whether or not this is the result of any act or omission by the Agent giving details, reasons and likely duration.
- 5.4. The Agent shall take such precautions for the protection of public and private rights or interests as though they were the Principal and in accordance with Schedule 1.
- 5.5. The Agent must comply with all legislative provisions, regulations and guidance relating to the Agency Functions as though the Agent were the Principal.

6. COMMUNICATIONS

- 6.1. The Agent shall provide a yearly update on the performance of the Agency to include such information as specified in Schedule 2 - Reporting of Agency. This update must be given to the Contact Officer.
- 6.2. The Agent shall operate a complaints procedure for dealing with complaints from members of the public regarding Agency Functions.

- 6.3. The Contact Officer is Community Highways Manager, Tel 01305228167 or any other officer specified to the Agent in writing.

7. AGENT'S PERSONNEL

- 7.1. The personnel assigned by the Agent to the performance of the Agency will be suitably qualified, trained, experienced and properly supervised with regard to the provision of the Agency Functions and will be made fully aware of the Agent's obligations under the Agreement as it affects them in the performance of their functions.
- 7.2. The Agent shall employ sufficient persons to ensure the Agency Functions are provided at all times and in all respects in accordance with the Agreement.
- 7.3. For the purposes of this clause, 'personnel' shall mean all persons employed by the Agent to perform the functions of the Agency together with the Agent's servants, agents and sub-contractors.

8. COSTS RECEIVED BY THE AGENT

- 8.1 The Agent shall only receive costs in line with the provisions in the sections of the Highways Act 1980 listed in Schedule 2 (Schedule of Functions)
- 8.2 All costs received by the Agent in respect of the Agency Functions carried out on behalf of the Principal under this Agreement shall belong exclusively to the Agent.

9. PAYMENTS

- 9.1. No payments shall to be made by the Principal to the Agent in respect of the performance of the Agency.

10. INDEMNITY AND INSURANCE

- 10.1. The Agent shall indemnify the Principal against all and any action, claim, costs, demands, proceedings and liabilities arising out of:
- 10.1.1.any failure of the Agent to discharge the Agency in accordance with the requirements of this Agreement or with any provision of law or to comply in the exercise of the Agency with any requirement referred to herein; or
- 10.1.2.any negligent act or omission on the part of the Agent, its agents or servants in performing the Agency, except to the extent that any claim is due to any act or omission of the Principal or to any person for whom the Principal is responsible.
- 10.2. The Agent shall arrange insurance cover appropriate to the provision of the Agency Functions under this Agreement.

11. INADEQUATE PERFORMANCE

- 11.1. In the event of a serious breach of the Agreement or if non-compliance occurs the Principal may issue an improvement notice detailing the nature of the breach. Where the subject of the improvement notice has not been rectified to the satisfaction of the Principal within 28 days of issue of the notice, the Agreement may be terminated forthwith.

12. VARIATION OF AGREEMENT

- 12.1. This Agreement may only be varied in writing, in the form of an addendum to this Agreement and with both parties' signed consent.

13. REVIEW OF AGREEMENT

- 13.1. This Agreement shall be subject to formal review annually.

14. DISPUTE RESOLUTION

- 14.1. If any dispute arises out of this Agreement the parties will first attempt to settle it by negotiation.
- 14.2. If resolution cannot be agreed between the officers directly involved, the matter shall be referred to the parties' duly authorised representatives at the earliest opportunity and within 28 days of the original identification of a possible dispute.
- 14.3. Where the matter remains unresolved, it shall be referred to the Director of Environment and Economy for the Agent and the senior elected Councillor within their Council, for resolution.

15. GOVERNING LAW AND JURISDICTION

- 15.1. This Agreement shall be construed in accordance with English Law and the Parties hereby submit to the non-exclusive jurisdiction of English Courts.

Agreed and signed by the parties:

DORSET COUNTY COUNCIL

Signature

Name (printed)

Position

Dated

Lyme Regis Town Council

Signature

Name (printed)

Position

Dated

SCHEDULE 1 SCHEDULE OF FUNCTIONS

Works

The agent is empowered to carry out the following minor highway maintenance activities:

(To be completed to highlight the functions included for the Agents specific Agency Agreement)

Cleaning gullies of detritus
 Sign Cleaning
 Side Verging
 Weed Killing
 General Cleaning and Sweeping
 Painting or treating Posts and Fences
 Grip Clearing
 Finger Post Replacement or Repainting
 Additional Winter Service Functions
 Minor repairs and replacement of slabs, block paving and other modular paving
 Repair and replacement of kerb units
 Repair of small potholes
 Make safe areas of dangerous highway with signing
 Cleaning out ditches

Licensing

The Agent is empowered to administer highway licenses under sections 115E to K of the 1980 Act.

This is the power to license sitting out in front of cafes and restaurants

The Agent is empowered to administer highway licenses under sections 178 of the 1980 Act.

This is the power to license banners over the highway.

The Agent's Powers do not extend to the licensing or enforcement of any buildings skips scaffolding or trees within the highway under section 138 to 142 of the 1980 Act.

Enforcement

The Agent shall be responsible for the enforcement of licences and contravention of the requirement of licences authorisation of such items that would be within the Agent's Powers under this Agreement.

This relates to enforcement of the items licensed above.

The Agent is empowered to remove unauthorised objects from the highway under section 132, 143 and 149 of the 1980 Act. **This would typically relate to the control of A-frames and unlawful advertising/event signs.**

The Agent is empowered to utilise the powers under section 154 of the 1980 act to enforce the cutting back of vegetation that is obstructing the highway.

**SCHEDULE 2
REPORTING OF AGENCY**

Works

The Agent must include provide the following details for each item of works carried out during the year in the annual report.

- Location of work
- Type of work carried out
- Organisation that carried out the work for the agent

Licensing

The Agent must include provide the following details for each license issued during the year in the annual report.

This should include:

- Name of organisation holding the license
- Duration of license
- Brief particulars of the licence as detailed within Schedule

Enforcement

In the case of enforcement action being taken by The Agent, the following details for each enforcement action taken should be included within the Annual Report if stated as required by the Principal.

- Name of licence holder (if applicable)
- Duration of licence (if applicable)
- Reason for enforcement action or details of breach of license (if applicable)
- Action taken (internal and external)
- Cost of action by the Agent (not including any costs recouped from a third party)

SCHEDULE 3
AGREEMENT PLAN



Committee: Town Management and Highways

Date: 27 February 2019

Title: Langmoor and Lister Gardens Lighting Project

Purpose of Report

To inform members about proposals for lighting a section of the gardens and to seek authority to waive financial regulations and to negotiate design and contract prices without competition

Recommendation

Members note the report and agree to waive financial regulations and negotiate design and contract prices without competition for the reasons detailed in paragraphs xxx of the report

Background and Report

Project and Funding

1. In 2018, the town council secured £30,000 section 106¹ funding from West Dorset District Council towards a lighting project in the gardens. The town council agreed to match fund this project with a further £30,000.
2. Income and expenditure for the project was divided equally between the 2018-19 and 2019-20 budgets.
3. For reasons detailed elsewhere in this report, there is unlikely to be any project spend in 2018-19: this will increase the council's 2018-19 budget surplus by £15,000² and reduce the council's 2019-20 budget surplus by £15,000³.

Design

4. Over the last few months, officers have met with four designer/contractors to scope this project. Following these meetings, John Newton, Lymelight, arranged a lighting demonstration in the gardens on Tuesday 12 February 2019; the meeting was attended by several councillors and officers.
5. The location of the lighting proposal from Lymelight is attached, **appendix 10A**. Low density lighting (marked in yellow) leads into a main area of higher density lighting (marked in green).
6. Photos from the demonstration on 12 February 2019 are attached, **appendix xxxB**.

¹ The town clerk has spoken to West Dorset District Council's leisure commissioning manager who has confirmed the section 106 allocation is secured against this project and does not have to be spent by a specific date.

² The 2018-19 budget was adjusted to include section 106 income at £15,000 and project expenditure at £30,000.

³ The 2019-20 budget includes section 106 income at £15,000 and project expenditure at £30,000.

Planning

7. Reflecting on the lighting demonstration on Tuesday 12 February 2019, officers now believe this project constitutes 'development' which requires planning consent.
8. There is the possibility that any application will require ecological and/or environmental assessments which will incur additional costs and could delay the submission of the planning application.
9. Officers will commission a consultant to submit a planning application on behalf of the council.

Cost

10. The total cost of this project will be determined over the next few weeks; Lymelight and Top Sparks are holding meetings to consider cable runs, labour requirements and the cost of light fittings.
11. Lymelight and Top Sparks will produce budget estimates for consideration.
12. The council's budget for this project is £60,000 and total costs will be restricted to this sum unless the council authorises any additional expenditure.
13. When costs are firmed up, the council may wish to consider proposals for lighting other parts of the gardens.
14. To keep costs down, the town council's external works' team will dig the trenches and undertake works to secure and encase the light fittings to protect them from vandalism and theft.

Ground considerations

15. Before trenching is undertaken, the council's geotechnical consultants, PCRM, will be commissioned to undertake a ground stability assessment.

Financial regulations and procurement

16. The council's financial regulations, paragraph 11.2 requires the town clerk to invite tenders from at least three firms where it is intended to enter into a contract exceeding £60,000 in value for the supply of goods or materials.
17. There are exceptions to this requirement which are detailed in paragraph 11.1 of the financial regulations. Also, section 11.3 of the financial regulations allows for the waiver of financial regulations relating to contracts to enable a price to be negotiated without competition provided the reason for the decision is embodied in a recommendation to the council.
18. In this instance, other than Lymelight, officers have been unable to identify a designer capable of producing an imaginative lighting scheme. Lymelight's approach to this project is both imaginative and enthusiastic. In addition,

Lymelight has a track record; the company installed the lighting scheme in Abbotsbury Gardens.

19. In 2018, the council went through a competitive procurement process to appoint an electrical contractor and Top Sparks were appointed as the council's preferred electrical contractor.
20. Paragraph 11.1 of the council's financial regulations details exceptions to the three-tender requirement for contracts exceeding £60,000 and includes under paragraph 11.1.3:

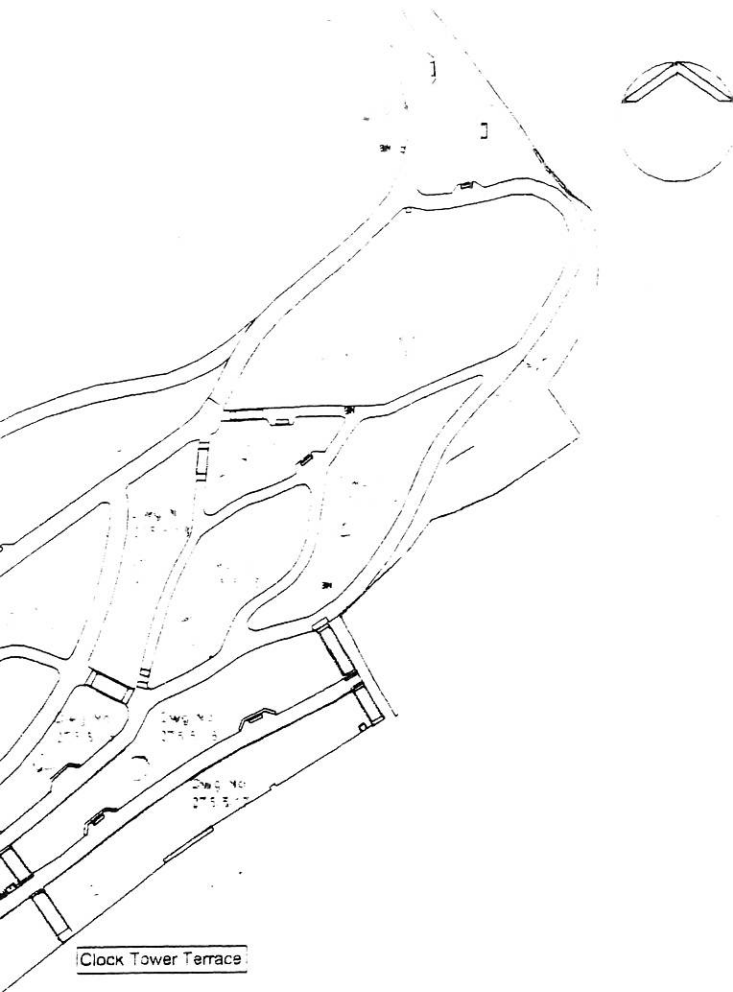
'work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council.'
21. Top Sparks' appointment is a qualifying exception to the council's financial regulations.
22. Considering the specialist design requirements of this project and the council's existing relationship with Top Sparks, the officer recommendation to this committee is the council waives financial regulations to enable design and electrical installation prices to be negotiated without competition.

Timescale

23. Obtaining planning consent will impact on the delivery of this project; a planning decision is not anticipated until June/July 2019. The imminent reorganisation of planning arrangements in the newly-formed Dorset Council could put this estimate back further.
24. In addition, this project is best undertaken outside the main holiday season. September 2019 is the optimum date to start this project
25. Having said this, It's important that the constituent parts of this project are drawn together as early as possible.
26. Consequently, between now and the next meeting of this committee on 10 April 2019, officers will officers will:
 - instruct PCRM to produce a ground stability report
 - commence preparatory work on a planning application
 - obtain a budget estimate from Lymelight and Top Sparks
 - produce a detailed project plan.
27. Any recommendations form this committee will be considered by the Full Council on 20 March 2019.

John Wright
Town clerk
February 2019

APPENDIX 10A



KEY

Mature trees retained within gardens

Mature trees in undisturbed woodland areas

NOTE: All planting plan drawing numbers refer to Environs Partnership drawings

As Built

Revision	Date	Description
1	23-02-04	As Built
CLIENT		
WEST DORSET DISTRICT COUNCIL		
PROJECT		
LYME REGIS ENVIRONMENTAL IMPROVEMENTS PHASE II		
LISTER AND LANGMOOR GARDENS PLANTING PLANS - REFERENCE		
<small>Approved by: [Signature] Date: 23-02-04 Drawn by: [Signature] Date: 23-02-04 Checked by: [Signature] Date: 23-02-04</small>		
SCALE	DATE	DRAWN
1:500 @ A1	23-02-04	KJN/MS
DRAWING NUMBER		CHECKED
275-5-8-C		RG
		REV Z

Langmoor Gardens

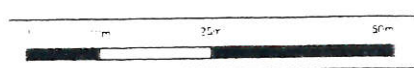
Lister Gardens

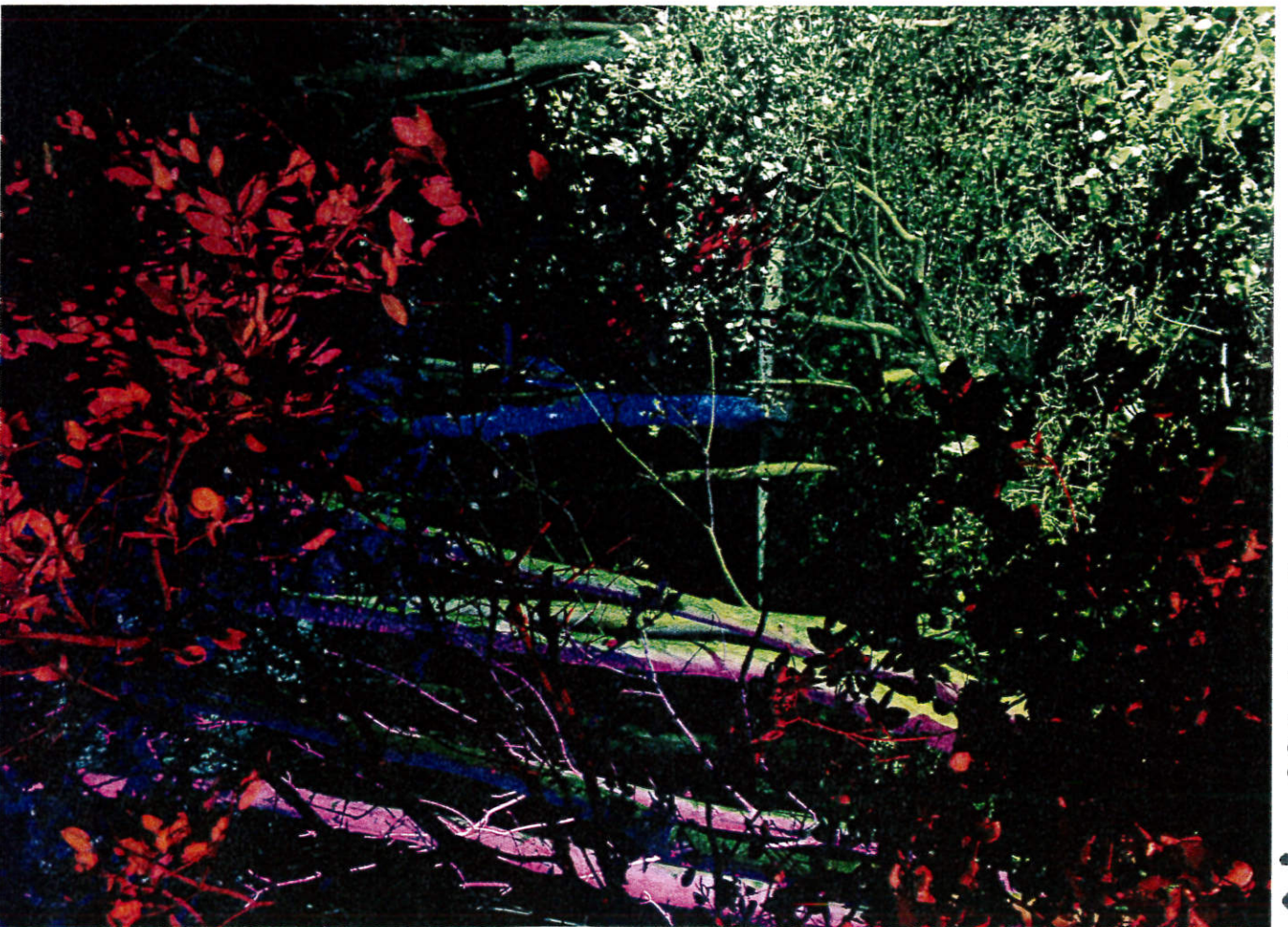
Knoll

Mini Golf
see dwg 002255 - 8-0

Ramp

Restaurant Terrace





Committee: Town Management and Highways

Date: 27 February 2019

Title: Parking Restrictions, South Avenue

Purpose

To allow members to re-consider requests from local residents for permit parking controls in South Avenue

Recommendation

Members re-consider the petition and request from all local residents in South Avenue that this council supports a request to the highway authority to consider introducing permit parking controls in South Avenue as an extension to the existing scheme currently operating in Anning Road.

Background

1. At the meeting of this committee held on 14 November 2018, it was reported that the residents of South Avenue had unanimously requested that the permit parking arrangements currently operating in Anning Road be extended to include South Avenue.
2. It was noted that the permit system operating in Anning Road allowed both residents and visitors to park in permitted zones provided they had 'booked' a permit, which could be done only online. For residents, permits could be 'booked' for either six or 12 months at a current cost of £40 and £70, respectively. No physical ticket was issued, the electronic system registered the details of permitted vehicles, which were then downloaded to the inspectors' hand-held devices.
3. Members considered the matter and a variety of views were expressed, both in support and against the request. The recommendation of the committee (**18/68/TMH**) was to not support the request. Concerns mentioned included the possible knock-on consequences for adjoining streets of extending the existing scheme to include South Avenue, the effectiveness and enforcement of the existing scheme and the availability of other parking in the vicinity.
4. This recommendation was considered at the meeting of Full Council held on 12 December 2018 and the complete minute (**18/115/C**) is reproduced below:

18/68/TMH – Parking Restrictions, South Avenue and Haye Lane

Original motion: not to pursue parking restrictions in South Avenue.

'Cllr Mrs C. Reynolds said a petition in favour of parking restrictions had been signed by every resident in South Avenue. She said the residents were aware of the problems parking permits had caused in King's Way and Anning Road since

AGENDA ITEM 11

the system had gone electronic, but they still wanted the permits. She said the car park behind South Avenue had only 10 spaces, due to the access required to garages, and this was also used by Manor Avenue and North Avenue. She asked the council to re-consider the request.

Cllr B. Larcombe said enforcement of the permit system was one of the council's principal objections to the request and this was something that needed to be addressed on a wider basis.

Cllr O. Lovell said the residents living in streets with permits felt the system was being abused because it wasn't enforced. He said the council should be speaking to the new unitary authority about enforcement in the town in general.

The town clerk said a proposal for a unitary parking service was previously put forward but not followed through, although he believed it would be re-visited by the new Dorset Council.

Substantive motion: Proposed by Cllr R. Doney and seconded by Cllr O. Lovell, members **RESOLVED** to hold off making a decision about parking restrictions in South Avenue.'

Report

5. The residents of South Avenue continue to push for a supportive decision from this council, without which, the highway authority will not even consider the matter. Resident representatives are likely to attend the meeting to make representations within the public forum.
6. Any recommendations from this committee will be considered by the Full Council on 20 March 2019.

Mark Green
Deputy town clerk
February 2019

Committee: Town Management and Highways

Date: 27 February 2019

Title: Refurbishment of Council Offices

Purpose of the Report

To update members on the proposed refurbishment of the council offices

Recommendation

Members note the current position with the proposed refurbishment of the council offices, agree to surveys being undertaken and appoint a member lead to work alongside officers as the proposals develop

Background

1. Members agreed at the meeting of Full Council on 12 December 2018 (**18/113/C**) not to pursue the opportunities to occupy either the former Lloyds Bank premises or the Three Cups, and to refurbish the existing office, to include expansion into the ground floor currently occupied by the tourist information centre (TIC).
2. At the same time, a sum of £100,000 was included in the 2019/20 budget for the refurbishment works.
3. At the last meeting of Full Council held on 13 February 2019 (**18/148/C**), it was agreed to allow the TIC to continue to occupy the ground floor of the council offices until 31 March 2020.
4. In practice, this means that any substantive works of refurbishment, especially to shared or common services such as heating or electrical systems, alarm systems and telephone/IT systems cannot commence until that time.
5. The process of preparing and agreeing plans, obtaining tenders, procuring a preferred contractor, securing all necessary permissions and consents and sorting any necessary alternative accommodation for the period of the works will take at least nine to 12 months in any event. Planning permission, Listed Building Consent and Building Regulations approval are all likely to be required.
6. There appears to be no accurate plans or reliable survey data for the current office building, so this information needs to be procured in the first instance. It is proposed to instruct John Stark and Crickmay Partnership to carry out this work because they are already working with for the council on other work at agreed rates. This initial work will be without prejudice to the subsequent appointment of an architect for the scheme.

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7. It is also requested that a member be appointed to liaise with officers throughout the planning and procurement of the works. It is suggested that this be the chairman of this committee. Regular reports will be brought back to members in the usual way and member decisions will be required and sought at various key stages of the project, including agreement of plans, submission of proposals for statutory permissions and consents, approval of tender documents, selection of preferred contractor, etc.
8. Any recommendations from this committee will be considered by the Full Council on 20 March 2019.

Mark Green
Deputy town clerk
February 2019

Complaints and Incidents Summary – 16 January – 20 February 2019

Complaints and incidents dealt with by LRTC

No.	Date	Incident?	Where?	When did it occur/when noticed?	Item reported to	LRTC action
1677	27.01.19	Increased amount of dog mess	town	27.01.19	Mark	Complaints passed on to WDDC

Complaints and incidents dealt with by West Dorset District Council

No.	Date	Incident?	Where?	When did it occur/When noticed?	Item reported to:	Reference:
1676	23.01.19	Faulty street light	Outside RNLI	23.01.19	Many avenues, email to Matt	
1678	04.02.19	Faulty street lights	Kent House Medical Centre	04.02.19	online	11840/11841
1679	11.02.19	Broken branch hanging into road	Charmouth Road	08.02.19	DCC	118487