



John Wright
Town Clerk

Lyme Regis Town Council

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Town Management and Highways Committee

Core Membership: Cllr J. Broom, Cllr R. Doney, Cllr Mrs M. Ellis, Cllr D. Hallett, Cllr P. Hicks, Cllr B. Larcombe, Cllr S. Miller, Cllr Mrs C. Reynolds, Cllr J. Scowen, Cllr S. Williams

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 14 June 2017 commencing at 7pm when the following business is proposed to be transacted:

John Wright
Town Clerk
09.06.17

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 2017/18

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 any apologies and reasons for absence

5. Minutes

To confirm the accuracy of the minutes of the Town Management and Highways Committee meeting held on 12 April 2017 (attached)

5A. 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.

5B. 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 12 April 2017

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. Additional Benches on the Marine Parade

To allow members to consider a suggestion from a member that additional benches be put back on the Marine Parade in the vicinity of the shelters' building

9. Proposals for a Café and Toilets in the Lister Gardens

To allow members to consider a proposal for a café and toilets in the Lister Gardens

10. Re-location of Churchyard Memorial

To allow members to re-consider whether a memorial in St Michael's Parish Church yard should be re-located to the town cemetery

11. Matters Raised by a Member of the Public

To allow members to consider a letter from a member of the public which raises matters in connection with the teen shelter on the playing field at Anning Road and vehicle parking on the land behind and to the side of the garages at the rear of Anning Road

12. Draft Agency Agreement

To allow members to consider a draft agency agreement from Dorset County Council which delegates highways, licensing and enforcement functions to the town council

13. Marine Parade Toilets

To allow members to consider the most appropriate course of action to address existing problems affecting the council-owned Marine Parade toilets

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. Request for Assignment of By the Bay Lease

To allow members to consider a request for an assignment of the lease for the By the Bay restaurant

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

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 – Marine Parade Toilets

b) Agenda item 14 – Request for Assignment of By the Bay Lease

Committee: Town Management and Highways

Date: 14 June 2017

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 2017/18

Recommendation

- a) The committee receives nominations for the chairman of this committee and elects its chairman for the council year 2017/18
- b) The committee receives nominations for the vice-chairman of this committee and elects its vice-chairman for the council year 2017/18

Background

- 1. On 24 May 2017, the council approved the terms of reference for its committee structure. The terms of reference have been amended so that each committee will elect its chairman and vice-chairman from among its membership.
- 2. Consequently, nominations are sought for the chairman and the vice-chairman of this committee.
- 3. The relevant standing orders that inform and govern the election of chairmen and vice-chairmen are detailed below.
- 4. Standing order 1.t states:

‘Unless standing orders provide otherwise, voting on any 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 his/her 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 so request voting may be by signed ballot.’
- 5. Standing order 12.a states:

‘Where more than 2 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. Any tie may be settled by the Chairman’s casting vote. As the first business of a council is to elect a Chairman (the mayor in the case of Lyme Regis Town Council) who

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is also an ex-officio voting member of all committees, he/she is in a position to open and Chair a subcommittee 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.'

6. The election of the chairman and vice-chairman of the Town Management and Highways Committee will be reported to the Full Council on 12 July 2017.

John Wright
Town clerk
June 2017

Committee: Town Management and Highways

Date: 14 June 2017

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 24 May 2017, the Full Council approved the terms of reference for its committees.
2. The terms of reference for the Town Management and Highways Committee, along with the general terms of reference that apply to all of the council's committees is attached, **appendix 2A**.
3. Any recommendations from this committee will be considered by the Full Council on 12 July 2017.

John Wright
Town clerk
June 2017

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 West Dorset District 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.

5. Town Management and Highways Committee

- 5.1 The purpose of the Town Management and Highways Committee is to manage services provided by the council relating to the natural and built environment, including conservation:

- 5.1.1 Provision and maintenance of public property and open spaces, e.g. car parks, toilets, gardens, beaches, amenity services, cemetery, play park, skatepark
- 5.1.2 Administration of land and property to include leases, licences and concessions
- 5.1.3 Enforcement
- 5.1.4 Trees and planting
- 5.1.5 Street naming
- 5.1.6 To develop proposals and liaise with the county and district councils on highway maintenance and improvements, road safety, street lighting, street care, public transport, and footpaths and rights of way

Committee: Town Management and Highways

Date: 14 June 2017

Title: Matters arising from the minutes of the Town Management and Highways Committee meeting held on 12 April 2017

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

16/118/TMH – Matters arising from the minutes of the Town Management and Highways Committee meeting held on 1 March 2017

Seafront railings

The planning application for the replacement seafront railings has been submitted and registered (WD/D/17001178).

The consultation period has commenced and expires on 23 June 2017.

Assuming a positive outcome, arrangements will be made to appoint a suitable contractor to undertake the works in the autumn.

Chalet 18 Monmouth Beach

The retained architect sent plans and costings to the owner of chalet 18 on 9 May 2017 for their consideration.

At the time of writing this report, no further information had been received from either the architect or owners and a verbal update will be provided at the meeting.

Mark Green
Deputy town clerk
June 2017

Committee: Town Management and Highways

Date: 14 June 2017

Title: Update Report

Purpose of the Report

To inform members about progress on significant works and issues

Report

Public Space Protection Orders (PSPO)

The proposed PSPOs related to dogs and anti-social behaviour (including the feeding of seagulls) are due to be considered by West Dorset District Council's (WDDC) Overview and Scrutiny Committee on 13 June 2017. The link to the report has been provided to members.

Leper's Well wall

WDDC's building control officer is pursuing the condition of the Leper's Well (northern) wall with the relevant owners.

The council's solicitor has established that this council has no ownership interest in the unsafe section of wall.

The wall will remain fenced off until such time as it has been rebuilt/made safe.

Alexandra Hotel land

The licence to regularise the council's use of the planter bed and associated land next to the Peek Chapel is being prepared and will be finalised very shortly.

Woodmead Halls' toilets

Water consumption figures have been received from the Woodmead Halls' Management Committee and they have been reviewed by the town clerk and finance manager. A meeting has been set up to review this information further with Cllr S. Miller, who has been working with officers on this matter. If possible, a verbal update will be given and a report will be submitted to the next meeting of this committee.

Vehicle speed on Charmouth Road

The speed indicator device is currently in Thorncombe. When returned in about three weeks, it will be deployed around the town, starting with Timber Hill.

Efforts are still being made to try and get the Dorset Road Safe speed van to visit Charmouth Road.

Pedestrian crossing

The light-controlled pedestrian crossing is scheduled to be installed by Dorset County Council (DCC) in Broad Street during the current financial year after the end of the busy summer period

19a Broad Street

The section of boundary wall removed to allow access for deliveries to the rear of 19a Broad Street via Langmoor Gardens has now been rebuilt as required by members.

Any application for permission for access in connection with further building works will be considered on its merits at the time of its receipt.

Teneriffe Path

The inspector, having considered all of the evidence, has decided that the order should not be confirmed, i.e., that Teneriffe Path should NOT be made a public footpath.

A copy of the inspector's full decision is available to view at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/615111/fps_c1245_7_38_od.pdf

The inspector's decision is final and there is no opportunity for the council to appeal against this decision, other than by way of a legal challenge to the High Court on a point of law or procedure.

Everyone who had completed user evidence forms or otherwise supported the council in pursuing the matter has been written to notifying them of the inspector's decision and thanking them for their contribution.

Woodmead Halls' extension

The Woodmead Halls' Management Committee is seeking grants for the small hall project. The work is scheduled to start in October 2018.

Sidmouth Road park and ride

Following a meeting with the East Devon District Council (EDDC) planning officer and Dorset County Council, further information about vehicle numbers using the three main roads into Lyme was provided in support of the application.

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This clearly demonstrated that about two thirds of all traffic coming to Lyme does so from the north and west via either the A3052 to the west or the Uplyme Road (B3165).

The point has also been made that all this traffic enters Lyme on the western side of the town centre with no sensible or safe option for that traffic to get to the east of the town, other than via Broad Street and Church Street.

This simply reinforces the need for a park and ride on the west side of town (as well as on the east side) to avoid large numbers of unnecessary cross-town traffic movements at the expense of increased congestion (particularly with the planned installation of the light-controlled crossing in Broad Street later this year), reduced air quality and increased risk to pedestrian safety in a town centre with very narrow footpaths, etc.

The possibility of signing traffic to the Sidmouth Road park and ride via Trinity Hill and avoiding the 'B' road through Uplyme has also been referred to; although this would require the co-operation and agreement of both the county council and Highways England.

In addition to the additional information about traffic numbers, a letter of whole-hearted support for the continuation of the park and ride at Sidmouth Road was submitted by the DCC's strategic director for economy.

The additional information has been the subject of further consultation by EDDC.

The matter was re-considered by Uplyme Parish Council on 7 June 2017 and it was decided to support the application, subject to a number of conditions about opening period and times, signage and no structures on site. All these are matters which we can work with, albeit that the signage will require the approval of others.

Uplyme Parish Council did stress it wanted to work collaboratively with the town council on matters such as this and if the application is approved and alternative signage can be agreed, then this should be an area of mutual benefit.

A decision will be made by EDDC no later than 7 July 2017.

If the matter goes to EDDC's planning committee, representatives from this council will attend to speak in the public forum.

Any further information will be reported verbally at the meeting.

Cash machines

The lack of ATMs in the town has been the subject of much recent discussion.

The latest position is understood to be:

AGENDA ITEM 7

- The existing RBS ATM at Tesco will be replaced shortly with a new machine.
- Tesco will offer cash-back in future for customers.
- A second supermarket is considering at regional level whether to install a free-to-use ATM in its store, in addition to the existing cash-back for customers.
- A Broad Street café is in discussions with an ATM provider about having a free-to-use ATM in its frontage.
- A shop in the Cobb area is close to finalising an upgrade from an in-store chargeable machine to an externally accessible and free-to-use machine.
- The town council has had discussions with the largest operator of ATMs about the possible installation of a free-to-use machine in the frontage of the Jubilee Pavilion (this is unlikely to be pursued if the various other machines referred to above come forward).

Members have been working to help overcome the current problems which have largely been caused by commercial decisions taken remotely by high street banks. Letters have been written to the banks and ATM providers and business-owners have been encouraged to look at the possibility of accommodating an ATM within their premises.

A verbal update will be provided at the meeting.

Ware Cliff chalets

The bases for the six replacement chalets have been completed.

On 7 June 2017, the main timber frames were installed.

On 14 June 2017, the remaining materials will be delivered to site (this will involve closing the western end of the Monmouth Beach car park for most of the day with staff to control the barriers and allow caravan and chalet owners in and out).

On 19 June 2017, the team will arrive from KEOPS to erect the chalets. This work is expected to take no more than two weeks. During that same period, electrics will be installed.

From early-July, fit-out will commence and be complete within one month. It has been agreed the fit-out can be undertaken by individual owners (or their contractors) provided this timescale is strictly adhered to.

During the fit-out period, the remaining external works will be completed and a new, permanent power supply installed.

The licensing period will commence once KEOPS has completed erection of the chalets, the site has been handed back to the council and 'owners' have access to commence fitting out.

The project remains on budget. All of the council's costs will be recovered from the six 'owners'.

Litter bins

There has been some damage to several Dorset Waste Partnership bins.

A bin between Cobb gate car park and Cart Road has been reversed into by a car and the front has broken. It was being held together by a bungee cord but was still useable.

A bin opposite Herbie's shack near the Cobb was set alight and the front was ripped open by a member of the public to put the fire out. It was being held together by a bungee cord but was still useable.

A bin near the museum was removed by the builders working on the museum to site their container where the bin was. It was moved around the corner and set alight. It has been removed.

Dorset Waste Partnership is aware of these incidents and is dealing with them.

Town bus service 71

The outcome of the new schools' contract was still not known at the time of compiling this agenda.

The announcement had been delayed for two to three weeks during the pre-election period and was scheduled to be made on 9 June 2017.

As soon as the successful contractor is known, discussions will commence about the potential links to any continued town bus service.

Preliminary discussions have already taken place with all of the likely providers.

Jubilee Pavilion glass eye

No progress has been made with replacing the eye. A local specialist contractor has been identified to carry out the replacement in polycarbonate as agreed, but a detailed quote is still awaited.

The matter will be chased up.

In the meantime, the eye is not leaking, does not pose a significant safety risk and no further damage has occurred.

Millennium Clock

A sum of £12k was included in the council's objectives for the current year for either refurbishing or replacing the millennium clock head.

Smiths of Derby supplied the original clock and had provided two quotes in 2016, both within the approved budget.

Discussions with Smiths have confirmed the original quotes stand, despite being time expired by many months. There is, however, no scope to improve on the figures because the margin allowed on the work was only 5% and the job was flagged as 'high risk'.

Land to the rear of Largigi and Ocean View

Quotes are being obtained to undertake the agreed land survey. Discussions are ongoing with the owner of Largigi about the requested rights of access; The district valuer has been asked to consider the impact on his original advice of a potential alternative access through the property.

Woodmead Halls bin

There is currently a large waste bin in Woodmead car park. We have now received notification that Dorset Waste Partnership has 'removed it from its list', i.e., it will no longer empty it as has previously been the case. The last collection is scheduled for 9 June 2017.

Officers are currently trying to establish why this change should have occurred and a verbal update will be given at the meeting.

Guildhall window

Initial consultation with WDDC planners and Historic England suggested that any application to modify the window was very unlikely to be supported, at least until every other option had been explored and exhausted.

On 3 May 2017, Full Council agreed to obtain costings:

1. to make alterations to the Guildhall window,
2. to prepare a heritage statement in support of any planning application,
3. to install protective roadside bollards.

That work is ongoing and a detailed report will be brought to the next meeting of this committee.

Initial discussions suggest it may be difficult to obtain a conservation/heritage expert prepared to support the alterations to the window.

In addition, DCC does not support the installation of roadside bollards sufficiently robust to protect the building from damage by large HGVs.

Highways meeting with DCC

Alaric Little has been replaced by Simon Roberts as the community highways officer for the Marshwood Vale. His contact details are:

Tel: 07500 577327, email simon.roberts@dorsetcc.gov.uk.

A meeting with DCC highways at more senior level is being arranged for early-July and information will be circulated to all members via the briefing.

In the meantime, if there are specific issues which members would like raised at that meeting, please raise them with the deputy town clerk who is putting together an agenda for the meeting.

Resurfacing of Silver Street/Uplyme Road

We have now been notified by DCC that Silver Street and Uplyme Road (to the Devon border) are due to be resurfaced in early September 2017 (6-11).

The work will involve planing the existing surface and resurfacing across the entire carriageway width.

The work will inevitably cause some disruption and we don't currently have detailed information about proposed management arrangements.

It has been suggested that the work in Silver Street might give an opportunity to trial a possible one-way system via Pound Street/ Pound Road as previously discussed by members. This has been raised with DCC.

Mark Green
Deputy town clerk
June 2017

Committee: Town Management and Highways

Date: 14 June 2017

Title: Additional Benches on the Marine Parade

Purpose of Report

To allow members to consider a suggestion from a member that additional benches be put back on the Marine Parade in the vicinity of the shelters' building

Recommendation

Members consider whether additional benches be put back on the Marine Parade in the vicinity of the shelters' building

Background

1. Prior to the construction of the Marine Parade Shelters building, there were a number of benches located along that section of seafront railings.
2. The benches were removed during the construction works and never replaced.
3. The council did consider their replacement with new 'donated' (memorial) benches in September 2011 when the town clerk was instructed to obtain costs and dimensions of benches for members to consider.
4. The matter was further considered in October 2011 when it was decided to take no action at that point but to review the matter in future.
5. Since that time, no further review is believed to have taken place.

Report

6. A member has now requested that the matter be further considered.
7. There is undoubtedly sufficient space to locate a number of additional benches along the railings on the seaward side of the parade.
8. This could be done without unduly restricting the width of the parade, which is at its widest in this general location.
9. One of the concerns raised in 2011 is understood to have been the impact of the new benches on the view of anyone using the then newly-provided seating within the shelters' building.

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10. The council currently has no 'spare' benches which could be placed on the parade, so a number of new benches would need to be acquired.
11. No new memorial benches have been provided in the town for some time and there is consequently a waiting list of people wanting to 'acquire' such a bench in Lyme. Benches in this location would undoubtedly prove to be very popular.
12. The waiting list is longer than the number of additional benches which could be accommodated in front of the shelters' building.
13. If members want to pursue the principle of more benches in this location, then it could probably be done at no net cost, although the initial cost of acquiring and installing the benches would have to be borne by the council.
14. The cost of acquiring a suitable 1.8m bench plus engraving is in the region of £1,000 inclusive of VAT.
15. Any recommendations from this committee will be considered by the Full Council on 12 July 2017.

Mark Green
Deputy town clerk
June 2017

Committee: Town Management and Highways

Date: 14 June 2017

Title: Proposals for a Café and Toilets in the Lister Gardens

Purpose of Report

To allow members to consider a proposal for a café and toilets in the Lister Gardens

Recommendation

Members consider the proposal for a café and toilets in the Lister Gardens

Background

1. On 2 November 2016, it was resolved by Full Council 'to instruct officers to develop proposals for a café and toilets in the Langmoor and Lister Gardens, to be taken back to the Town Management and Highways Committee in three months' time.
2. On 14 December 2016, Full Council approved the medium-term financial plan for 2017-21, which included draft objectives identified up until 2018/19. The objectives included a budget of £60,000 in 2018/19 for the provision of a café and toilets in the gardens.
3. In 2009, the council ran a competition to design public conveniences for the Lister Gardens. The competition was won by John Stark & Crickmay Partnership (JSCP), however, the project wasn't pursued.
4. JSCP has recently contacted the council regarding this project and would like to work with the council to move this project forward.
5. This matter was considered by this committee on 12 April 2017, when it was recommended 'to pursue modest designs for a café and toilets in the Lister Gardens, with a view to reducing the cost'.
6. At the Full Council meeting on 3 May 2017, it was resolved to refer this matter back to this committee for further consideration, to allow members to firm up exactly what was required.

Report

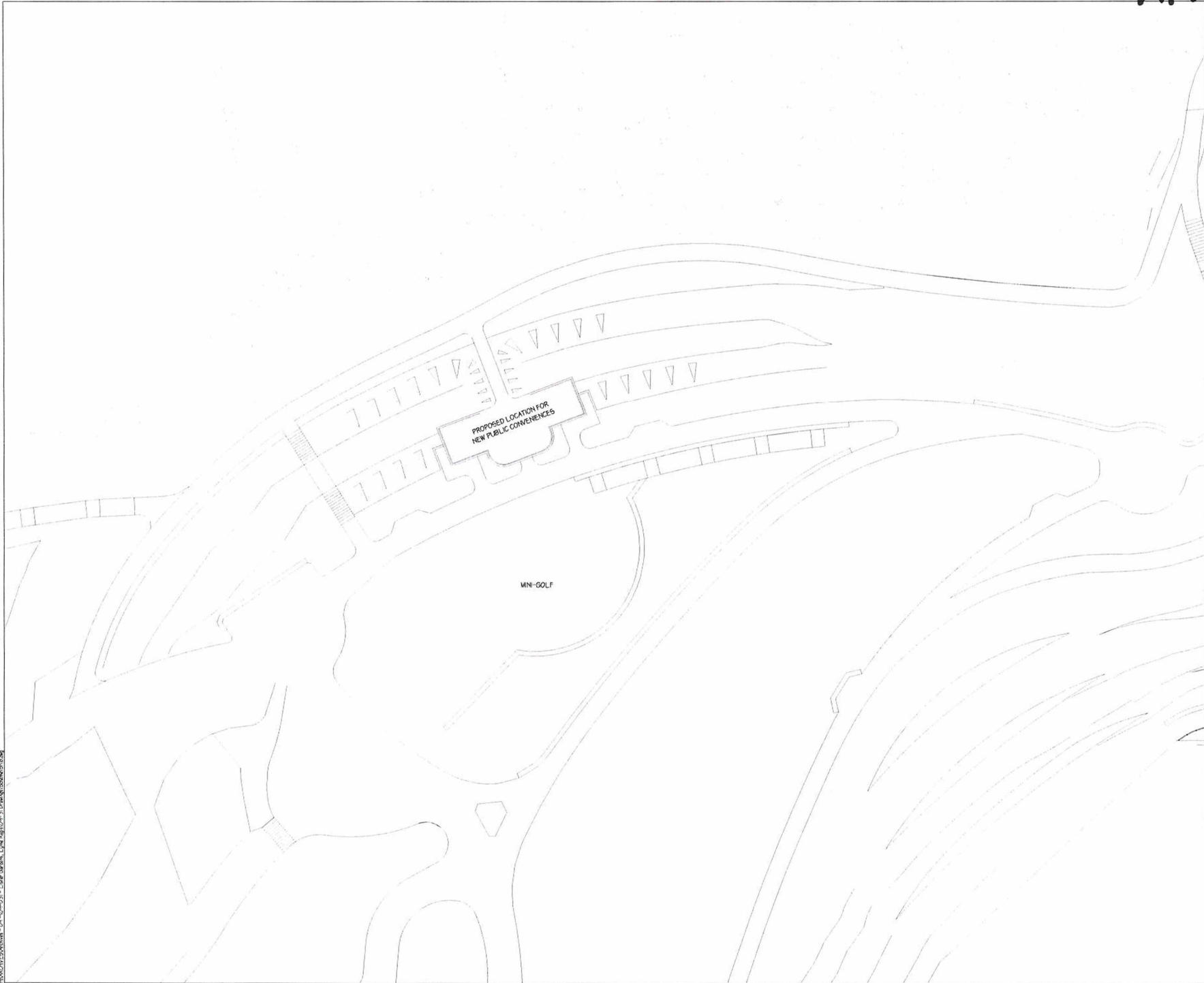
7. JSCP's scheme, **appendix 9A**, provides a good starting point for the provision of a café and toilets in the gardens.
8. This scheme was supported by construction engineering company, High-Point Rendal, which engineered the stabilisation of the gardens, and believed the proposals were acceptable in terms of mitigation of


slip risk. The scheme was also subject to a successful pre-application consultation with West Dorset District Council planning and conservation officers.

9. At the time, a professional project cost report was prepared and officers have been advised by the same quantity surveyors that building costs have risen by 36% since the third quarter of 2009.
10. The construction cost is therefore likely to be in the region of £308,354.00, excluding VAT (£226,731 x 136%). This is significantly greater than the council's budget allocation for 2018/19, which is £60,000.
11. If members wish to pursue this option, officers will prepare a business case for this project for consideration by this committee on 14 June 2017.
12. Any recommendations from this committee will be considered by the Full Council on 12 July 2017.

John Wright
Town clerk
June 2017

APPENDIX 9A



Notes	
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Revisions	
PRELIMINARY	
NEW PUBLIC CONVENIENCES LISTER GARDENS LYME REGIS for LYME REGIS TOWN COUNCIL	
 JOHN STARK & CRICKMAY PARTNERSHIP ARCHITECTS 13 & 14 Princes Street Dorchester Dorset DT1 1TW Tel 01305 262636 Email jscp@johnstark.co.uk Fax 01305 260960	
SCHEME DESIGN SITE LOCATION PLAN	
Scale 1:200 @ A1	
Date August 2009	
Drawn SP	Checked
09/31/6K6	--

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APPENDIX 9A

Notes
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Revisions

PRELIMINARY

NEW PUBLIC CONVENIENCES
 LISTER GARDENS
 LYME REGIS
 for LYME REGIS TOWN COUNCIL

JS CP JOHN STARK & CRICKMAY
 PARTNERSHIP ARCHITECTS

13 & 14 Princes Street Dorchester
 Dorset DT1 1TW Tel 01305 262636
 Email js@johnstark.co.uk Fax 01305 260960

SCHEME DESIGN
 PLANS

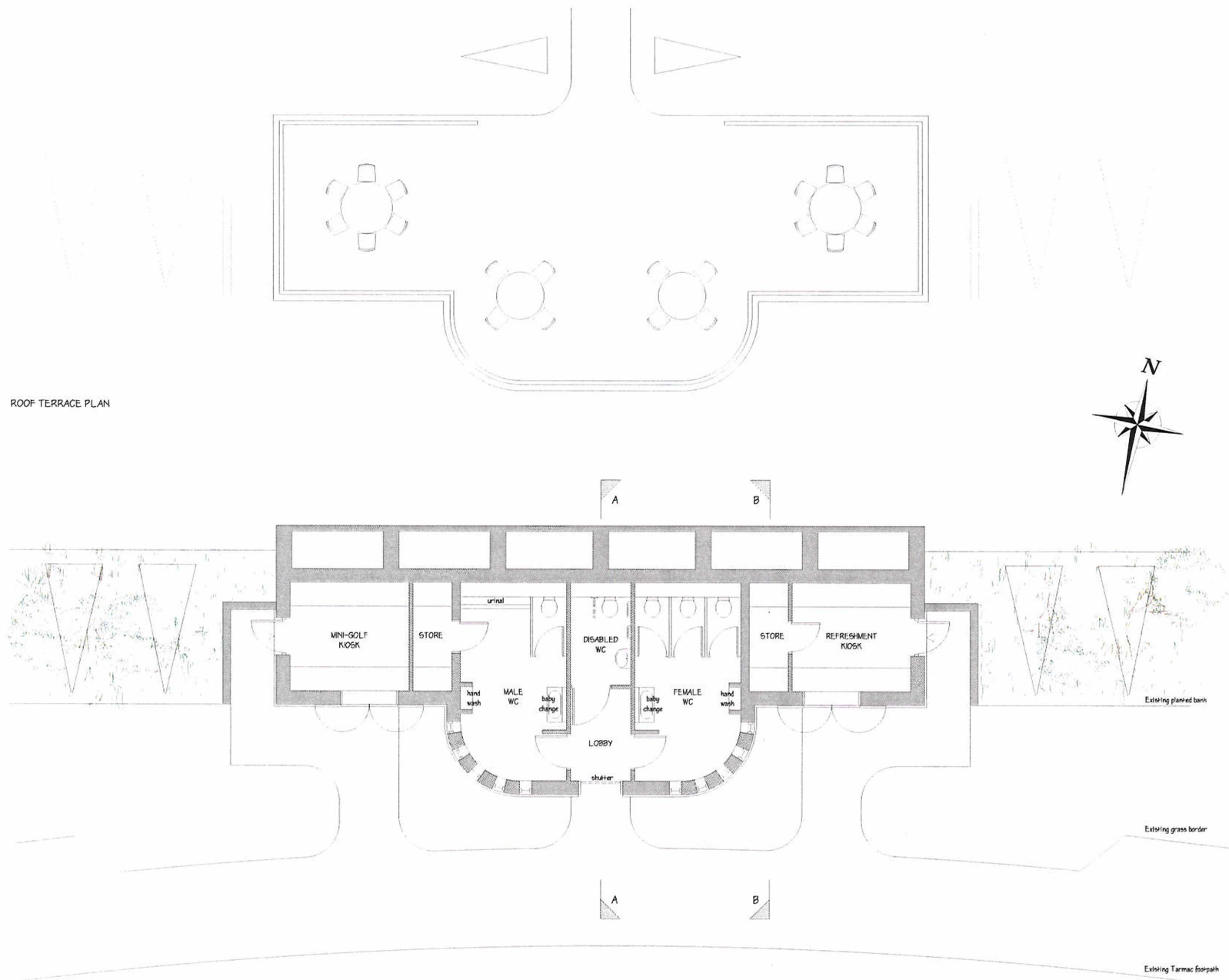
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Date August 2009

Drawn SP Checked

09/31/5K7

APPENDIX 9A

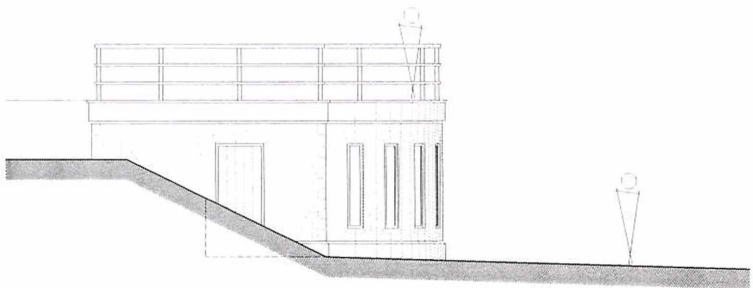


ROOF TERRACE PLAN

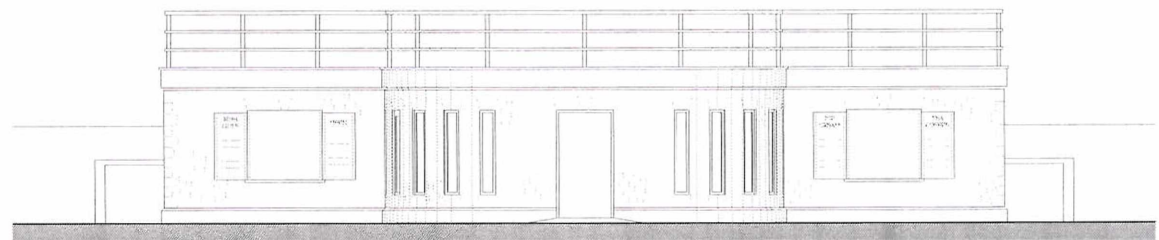
GROUND FLOOR PLAN

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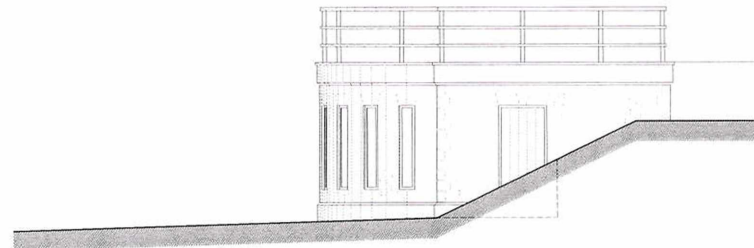
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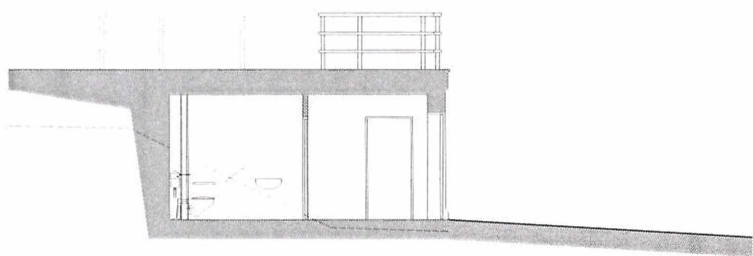
WEST ELEVATION



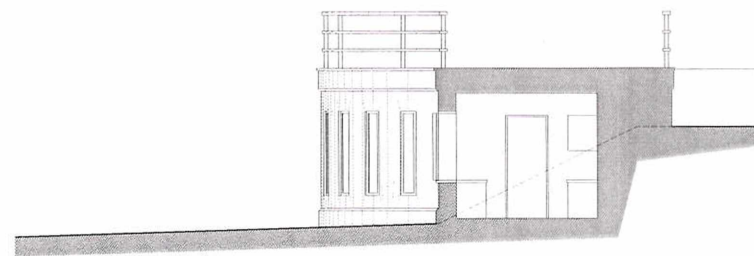
SOUTH ELEVATION



EAST ELEVATION



SECTION A-A



SECTION B-B

Revisions

PRELIMINARY

NEW PUBLIC CONVENIENCES
 LIGTER GARDENS
 LYME REGIS
 for LYME REGIS TOWN COUNCIL

JS CP JOHN STARK & CRICKMAY
 PARTNERSHIP ARCHITECTS

13 & 14 Princes Street Dorchester
 Dorset DT1 1TW Tel 01305 262636
 Email jscp@johnstark.co.uk Fax 01305 260960

SCHEME DESIGN
 ELEVATIONS & SECTIONS

Scale	1:50 @ A1
Date	August 2009
Drawn	SP
Checked	
	09/31/5K8
	--

APPENDIX 9A

H:\ARCH\2009\09\09_09_09_11\New_Gardens_Lymer_Regis\09_09_09_11\Drawings\Scheme\09_09_09_11.dwg

Committee: Town Management and Highways

Date: 14 June 2017

Title: Re-location of Churchyard Memorial

Purpose of Report

To allow members to re-consider whether a memorial in St Michael's Parish Church yard should be re-located to the town cemetery

Recommendation

Members re-consider the request to re-locate a memorial in St Michael's Parish Church yard to the town cemetery, with consideration given to the points in paragraphs 9 to 13

Background

1. The council was approached by a member of the public, Mr Jefferd, around two years ago with a request to remove his family memorial from the churchyard at St Michael's Parish Church and to re-locate it at the town cemetery.
2. Mr Jefferd is concerned that the memorial is close to the cliff edge and could be lost to land slippage if it is not moved. Mr Jefferd believes the memorial has historical value and should therefore be preserved.
3. When Mr Jefferd first approached the council, he was advised to consult with the church and the Diocese of Salisbury and permission to remove it would be required before the town council could even consider its possible re-location to the cemetery.
4. The request was considered by this committee on 12 April 2017 and it was recommended to the Full Council 'to refuse the request to re-locate a memorial in St Michael's Parish Church yard to the town cemetery'.
5. This recommendation was not approved by the Full Council on 3 May 2017. It was reported at the meeting that the council had previously given permission to re-locate the memorial to the cemetery. To confirm, the council has not considered this matter previously or given permission. It was also reported members had not been made aware that Mr Jefferd would replace the memorial with a modern stone. To confirm, this was reported to this committee in the original report, as outlined in paragraph 6.

Report

6. Mr Jefferd has informed the council the Diocese of Salisbury has given its permission to remove the memorial, and for the burial plot to be marked with a modern stone.
7. The memorial is shown at **appendix 10A**.
8. There are two sections of the memorial, one with an inscription and the other blank. Mr Jefferd is proposing to move only the section with the inscription, which measures 6ft x 3ft 8ins.
9. Given its size and weight, the only possible option for re-locating it at the cemetery is to place it in the new burial ground in the north-west corner of the cemetery.
10. A normal plot measures 8ft x 2.5ft. Therefore, if laid flat, the memorial would fit lengthways, but would be wider than the existing grave spaces. The memorial would jut out into the grass pathways between the lines of graves. It would also mean the memorial would have to be placed side-on to fit in the space.
11. Members should consider whether this will set a precedent for larger grave spaces and memorials.
12. The fee to purchase an earthen grave is £455. As Mr Jefferd is not a parishioner of Lyme Regis, double fees would apply. Members may also wish to consider whether an additional fee would apply as the space would be bigger than a normal grave.
13. Furthermore, the fee to install a headstone is £90 (single fees). However, the Jefferd memorial is significantly bigger than an average sized headstone.
14. Any recommendations from this committee will be considered by the Full Council on 12 July 2017.

Adrienne Mullins
Administrative officer
June 2017



Committee: Town Management and Highways

Date: 14 June 2017

Title: Matters Raised by a Member of the Public

Purpose of Report

To allow members to consider a letter from a member of the public which raises matters in connection with the teen shelter on the playing field at Anning Road and vehicle parking on the land behind and to the side of the garages at the rear of Anning Road

Recommendation

Members consider the letter and instruct the town clerk

Background

1. On 10 May 2017, the town clerk received a letter from Jackie Evans, 45 Anning Road. The letter asked for two matters to be brought to the attention of town councillors on her behalf: the teen shelter on the playing field at Anning Road and vehicle parking on the land behind and to the side of the garages at the rear of Anning Road. The letter is attached, **appendix 11A**.

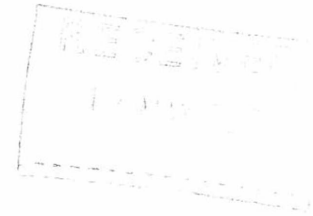
Teen shelter

2. The options proposed by Jackie Evans are applying anti-climb paint to the top of the shelter, erecting a screen at the side of the shelter or planting a fast growing climbing plant to the wire fence behind the shelter.

Parking at the rear of Anning Road

3. In part, the issue was considered by this committee on 12 April 2017 as part of a discussion on the creation of two parking spaces at the gully. Subsequent discussion at the Full Council meeting on 3 May 2017 included land ownership in this area and the legality of restricting access to this location with a barrier.
4. The town clerk said he would research these issues and report back to a future meeting of the Town Management and Highways Committee. A report will be presented to this committee on 26 July 2017.
5. Any recommendations from this committee will be considered by the Full Council on 12 July 2017.

John Wright
Town clerk
June 2017



45 Anning Road
Lyme Regis

Wednesday, May 10, 2017

Mr John Wright
Town Clerk
Lyme Regis Town Council

Dear Mr Wright

I am writing to ask if you would be kind enough to bring a couple of matters to the attention of town councillors on my behalf.

The first is the teen shelter on the playing field in Anning Road. I have lived next to the playing field for nearly 30 years and, for the most part, it is a pleasure to hear children enjoying the facilities there. The young people using the teen shelter now appear to prefer to sit or stand on top of the shelter rather than inside it, looking directly into our garden. They also swear and shout a lot and often play music quite loudly, making a peaceful hour in the garden impossible.

I would like to ask town councillors if it would be possible either to paint the top of the shelter with anti-climb paint, to erect a screen of some kind at the side of the shelter, or to plant a fast-growing climbing plant to go up the tall wire fence behind the shelter which would offer some privacy both to the young people themselves and their near neighbours.

The other matter I would like to raise is vehicle parking on the land behind and to the side of the garages at the rear of Anning Road. We pay to rent a car parking space there and several of my neighbours rent either spaces or garages from the town council or need access to the rear of their properties. An increasing number of vehicles, whose owners do not pay or have permission to park there, are using the land, often making access to or exit from the garages and parking spaces difficult or impossible, while churning up the ground at the side of the path so it is extremely muddy in the winter.

How can it be fair that some people pay to use the garages and spaces while others do not but at the same time block the access of those who are paying? If the council accepts rent for permitted parking, it must surely accept responsibility for people to have access to the parking they are paying for.

Thank you in advance for raising these matters.

Yours sincerely

Jackie Evans

12/7

Committee: Town Management and Highways

Date: 14 June 2017

Title: Draft Agency Agreement

Purpose of Report

To allow members to consider a draft agency agreement from Dorset County Council which delegates highways, licensing and enforcement functions to the town council

Recommendation

Members consider the report, agency agreement and schedule of functions and instruct the town clerk

Background

1. On 28 September 2016, this committee considered a leaflet from Dorset County Council's (DCC) highways' department which detailed the core functions it would continue to provide and those it was unable to resource at historic levels, i.e., non-essential functions.
2. The committee began to form a view about whether the town council should commission DCC's highways' department or a suitably qualified contractor to undertake highways' functions, or alternatively use the town council's external works' team or volunteers to undertake highways' functions. Members agreed the town clerk should meet with relevant officers from DCC's highways' department to discuss the issue further.
3. On 19 October 2017, the Strategy and Finance Committee considered the council's draft objectives for 2017/18. The draft objectives included highways' matters, including the option of appointing a lengthsman to undertake DCC low priority functions. The draft objectives were agreed by the Full Council on 2 November 2016.
4. The 2017/18 budget was considered by the Strategy and Finance Committee on 7 December 2016, which included the objectives for 2017/18 and beyond. The 2017/18 budget was subsequently approved by resolution of the Full Council on 14 December 2016 and included a budget of £25,000pa from 2017/18 onwards for a lengthsman.
5. Following consideration by the Human Resources Committee on 22 March 2017, on 29 March 2017 the Full Council approved the lengthsman job description and person specification. The post was subsequently job evaluated and interviews are scheduled for Monday 12 June 2017.
6. On 3 May 2017, the Full council resolved 'to approve the purchase of a vehicle for the lengthsman, to agree a budget variation of up to £10,000 plus VAT for its

purchase, and to instruct officers to obtain quotes for a suitable vehicle to be taken to the relevant committee for consideration.'

Report

7. Alongside the process of agreeing to undertake DCC highways' functions and approving the appointment of a lengthsman, town council officers have been meeting with DCC officers to agree what functions could be transferred and the agreement required to delegate these functions from DCC to the town council.
8. These discussions have resulted in a draft agency agreement which has been produced by DCC officers, **appendix 12A**. Further discussions are required to finalise this agreement but I thought it was important to give members a sense of what the agreement contains, particularly as the agreement, which reflects discussions between officers, includes some aspects of licensing and enforcement.
9. The main issues which require further discussion and resolution include: liability, indemnity and insurance cover, and performance compliance.
10. Any recommendations from this committee will be considered by the Full Council on 12 July 2017.

John wright
Town clerk
June 2017

Dated **31ST MARCH 2017**

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 31ST MARCH 2017

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 31st March 2017 ('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

DRAFT

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

