

EAST DORSET DISTRICT COUNCIL

POLICY AND RESOURCES COMMITTEE

Minutes of the Meeting held on 30th September, 2009 at 10.00 a.m.

Present:-

Councillor S. G. Flower - Chairman
Councillor A. A. J. Clarke - Vice-Chairman

Present: Councillors M. C. Birr, D. B. F. Burt, Mrs L. J. Clark, M. R. Dyer, Mrs G. S. Elliot, S. C. Hearn, Mrs A. Holland, Mrs P. A. Hymers, J. E. Little, Mrs B. T. Manuel, D. G. L. Packer, Mrs P. A. Reynolds, G. W. Russell, S. S. Tong and D. J. Wallace.

Also in Attendance: Councillor P. Holden

268. Apologies for Absence

Apologies for absence were received from Councillor Mrs J. Dover.

269. Declarations of Interest

Councillors S. G. Flower and Little declared personal interests in Minute No. 285 (Nomination to Management Board of East Dorset Housing Association) and remained present.

Councillors D. B. F. Burt and S. G. Flower declared a personal interest in Minute No. 287 (Update on disposal of Brook Road Depot Site in Wimborne) and remained present.

270. Minutes

The Minutes of the meeting held on 26th August, 2009 were confirmed and signed as a correct record.

271. Presentations by the Public

A deputation was made by Mr Harris on behalf of the residents of West Moors in relation to Agenda Item 13 – Public Consultation regarding the residential development of an area of Public Open Space in Weavers Close, West Moors in exchange for a more substantial area of Open Space off Woolslope Road, West Moors.

Mr Harris addressed the Committee and informed Members of the residents concerns in relation to the residential development of the area of public open space. Mr Harris informed Members that the green was in constant use, and that children were able to play and be monitored. Mr Harris further informed Members that many of the local residents actually maintain the green. In addition to this Mr Harris informed Members that residents felt that to change this area would harm the character of the area. In addition to this Mr Harris questioned the need for another large managed space.

Councillor Flower thanked Mr Harris for his comments.

RECOMMENDATION TO COUNCIL

272. Revised Dual Use Agreement and Revised Consultative Group Composition

The Chief Executive submitted a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

Members were requested to approve in principle, Version 8 of the revised Dual Use Agreement and to support the revised composition of the consultative group as suggested in paragraph 8.2 of the report subject to the alteration of the composition to read two Members of Dorset County Council and four Members of East Dorset District Council.

RECOMMENDED that:

- a) **Version 8 of the revised Dual Use Agreement as detailed in Appendix B to this report be supported;**
- b) **the Head of Legal Services for East Dorset District Council be asked to prepare a formal version of the Agreement;**
- c) **each Key Stakeholder formally adopts the Agreement with each meeting their own legal costs;**
- d) **if any Key Stakeholder does not formally adopt the agreement then the matter be reported back to this Group; and**
- e) **the Policy and Resources Committee support the suggested changes to the composition of the Queen Elizabeth Leisure Centre Consultative Group as detailed in paragraph 8.2 of this report.**

Voting: 10:4 (2 Abstentions)

273. Moors Valley Country Park - Leasing of Land from the RSPCA

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

Members were requested to support proposals to lease land adjacent to Moors Valley Country Park.

RECOMMENDED that:

- a) **the Council seek to bring under their management control the land identified in plan 1 to this report;**
- b) **that the terms identified in paragraphs 6.3, 7.3 and 7.4. form the basis of a Heads of Agreement with the RSPCA.**

Voting: Unanimous

274. Restructure of Crime and Disorder Reduction Partnership Working in Dorset

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'C' to these Minutes in the Minute Book.

Members were advised of the proposed new structure for the single rural Dorset Crime & Disorder Reduction Partnership.

RECOMMENDED that:

- a) as a statutory partner of the Eastern Crime & Disorder Reduction Partnership this Council supports the formation of a single rural Dorset Crime & Disorder Partnership, in line with the Terms of Reference which will appear as Appendix 1 to this report;
- b) that the East Dorset Community Safety Action Group be reconstituted to provide strategic lead for the delivery of Crime Reduction services with in East Dorset;
- c) in supporting recommendation (b) the Council makes representation to the Community Safety Action Group that the Council's Lead Member for Community be appointed as its Chairman; and
- d) that the East Dorset Community Partnership be consulted on proposed changes identified in paragraph 7 to this report.

Voting: Unanimous

275. Reference from the Audit Committee

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'D' to these Minutes in the Minute Book.

Members were requested to consider a request from the Audit Committee to update the council's financial regulations.

RECOMMENDED that the Financial Regulations and Financial Procedures as detailed in paragraph 6 are supported.

Voting: Unanimous

276. Interim Transport Contributions Policy

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'E' to these Minutes in the Minute Book.

Members were requested to consider the adoption of a transport contributions policy jointly with other authorities in South east Dorset.

RECOMMENDED that:

- a) the proposed Transport Contributions Policy be adopted subject to an undertaking from Dorset County Council to:
- b) provide expert witnesses or evidence and any necessary legal

representation at any appeals, hearings, court cases or other tribunals at which the Policy is an issue;

- c) undertake to pay any costs awarded against the local planning authority where these arise from the application of the policy;
- d) be responsible for any repayment of money collected by the local planning authority and transferred by it to the Transport Contributions Committee where this becomes legally necessary;
- e) contributions in the areas of Verwood and Three Legged Cross under East Dorset Local Plan policies OBLIG1 and OBLIG2 be reduced by the amount attributable to highway prerequisites;
- f) where there is a limit on the level of developer contributions as a result of economic viability considerations, the order of priority for the use of contributions will be:

for housing

- (i) infrastructure on or directly related to the development site which is necessary to make the development acceptable in planning terms (this will be an absolute requirement);
- (ii) mitigation of impacts on heathland sites protected under the Habitats Regulations (this will be an absolute requirement)
- (iii) in the Verwood and Three Legged Cross area, non-highway infrastructure to be provided under Policies OBLIG1 and OBLIG2;
- (iv) provision of affordable housing;
- (v) infrastructure to be provided under the Transport Contributions Policy;

for non-housing development

as in (i), (iii) and (v) above;

- g) The following Schemes that are at an advanced stage of pre application negotiation should be exempt from the policy:
 - (i) The Dormy, Ferndown
 - (ii) The Surplus Stores, Alderholt
 - (iii) Flight Refuelling Aviation, Wimborne
- h) the Lead Member for the Environment be nominated to represent the Council on the Transport Contributions Committee;

Voting: Unanimous

277. Confirmation of Tree Preservation Orders with No Objections

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'F' to these Minutes in the Minute Book.

Members were requested to agree that the Head of Planning and Building Control may use delegated powers to confirm Tree Preservation Orders where there are no objections.

RECOMMENDED that the Head of Planning and Building Control be authorised to delegate the confirmation of Tree Preservation Orders with no objections and modified Orders with no objections and that the constitution be amended accordingly.

Voting: Unanimous

DELEGATED BUSINESS

278. **Memorandum of Understanding for Transport and Managing Growth**

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'G' to these Minutes in the Minute Book.

Members were requested to consider a request for the authority to sign up to a development control protocol under which the Highways Agency would be consulted on a wider range of planning applications in the south and east of the District.

RESOLVED that the Council sign the Protocol which forms part of the appended Memorandum of Understanding subject to:

- a) a revision to the Protocol paragraph 8.4 to ensure that the local planning authority shall be fully involved in any discussions between the Highways Agency and the applicant; and
- b) subject to the commitment to the Protocol being reviewed at the end of 12 months in the light of its impact on planning performance and on the operation of the Transport Contributions Policy.

Voting: Nem. Con. (3 Abstentions)

279. **Community Infrastructure Levy Consultation and Draft Regulations**

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'H' to these Minutes in the Minute Book.

Members were requested to consider the implications of the draft regulations and the Council's response to the consultation.

RESOLVED that:

- a) the consultation on the proposed regulations to govern the Community Infrastructure Levy be noted;
- b) the work on the Council's Core Strategy in the Local Development Framework incorporate sufficient information on infrastructure needs to enable the Council to introduce a 'Charging Schedule' under the Levy if it should decide to do so.

Voting: Nem. Con. (1 Abstention)

280. Public Consultation regarding the residential development of an area of Public Open Space in Weavers Close, West Moors in exchange for a more substantial area of Open Space off Woolslope Road, West Moors

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'I' to these Minutes in the Minute Book.

Members were requested to authorise a public consultation exercise in order to obtain the comments of local residents and others regarding the proposal to allow residential development on an existing area of public open space in Weavers Close, West Moors, in exchange for a much larger.

Following agreement by the Committee a Ward Member for West Moors, Councillor Holden addressed the Committee in relation to the Officers recommendations, and advised Members that this was a highly valued and often used space, and stressed that if going out to public consultation the information in relation to the public consultation should be accurate, available online and by hard copy, and include costings and a timing schedule.

RESOLVED that:

- a) **the proposal received for the development of the open space at Weavers Close be not pursued and be taken out of the scheme; and**
- b) **Officers pursue the acquisition of the area of land off Woolslope Road, as shown in the plan, via finance including grants from other sources, and that it be also considered for inclusion as public open space in the Local Development Framework.**

Voting: 10:4 (2 Abstentions)

281. Consultation by Department for Communities and Local Government on Streamlining information requirements for Planning Applications

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'J' to these Minutes in the Minute Book.

Members were advised of the purpose of this consultation and further to this were asked to agree a response to Government.

RESOLVED that the Council responds as set out under the heading "Suggested Response to Consultation Questions" in Appendix 1.

Voting: Unanimous

282. Consultation by Department for Communities and Local Government on Improving Permitted Development

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'K' to these

Minutes in the Minute Book.

Members were advised of the purpose of this consultation and further to this were asked to agree a response to Government.

RESOLVED that the Council responds as set out under the heading "Suggested Response to Consultation Question" in Appendix 1.

Voting: Unanimous

283. Proposals to carry forward the Performance and Resources Scrutiny and Policy Development Sub-Committee Recommendations on Enforcement

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'L' to these Minutes in the Minute Book.

Members were requested to respond to the Scrutiny Report on Planning Enforcement.

RESOLVED that:

- a) **The Officer and Member protocol set out at Appendix 2 to this Report is agreed and the Constitution is duly amended.**
- b) **That the further proposals as detailed in the report concerning early advice of planning contravention notices to Ward Councillors, a regular updated list of enforcement cases, better information to Parish and Town Councils, as well as briefing and training, be agreed.**

Voting: Unanimous

284. Performance Target Setting

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'M' to these Minutes in the Minute Book.

Members were requested to approve the targets for 2009/10 and the publication of the performance data in the next edition of East Dorset News.

RESOLVED that:-

- a) **the targets for those national indicators where the Council is the lead authority be approved;**
- b) **key performance information be published in the next edition of East Dorset News; and**
- c) **the Policy and Resources Scrutiny and Policy Development Sub-Committee be asked to undertake a review of the performance management arrangements and how information should be reported in future.**

Voting: Nem. Con. (1 Abstention)

285. Nomination to Management Board of East Dorset Housing Association

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'N' to these Minutes in the Minute Book.

Members were requested to nominate the Lead Member for Health and Housing as the Council's representative on the Management Board of East Dorset Housing Association.

RESOLVED that Members (1) nominate the Lead Member for Health and Housing as the Council's representative on the Management Board of East Dorset Housing Association and (2) nominate the Leader of the Council to act as a substitute for the Council's representative at General meetings of the Housing Association

Voting: Unanimous

(Councillors S. G. Flower and J. E. Little declared a personal interest in this item and remained present.)

286. Reference from the Information and Communications Technology (I. C.T.) Working Party

A late report was submitted to Committee with the agreement of the Chairman, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'O' to these Minutes in the Minute Book.

Members were requested to approve the installation of a data and voice link between Christchurch Borough Council and East Dorset District Council and the associated costs.

RESOLVED that;

- a) a capital budget of £15,000 is agreed (CBC £7,500 and EDDC £7,500) for the installation of a data link and the procurement of appropriate security;
- b) an annual revenue budget of up to £17,000 is agreed (CBC £8,500pa and EDDC £8,500pa) for three years; and that
- c) the Information Manager (CBC) and Head of ICT Services (EDDC) are tasked with the selection and procurement of a suitable data link for implementation in 2009/10.

Voting: Unanimous

287. Exclusion of Press and Public

RESOLVED that in view of the nature of the business to be transacted it is likely that if members of the public were present during the following item there would be disclosure to them of 'exempt information' as described in the category indicated and they be therefore excluded from the meeting in accordance with Section 100A (4) of the Local Government Act 1972.

DELEGATED BUSINESS

288. Update on disposal of Brook Road Depot site Wimborne

Exempt Information - Category 3 (Personal financial or business affairs)

A report was submitted to Committee, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'P' to these Minutes in the Minute Book.

Members were requested to confirm the disposal of the land at Brook Road Depot and its adjacent car park.

The meeting ended at 1.25 p.m.

CHAIRMAN