

From the Town Clerk



WIMBORNE MINSTER TOWN COUNCIL
Town Hall, 37 West Borough, Wimborne Minster,
Dorset, BH21 1LT

Phone/Fax: 01202 881655
email: office@wimborne.gov.uk
web: www.wimborne.gov.uk

Dear Councillor

26 October 2017

You are summoned to attend a meeting of the **TOWN COUNCIL** to be held on **TUESDAY 31 OCTOBER 2017 at 7.30 pm** in the **COUNCIL CHAMBER**, Town Hall, West Borough, Wimborne Minster.

COUNCILLORS ARE REMINDED TO BRING WITH THEM TO THIS MEETING ANY WRITTEN REPORTS TO COMMITTEES TO WHICH THEY MAY WISH TO REFER.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lawrence Hewitt'.

Town Clerk

PUBLIC QUESTION TIME

Before commencement of the formal agenda, members of the public are invited to ask questions of the Council at the Chairman's discretion.

A G E N D A

- 1 Apologies for absence.
- 2 To confirm the Minutes of the **TOWN COUNCIL MEETING** held on 26 September 2017 (pages 7175, 7176 and 7177).
- 3 To receive the Minutes of the **PLANNING & ENVIRONMENT COMMITTEE** held on 3 October 2017 (pages 7178, 7179 and 7180).
- 4 To receive the Minutes of the **RECREATION & LEISURE COMMITTEE** held on 10 October 2017 (pages 7181, 7182, 7183 and 7184).
- 5 To receive the Minutes of the **RESOURCES COMMITTEE** held on 17 October 2017 (pages 7185 and 7186).
- 6 **DORSET ASSOCIATION OF PARISH & TOWN COUNCILS – AGM 4 NOVEMBER 2017**
To receive a list of motions put forward by Member Councils for adoption by the DAPTC (copy herewith). The Town Council's two representatives have asked for the instructions of the Council as to how they should vote on each of the four motions.



- 7 **DORSET COUNTY COUNCILLOR'S REPORT** (if any).
- 8 **EAST DORSET DISTRICT COUNCILLORS' REPORTS** (if any).
- 9 **TOWN MAYOR'S REPORT.**
- 10 **TOWN COUNCIL REPRESENTATIVES' REPORTS** (if any).
- 11 **TOWN CLERK'S REPORT** (if any).

LOCALISM ACT 2011 and CODE of CONDUCT

Members are reminded to comply with those elements of the Localism Act and the Town Council's Code of Conduct in respect of disclosable pecuniary interests.

GENERAL CONDUCT

Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: Equal Opportunities (race, gender, sexual orientation, marital status and any disability), Crime & Disorder, Health & Safety and Human Rights.

TO ALL MEMBERS OF THE TOWN COUNCIL

DAPTC AGM 2017 Motions for Consideration by member councils

Motion 1 (from Beaminster Town Council)

Beaminster Town Council would propose the DAPTC lobby NALC with a view to achieving a change in the legislation governing the de-registration of bus routes.

A. The reasons why the Parish or Town Council is submitting the proposal. Motions at the AGM should require that the Association take the issue forward with outside bodies, such as NALC:

Bus Company, Damory, recently deregistered a strategically important bus route (No 40 service) a vital link between Bridport, Beaminster, Crewkerne and Yeovil. It emerged that such de-registrations can be made with only 8 weeks' notice giving insufficient time for alternative provision to be made.

B. How the issue is affecting local councils in their area (with case study evidence):

Whilst discussions with commercial operators continue Dorset County Council have had to provide a temporary replacement bus service on week days, leaving no service at weekends there. Bridport and Beaminster Town Councils jointly secured a Community Transport Grant to finance a limited Saturday service between Bridport and Beaminster only.

C. What it is specifically the Parish or Town Council would like to change (e.g. a law):

For strategically important bus routes the current 8 week notice period should be increased to 14 weeks with a requirement that the operator cooperates fully with the relevant authorities in providing all relevant data and other information relating to the route in question.

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DAPTC AGM 2017 Motions for Consideration by member councils

Motion 2 (from Blandford Forum Town Council)

That DAPTC requests NALC to lobby for Central Government action to ensure that when a town or parish council objects to a planning application for legitimate planning reasons, it should be considered by the planning authority's planning committee.

A. The reasons why the Parish or Town Council is submitting the proposal. Motions at the AGM should require that the Association take the issue forward with outside bodies, such as NALC:

The Town Council puts forward the issue regarding planning committees at District level delegating authority to officers instead of considering planning applications.

B. How the issue is affecting local councils in their area (with case study evidence).

Increasingly, we are finding that applications are being approved based on delegated authority to officers and district councillors are not meeting to discuss and consider the applications, regardless of their size or impact, which can therefore exclude town and parish views.

For example, when a town or parish council objects to a planning application for legitimate planning reasons it should be considered by the District Council's Planning Committee.

C. What it is specifically the Parish or Town Council would like to change (e.g. a law):

Central Government is asked to make amendments so that the views of town and parish councils (local residents) are taken into consideration as part of the planning process.

Local Authority policy and procedures in order to take local views on planning into account and to ensure planning committee meetings are held.

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DAPTC AGM 2017 Motions for Consideration by member councils

Motion 3 (from Chideock Parish Council)

Chideock Parish Council asks NALC to strongly request that the DCLG revisits the consultation on Parish Polls which was carried out from 4 December 2014 to 30 January 2015 but never acted upon, and to amend the current legislation governing Parish Polls. The consultation sought the views of the public, local authorities and the parish sector on:

- **the trigger (the number or proportion of electors required to demand a poll)**
- **the voting arrangements for parish polls**
- **the questions on which a poll can be held**
- **consequential related matters.**

A. The reasons why the Parish or Town Council is submitting the proposal:

A group of Chideock electors recently demanded a poll at a parish meeting. West Dorset District Council will charge the Parish Council (and ultimately the council tax payers of the parish) approximately £1,000 to conduct the poll (for 500+ electors). The subject matter of the poll is not something which is within the remit of the Parish Council as it pertains to the A35 which is a Trunk Road under the jurisdiction of Highways England.

The DCLG consultation made the following recommendation:-

A poll can be called on any question arising at a meeting which **concerns affairs which relate to a parish council/meetings functions** and meets the following criteria:

1. The subject matter was discussed at the parish meeting.
2. The subject matter directly affects those who live and/ or work in the parish; and
3. **The parish council/meeting has the capacity to make a decision on the subject matter including any decision as a statutory consultee, but not including a decision simply to agree a declaratory statement on the matter.**

B. How the issue is affecting local councils in their area (with case study evidence).

The cost of a Parish Poll to the Parish / Town Council is considerable and cannot be budgeted for in advance. This cost is acceptable where the Poll is on a question which is beyond the remit and powers of a Parish Council.

2017 - Chideock Parish Council - Electorate - 500+, poll taking place on 17 August 2017 - 2 questions relating to the A35 Trunk Road, which is not within the remit of the Parish Council

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DAPTC AGM 2017 Motions for Consideration by member councils

2010 - Dorchester Town Council Poll - Electorate - 14,341 Ballot papers included in count - 2204 Turnout 15.4% - the question was whether WDDC should move to new purpose built offices, which is not within the remit of the Town Council

2007 - East Stoke Parish Council - Electorate - 339 Ballot papers included in count - 80 Turnout 23.6% - the question was "Do you want a referendum on the EU Constitutional Treaty?", which is not within the remit of the Parish Council

C. What it is specifically the Parish or Town Council would like to change (e.g. a law):

The legislation that governs parish polls is found in Section 150 of and Schedule 12 to the Local Government Act 1972 and The Parish and Community Meeting (Polls) Rules 1987.

Motion 4 (from Hurn Parish Council)

Hurn Parish Council ask that the DAPTC take the issue forward to NALC to ask for a change to the law to make Parish Councils statutory consultees on tree application in their Parishes and that the information provided is of a high enough quality to facilitate the consideration of the proposal.

A. The reasons why the Parish or Town Council is submitting the proposal. Motions at the AGM should require that the Association take the issue forward with outside bodies, such as NALC:

Hurn Parish Council propose that Parish Councils should be statutory consultees for all Tree applications in their Parishes and that all these applications should be of a sufficient quality, in order that Parish Councillors are able to reach an informed judgement as to the merits of the applications. Detailed photographs and plans should be included where appropriate.

B. How the issue is affecting local councils in their area (with case study evidence):

Hurn Parish Council been asked to comment, on numerous occasions, on tree applications which do not provide sufficient information for Councillors, thereby inhibiting an informed decision being made. Trees are integral to rural and urban areas and Parish Councils have the local knowledge needed to comment on these proposals.

C. What it is specifically the Parish or Town Council would like to change (e.g. a law):

Hurn Parish Council ask that the DAPTC take the issue forward to NALC to ask for a change to the law to make Parish Councils statutory consultees on tree application in their Parishes and that the information provided is of a high enough quality to facilitate the consideration of the proposal.