

Minutes of the Meeting of the Swanage Town Council
held at the Swanage School, High Street, Swanage on
MONDAY, 18th SEPTEMBER 2023 at 7.00 p.m.

PRESENT:-

Councillor C. Moreton – Chairman

Councillor J. Bishop
Councillor M. Bonfield
Councillor A. Harris (from 7.05 p.m.)
Councillor D. Monkhouse
Councillor N. Rogers
Councillor C. Tomes
Councillor M. Whitwam

In addition to Members of the Council and officers, three members of the public attended the Meeting.

Public Participation Time

The following matters were raised during Public Participation Time:-

- In respect of agenda item 15 (b) concern was expressed about the cost of installing lighting in Day's Park and it was argued that rather than approve additional funds, the Council should abandon the project.
- Regarding agenda item 10, attention was drawn to the business rates levied on the Town Council's beach huts. Questions were posed as to whether the Council had challenged both past and present valuations of the beach huts and, in particular, whether the Valuation Office had been informed when the number of beach huts at the Spa had been reduced some years ago.
The Chairman thanked the speaker for his questions and welcomed him to a Town Council meeting.

Reverend Dave Richards, Associate Priest at St Mark's, Herston, Swanage, offered a short prayer before the commencement of the Meeting.

The Chairman opened the Council Meeting at 7.05 p.m.

89. **Apologies**

Apologies for their inability to attend the Meeting were received from Councillors Foster, Finch, Suttle and Trite.

90. **Declarations of Interest**

Members were invited to declare their interests and consider any requests for Grants of Dispensations in accordance with Section 9 and Appendix B of the Council's Code of Conduct.

Agenda Item No. 10 - Councillor Bishop declared a pecuniary interest under the Code of Conduct by reason of being a beach hut user.

Agenda Item No. 10 - Councillor Bonfield declared a pecuniary interest under the Code of Conduct by reason of being a beach hut user.

Agenda Item No. 21 (c) - Councillor Bonfield declared a disclosable pecuniary interest under the Code of Conduct by reason of being an employee of a local taxi company.

Agenda Item No. 21 (c) - Councillor Whitwam declared a non-pecuniary interest under the Code of Conduct by reason of being a trustee of the Swanage Railway.

91. **Minutes**

(a) Proposed by Councillor Bonfield, seconded by Councillor Rogers, and
RESOLVED UNANIMOUSLY:-

That the Minutes of the Council Meeting held on
24th July 2023 be approved as a correct record and
signed.

92. **Finance and Governance Committee**

Proposed by Councillor Whitwam, seconded by Councillor Bonfield and
RESOLVED UNANIMOUSLY:-

That the Minutes of the Finance and Governance
Committee Meeting held on 26th July 2023 be
approved as a correct record and signed.

5) **To consider adoption of unauthorised encampment
procedure**

Proposed by Councillor Bishop, seconded by Councillor
Whitwam and RESOLVED UNANIMOUSLY:-

That the 'Procedure for unauthorised encampments on
Council owned or managed land' be adopted.

93. **Planning and Consultation Committee**

(a) Proposed by Councillor Harris, seconded by Councillor Rogers and
RESOLVED UNANIMOUSLY:-

That the Minutes of the Planning and Consultation
Committee Meeting held on 7th August 2023 be
approved as a correct record and signed.

It was noted that the Minutes of the Planning and Consultation Committee
Meeting held on 11th September 2023 would be brought forward to the next Council
Meeting for approval.

94. **Statement of Cash Balance**

- (a) A Statement of Cash Balance as at 31st July 2023 was submitted for
information (a copy attached at the end of these Minutes).
(b) A Statement of Cash Balance as at 31st August 2023 was submitted for
information (a copy attached at the end of these Minutes).

95. **Payment of Accounts**

In accordance with Regulations 5 and 6 of the Council's Financial Regulations,
the following Payment Schedules were submitted for information:-

- Payment Schedule 4, amounting to £734,713.16.
- Payment Schedule 5, amounting to £770,545.07.

96. **Chairman's Announcements**

It was noted that given the Town Mayor's absence a report would be provided to
the next Council meeting.

The Chairman congratulated The Swanage School on its 10-year anniversary
and wished the school continued success.

97. **Schedule of Meetings 2023/24 – To agree minor amendments**

The amended dates for the upcoming meetings of the Coastal Change and Beach Management Advisory Committee and the Tourism and Local Economy Committee were noted and it was AGREED:

That the revised schedule of meetings be approved.

98. **Working Party Updates and Recommendations**

(a) **Property Panel, 4th August and 11th September 2023**

Further to Minute No.78 of the Council meeting held on 24th July 2023, and a briefing note prepared by the Visitor Services and Business Development Manager (VSBDM) it was noted that the Property Panel had identified a series of commercial opportunities across specific Town Council operated sites. A ‘Concessions Pack’ had been produced and publication of the document was anticipated on Tuesday 19th September 2023.

(b) **Events Working Party, 12th September 2023**

Further to a briefing note prepared by the VSBDM, it was noted that the Swanage Railway were working to bring a ‘Polar Express’ experience to the railway this Christmas. The ‘Polar Express’ event organisers had met with the Events working party and requested that two alterations to the town’s decorations be considered:

- Replacement of the ‘Merry Christmas’ sign over the former taxi office.
- A smaller town Christmas tree.

It was noted that a site visit had been organised on 21st September 2023 with the ‘Polar Express’ event organisers and the Events working party, and due to relatively quick decisions being required, it was suggested that delegated authority be provided to the VSBDM. It was therefore, proposed by Councillor Bonfield, seconded by Councillor Tomes and RESOLVED UNANIMOUSLY:-

That the decisions regarding the alterations to the town’s decorations, as noted above, be delegated to the VSBDM, in consultation with the Events working party.

It was reported that notification of two additional events had been received :

7th October 2023 – Dorset Teas have offered to provide free tea from the hardstanding during the beach clean.

21st October – Lewis Manning would be holding the ‘Candles on the Beach’ event and tea and coffee would be available from a van situated on Shore Road.

Further to their declarations of interest under Minute No. 90 above Councillors Bishop and Bonfield left the meeting prior to discussion of the following item.

99. **Beach Hut Charges 2024/25 and Revised Terms and Conditions - To consider recommendations from working party**

Further to Minute No. 77 of the Council meeting held on 24th July 2023, consideration was given to a briefing paper prepared by the VSBDM which set out the proposed Beach Hut Terms and Conditions and fees for 2024/25, following discussions held at the Beach Hut working party. The paper detailed Beach Hut expenditure for the years 2023/24 to 2026/27 and the impact of the proposed fees on the Beach Hut budget. Further to discussions held at the Beach Hut working party meeting, it was proposed that an increase of approximately 10% be applied to all beach hut fees and that the higher rental rate in September be extended to the first three weeks, as opposed to two weeks.

Further to the question during public participation time, it was confirmed that a challenge to the business rates, paid in relation to the beach huts, was in progress, however, this was at an early stage and an update would be provided to a future meeting.

It was proposed by Councillor Tomes, seconded by Councillor Monkhouse and RESOLVED UNANIMOUSLY:-

That the proposed beach hut fees and period change for 2024/25, together with the revised Terms and Conditions, be approved and that a further meeting of the Beach Hut working party be held in the spring.

Councillors Bishop and Bonfield re-entered the meeting.

100. **Royal Signals Regiment – To extend invitation to exercise the Liberty of Swanage, 8th June 2024**

It was reported that the Council had been approached to consider extending an invitation to the Royal Signals Regiment to exercise the Liberty of Swanage on 8th June 2024. Although plans were in their infancy it was noted that the event would coincide with the 80th anniversary of the D-Day landings. It was anticipated that the Swanage Railway and Royal British Legion would be involved and further details would follow in due course.

It was proposed by Councillor Moreton, seconded by Councillor Tomes and RESOLVED UNANIMOUSLY:-

That the Town Council formally invites the 11th Signals Regiment to exercise the Liberty of Swanage on 8th June 2024.

101. **Partnership Project Updates**

(a) **Report following meeting of Day's Park Development Forum, 6th September 2023**

Further to Minute No. 75 (c) (ii) of the Council meeting held on 24th July 2023, consideration was given to a briefing paper, prepared by the Town Clerk, which outlined discussions held at recent Day's Park Development Forum meetings. It was noted that Members had requested assurances from the Forum that sufficient funding would be available and in an appropriate timescale, prior to Draft Heads of Terms being submitted to Council for approval.

It was AGREED:-

That a meeting of the Sport, Leisure and Wellbeing Working Party be convened prior to the next Forum meeting, on 11th October, in order to report to the next Council meeting on 30th October 2023.

(b) **Report following Accessible Swanage meeting, 11th September 2023**

It was reported that the Disability Reference Group, set up in July 2023, had adopted the Terms of Reference and had re-named the group 'Accessible Swanage'. The group consisted of members with a range of impairments and were currently providing input into the Green Seafront Stabilisation project, and advising on dropped kerb locations and the need for an accessible bus. It was noted that although the Town Council supported the group, it had been established as an independent advisory group.

(c) **Swanage Wellbeing Project, Chapel Lane**

It was noted that discussions between Dorset Council and Swanage and Purbeck Development Trust were ongoing. The project had been agreed at Dorset Council's cabinet meeting held in March 2023, however, the asset transfer was awaiting senior management approval. The draft heads of terms were being prepared and an update would be provided to a future meeting.

(d) **Swanage Community Housing Project**

It was reported that the Swanage Community Housing group (SCH), working with Hastoe Housing Association, were in the process of obtaining flood surveys on the Ulwell Road/Washpond Lane site. Dorset Council's Asset Team were preparing draft Heads of Terms for the Town Council to consider. The Town Council remained supportive of SCH and continued to work closely with them and Dorset Council to advance the project. The Deputy Mayor thanked SCH members and councillors for their hard work in the progress made on the project to date. It was reported that the SCH AGM would take place at 6pm on 28th September at Herston Village Hall. It was AGREED:-

That delegated authority should continue to be provided to the Town Clerk to work with SCH and Dorset Council to progress the housing project.

102. **Planning Appeal in respect of proposed development of Energy Recovery Facility (ERF) with ancillary buildings and works (Portland Waste Incinerator) by Powerfuel Portland Ltd, Portland Port, Castletown, Portland, DT5 1PP APP/D1265/W/23/3327692 —To consider potential joint response with Dorset Council and/or Portland Town Council**

Further to Minute No. 7 (b) of the Planning and Consultation Committee Meeting held on 7th August 2023, consideration was given to supporting documents in relation to the Notification of Appeal from 'Powerfuel Portland Ltd' against DC's refusal of planning permission for an energy recovery facility on Portland, which had now been submitted to the Secretary of State.

It was noted that the appeal would be determined by an inquiry and representations must be received by 10th October 2023. Further to discussions at the Planning and Consultation Committee Meeting held on 11th September 2023, the chairman of the Planning and Consultation Committee and the Planning and Community Engagement Manager attended a meeting remotely, with representatives from other local councils and organisations to discuss available options in order to participate in the inquiry.

It was reported that the Town Council could join other local councils and organisations to form a group with Rule 6 status, which would enable the group to be allocated a table at the inquiry, anticipated to run between 5th and 22nd December 2023 and attendance would be expected daily.

The financial implications to the Town Council were discussed, and the high costs associated with the hiring of a barrister were noted. It was clarified that no financial contribution would be expected if the Council joined a group with Rule 6 status, however Members discussed the possibility of making a contribution towards legal support costs in relation to the planning appeal.

Due to the timescales involved, it was suggested that delegated authority be given to the Planning and Consultation Committee to determine the Council's response. Therefore, it was proposed by Councillor Tomes, seconded by Councillor Bonfield and RESOLVED UNANIMOUSLY:-

That delegated authority be granted to the Planning and Consultation Committee to determine whether or not the Town Council should seek Rule 6 status in relation to the planning appeal in respect of the proposed development of an Energy Recovery Facility in Portland Port, and to make a recommendation to the next Council meeting on 30th October 2023 as to whether the Council should make a financial contribution to one of the bodies co-ordinating opposition to the appeal towards legal support costs.

103. **Festive Lights – To consider proposal for tender of festive lighting and installation**

Further to Minute No. 190 (a) of the Council Meeting held on 25th April 2022, consideration was given to a briefing paper prepared by the Assets and Compliance Manager which outlined the requirement to tender for festive lighting for the year 2024 onwards.

Due to the value of the contract, it was proposed that the procurement process would be undertaken via an invitation to tender, with a minimum of five suppliers being invited to participate. It was proposed that the tender be divided into two lots and suppliers could provide prices for individual lots or both lots, as follows:

Lot 1 – A fixed price tender for a period of 3 years for the hire of festive lighting on catenary wires in the town in the same locations as currently and lighting to dress the Christmas tree for a maximum sum of £10,000 per annum. Designs of specific lighting arrangements to be proposed by the supplier.

Lot 2 – A tender for a period of 3 years for the installation and removal of festive lighting and the dressing of the Christmas tree with anchor bolt testing to be undertaken in year one and every other year thereafter, together with annual inspections of catenary wires.

It was proposed by Councillor Tomes, seconded by Councillor Bonfield and **RESOLVED UNANIMOUSLY:-**

That the Town Council commence a tender exercise for the supply and installation of festive lighting in Swanage for a period of 3 years commencing in 2024 to be undertaken in two lots, as described above.

It was noted that the current Christmas lights had attracted many positive comments from members of the public and had provided a warm festive atmosphere throughout the town.

104. **Day's Park**

(a) Swanage & Herston Football Club – To consider request for Town Council to replace rear access gate and consideration of budget

Consideration was given to a briefing note prepared by the Assets and Compliance Manager which outlined the requirement for the rear access gate at the Swanage and Herston Football Club to be replaced due to its poor condition. It was stated that the budget could be allocated from either the Town Council's General Fund or from the Football Club Reserve, which holds funds from the back rent received in connection with the telecommunications mast, although this had been earmarked as a contribution to the regeneration proposals.

Members noted that the Football Club Reserve should be retained for the regeneration proposals and therefore that the £1,100 should be allocated from the Town Council's General Fund. It was, therefore proposed by Councillor Tomes, seconded by Councillor Bonfield and **RESOLVED UNANIMOUSLY:-**

That a budget of £1,100 be allocated from the Town Council's General Fund for the replacement of the rear access gate at Swanage and Herston Football Club.

(b) Pathway Lighting – To receive update and authorise final contract sum

Further to Minute No. 104 of the Council meeting held on 17th October 2022, consideration was given to a progress report on the installation of lighting along the path from Ulwell Road to Northbrook Road through Day's Park. It was noted that the project had been delayed due to poor ground conditions in the spring as the result of heavy and prolonged rain. Furthermore, following an inspection by an arboriculturist

revised trenching routes for the cabling and column bases had been agreed, in order to mitigate risk to the avenue of trees. This had required additional input from the lighting design team and had caused further delay. Members were informed that the change in scope and revisions, including additional materials such as cable, had resulted in a cost amendment with an increase in the forecast final budget figure of £12,500 to £82,500.

During the ensuing discussion, attention was drawn to the fact that these works formed part of a wider scheme, working jointly with Dorset Council, to provide a safer route to St Mary's Primary School through Day's Park. Attention was also drawn to the benefits to those living in the Compass Point development who wanted to access the nearest bus route on Ulwell Road. It was confirmed that the entire cost of the works would be funded from Community Infrastructure Levy contributions, made by developers such as Barratt Homes.

It was proposed by Councillor Bonfield and seconded by Councillor Harris:

That the Town Council notes the contents of the progress report and approves the revised budget figure for this scheme of £82,500, to be funded from the Community Infrastructure Levy Reserve.

Upon being put to the Meeting SEVEN Members voted IN FAVOUR of the Proposition and there was ONE ABSTENTION, whereupon the Proposition was declared CARRIED.

105. **Reports from Dorset Councillors**

In the absence of Councillors Suttle and Trite an update would be provided to a future meeting.

106. **Reports from Council Representatives on Outside Organisations**

(a) **Swanage Community Rail Partnership**

It was noted that the £2.00 flat rate bus fare had impacted the Swanage to Wareham trial service and additional funding would be required should the service run in the future.

(b) **Swanage Carnival Committee**

It was reported that Swanage Carnival had experienced some challenges due to the wet weather, however, it had been a successful year. It was noted that a presentation evening would be held on Friday 6th October 2023 at the Showbar, Mowlem Theatre. Thanks was given to the VSBDM and the Assets and Compliance Manager for the decisions made in a timely manner when required and the excellent presentation of the town. Thanks were also extended to the Enforcement Officers for their assistance, particularly on carnival day.

107. **Reporting of delegated matters**

(a) **Appointment of Darkin Miller Chartered Accountants as Internal Auditor – confirmation of competence and independence**

Further to Minute No.7 of the Finance and Governance Committee Meeting held on 26th July 2023, consideration was given to a briefing paper, prepared by the Town Clerk, which outlined the requirement set out in the 'Practitioners Guide' for the Council to consider the competence and independence of any candidate for the appointment of internal auditor. At the meeting held on 26th July 2023 the Committee agreed to re-appoint the Council's existing internal auditor, Darkin Miller Chartered Accountants, subject to satisfactory agreement being reached around the format of the audit plan, which would be finalised at the next meeting of the Committee.

Having considered information about Darkin Miller's experience and qualifications, it was proposed by Councillor Bishop, seconded by Councillor Rogers and **RESOLVED UNANIMOUSLY:-**

That the Town Council confirms the competence and independence of Darkin Miller Chartered Accountants to act as the Town Council's internal auditor.

(b) Outcome of Rent Review of Telecommunication Masts

Further to Minute No. 195 of the Council Meeting held on 24th April 2023 and Minute No. 75 (c)(i) of the Council Meeting held on 24th July 2023, it was reported that the rent reviews in respect of the two telecommunications masts on Council property had been agreed, as follows:

Mast VF4154 – Main Beach Car Park, Victoria Avenue

- 28/03/2017 review – £4,375
- 28/03/2022 review – £5,300

Mast VF61414 – Swanage Football Club, Day's Park

- 15/10/2015 review – £4,375
- 15/10/2018 review – nil increase
- 15/10/2021 review – £5,250

(c) Confirmation of content of Concessions Information Pack

It was noted that this item had been discussed under Minute No. 98.

(d) Confirmation of format of Green Seafront Stabilisation Scheme public consultation

Further to Minute No. 85 of the Council Meeting held on 24th July 2023, it was reported that it was anticipated that the 'Have Your Say' consultation page, hosted by Dorset Coast Forum, would go live tomorrow. The page contained information and maps for both an essential and enhanced design option. Among other consultation events, it was noted that a drop-in session would be held on 19th October between 4 p.m. and 7 p.m. at the Mowlem Theatre.

108. **Items of Information and Matters for Forthcoming Agendas**

(a) Six Months to Local Elections – Information event for prospective Town Councillors, November 2023

It was noted that the local elections would take place in May 2024. The Town Council planned to provide an information event for prospective new Town Councillors, anticipated to take place in November.

(b) Ambulance Car Service – Response from SWAST to FOI request for data January – June 2023

Further to an information sheet prepared by the lead councillor of the Emergency Health Services working party (EHSWP), it was requested that the Town Clerk seek further clarification around the lower call out rate during the first part of 2023. In response to the Town Council's letter about access for Swanage and Purbeck patients to reconfigured health services, which had been handed in at the 'Our Dorset' NHS led event, a six page reply had been received and circulated to members of the EHSWP. Following the event held on 29th June, the Chief Executive and Chair of University Hospitals Dorset had agreed to meet in Swanage on 23rd October 2023 to discuss concerns with representatives of local parish councils and Wareham hospital.

(c) Swanage Sports Club Networking Meeting – Mowlem, 3rd October 2023

It was noted that a meeting had been organised with representatives from local sports clubs to share expertise and promote wellbeing throughout the town.

EXCLUSION OF PRESS AND PUBLIC

It was proposed by the Chairman, seconded by Councillor Harris and
RESOLVED UNANIMOUSLY:-

That, under Standing Order No. 1 c), in the public interest, the press and public be excluded from the Meeting in view of the confidential nature of the business to be transacted under agenda items 20 and 21 for reasons of legal and commercial confidentiality.

109. **Procurement**

(a) **South-West Geotechnical Services – To consider extension of contract to continue monitoring of seafront land**

Further to Minute No. 28(a) of the Annual Council Meeting held on 14th September 2020, consideration was given to a briefing note, which explained that real time monitoring and data collection about the nature and rate of slope instability and the levels of ground water across locations on the seafront is integral to understanding the rate and extent of ground movement. It would also potentially provide early warning of slope failure prior to planned stabilisation works being implemented. It was, therefore, proposed to extend the current contract with South-West Geotechnical Services to continue existing monitoring arrangements for a further 12-month period at a cost of £16,830.

It was proposed by Councillor Bonfield, seconded by Councillor Tomes and
RESOLVED UNANIMOUSLY:-

That the Town Council extends the contract to South-West Geotechnical Services for inclinometer and groundwater monitoring of the seafront land for a further 12 months for the sum of £16,830.

(b) **Electricity Supply – To consider green energy option**

Further to Minute No. 130 of the Extraordinary Council Meeting held on 12th February 2021, consideration was given to a briefing note that summarised the response to a procurement exercise that had been undertaken in respect of the Town Council's electricity supply from 1st October 2023. Two quotes had been received through the LASER energy buying framework, and the briefing note provided information regarding the cost and the impact on the Council's carbon footprint of both options. It was noted that the most environmentally friendly supply was also the most expensive by approximately £6,000 for a one-year contract. However, attention was drawn to the fact that it would reduce the Town Council's carbon footprint by 41%. Therefore, it was proposed by Councillor Monkhouse and seconded by Councillor Harris:-

That, given the Council's commitment to procuring its electricity supply from a 100% renewable energy supplier, the Town Council should enter into a 1-year contract with Ecotricity.

Upon being put to the Meeting SEVEN Members voted IN FAVOUR of the Proposition and there was ONE ABSTENTION, whereupon the Proposition was declared CARRIED.

(c) **LED lighting at Council buildings – To commit expenditure from revenue budget**

Further to Minute No. 79 of the Council Meeting held on 24th July 2023, consideration was given to a briefing note that set out a route to procure and fund LED lighting in the Council’s main operational buildings: Town Hall, Beach Gardens Pavilion, Visitor Information Centre and Depot. Consideration was given to cost estimates provided by Dorset Council’s Minor and Small Capital Works Framework Contractor, totalling £20,208.

It was noted that the capital budget for the current financial year contained an allocation of £50,000 for Carbon Neutral 2030 implementation works, but that the costs of LED lighting could not be capitalised as the sum would have to be disaggregated for each council building, bringing it below the £10,000 threshold for capital expenditure at each location. The possibility of obtaining match funding for this work via Low Carbon Dorset was highlighted.

It was proposed by Councillor Moreton, seconded by Councillor Tomes and **RESOLVED UNANIMOUSLY:**

That the Town Council agrees to commit revenue expenditure for the installation of LED lighting at Council buildings, potentially partially funded from the Environmental Projects Reserve.

In taking the above decision, it was noted that this work may be phased if required and that options around match funding for this, and other works to improve energy performance, are currently being explored with Low Carbon Dorset.

110. **Property-Related Legal Matters**

(a) **Beach Ice Cream Kiosks – To determine next steps**

Further to Minute No. 88(a) of the Council Meeting held on 24th July 2023, the Town Clerk updated Members on the latest communication with the former tenant of the beach ice cream kiosks and legal advice received. It was acknowledged that the Town Clerk would continue to act in accordance with that legal advice prior to consideration of next steps in respect of debt recovery at the forthcoming meeting of the Finance and Governance Committee, in accordance with the delegated authority granted to that committee.

(b) **Housing Development, Northbrook Road East – To receive update regarding drainage connection into Ulwell Stream**

Further to Minute No. 88(b) of the Council Meeting held on 24th July 2023, it was reported that negotiations were ongoing with Barratt Homes.

(c) **Rental of former Taxi Office – To consider report on expressions of interest**

It was noted that the deadline for expressions of interest in leasing the former taxi office at Swanage Station had been extended and hence a report would be brought to the next Council meeting.

The Meeting closed at 8.50 p.m.
