



Shaftesbury Town Council

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To: Members of Shaftesbury Town Council's Recreation, Open Spaces & Environment Committee (ROSE), Councillors Hall (Chair), Kirton (Vice Chair), Cook, Jackson, Loader & Proctor. All other recipients for information only.

You are summoned to a meeting of the Recreation, Open Spaces & Environment Committee for the transaction of the business shown on the agenda below. To be held at 7.30pm on **Tuesday 19 February 2019 in the Council Chamber, Shaftesbury Town Hall**

Claire Commons, Town Clerk

Members are reminded of their duty under the Code of Conduct

Public Participation

The Chairman will invite members of the public to present their questions, statements or petitions submitted under the Council's Public Participation Procedure.

Members of the public and Councillors are entitled to make audio or visual recordings of the meeting provided it does not cause disruption or impede the transaction of business. Out of courtesy to those present, the Council requests that intention to record proceedings is brought to the Chairman's attention prior to the start of the meeting.

Agenda

- 1 APOLOGIES 3**
To receive and consider for acceptance, apologies for absence
- 2 DECLARATIONS OF INTEREST 3**
Members and Officers are reminded of their obligations to declare interests in accordance with the Code of Conduct 2012. The Clerk will report any dispensation requests received.
- 3 MINUTES 3**
To confirm as a correct record, the minutes of the previous meeting of the Recreation, Open Spaces & Environment Committee.
- 4 REPORTS 6**
To receive and note reports from the Mayor, Committee Chairmen, Lead Councillors District and County Councillors and Local Organisations.
- 5 SHAFTESBURY COMMUNITY ECOLOGY COMPETITION 7**
To consider running a competition to create and execute an ecology project
- 6 A30 ALLOTMENTS 8**
To receive an update report on the provision of allotments on the A30 and resolve the architect for the project

7 SALISBURY STREET GREEN.....9

To resolve the Heads of Terms for transfer of Salisbury Street Green

Bibliography

Open Spaces Act, 1906 s10. [Online]

Available at: <http://www.legislation.gov.uk/ukpga/Edw7/6/25/section/10>

Shaftesbury Town Council, 2012. *Code of Conduct*. [Online]

Available at: https://www.shaftesbury-tc.gov.uk/images/STC_Code_of_Conduct_2012.pdf

Small Holding and Allotments Act, 1908 ss23, 25. [Online].

Tharmarajah, M., 2013. *Local Council's Explained*. 1st ed. London: NALC.

(End)

1 Apologies

To receive and consider for acceptance, apologies for absence

1.1 Background

1.1.1 The Council (including committees) should approve (or not) the reason for apologies given by absent councillors. If a council member has not attended a meeting of the council (or its committees) or has not tendered apologies which have been accepted by the council (or committee), for six consecutive months, they are disqualified.

1.2 Apologies received to date

1.2.1 Councillor Kirton, personal commitments

2 Declarations of Interest

Members and Officers are reminded of their obligations to declare interests in accordance with the Code of Conduct 2012. The Clerk will report any dispensation requests received.

2.1 Background

2.1.1 Where a matter arises at a meeting which relates to a councillor's interest, the councillor has the responsibility of declaring that interest in accordance with the adopted code of conduct. (Shaftesbury Town Council, 2012)

2.2 Declarations of Interest or dispensations received to date

3 Minutes

To confirm as a correct record, the minutes of the previous meeting of the Recreation, Open Spaces & Environment Committee.

3.1 Background

- 3.1.1 When the meeting is approving the draft minutes of a previous meeting as an accurate record, the only issue for the meeting is whether the minutes accurately record the proceedings of the meeting and the resolutions made at them. It is irrelevant if the chairman or other councillors were not present at the meeting to which the draft minutes relate.
- 3.1.2 If it is necessary for the draft minutes of the previous meeting to be corrected because of an inaccuracy in them, then the amendments to the draft minutes must be approved by resolution. (Tharmarajah, 2013, p. 154)

3.2 Minutes to be adopted

3.2.1 22nd January 2019



SHAFTESBURY TOWN COUNCIL

Recreation, Open Spaces and Environment Committee

Minutes of the Recreation, Open Spaces and Environment Committee held in the Council Chamber, Town Hall, High Street, Shaftesbury Dorset SP7 8LY on Tuesday 22nd January 2019 commencing at 7.33pm.

Members Present

Councillor Hall (Chair)
Councillor Loader

Councillor Cook

Absent:

Councillors Kirton, Proctor and Jackson

Officers Present:

Claire Commons, Town Clerk
Brie Logan, Business Manager
Zoe Moxham, Office Administrator

In Attendance:

2 members of public, (Representing Shaftesbury Open Spaces Group)
2 members of the press

MINUTES

Public Participation

Members of the public were invited to make representations to the Council on any matters relating to the work of the Council or to raise any issues of concern. The following matters were raised;

R43 Apologies

Apologies were received and accepted from Councillors Kirton and Proctor due to personal commitments and Councillor Jackson due to work commitments.

R44 Declarations of Interest and Dispensations

All members were invited to declare any interests throughout the meeting if the need arose. None were declared.

R45 Minutes

It was **RESOLVED** to approve the minutes of the meeting held on Tuesday 20th November 2018. They were duly signed.

R46 Officer Report

Officer report 0119ROSE3 was received and noted.

R47 Tree Planting

Officer report 0119ROSE5 was received and it was **AGREED** to delegate scoping a proposal of planting a tree native to Syria or creating a peace garden in acknowledgment of the refugee families in Shaftesbury, to the Town Clerk in consultation with Councillor Cook and members of the Shaftesbury Tree group.

ACTION: TOWN CLERK

R48 Park Walk – Vehicular Access

Officer report 0119ROSE6 was received and it was **AGREED** to delegate to the Town Clerk to research options to prevent vehicles accessing Park Walk and to use signage to deter vehicles.

ACTION: TOWN CLERK

R49 Tree Management

Officer report 0119ROSE6 was received and the following was **RESOLVED**;

R49a That the tree inspections are carried out annually or bi-annually in accordance with the recommendations within the report.

R49b That the Committee receives quotes for works to be carried out during the municipal year 2019/20 at its February meeting.

R49c That the committee's thanks are extended to the Tree Management Inspector that completed the Tree Risk Assessment for it's comprehensive content.

ACTION: FINANCE AND SERVICES OFFICER

There being no further business, the meeting was closed at 20.01pm.

Signed

Date

4 Reports

To receive and note reports from the Mayor, Committee Chairmen, Lead Councillors District and County Councillors and Local Organisations.

4.1 Recommendation

4.1.1 That the reports are received and noted and any actions arising identified for future meetings of the Council or its Committees

4.2 Summary

4.2.1 The Council receives reports from external partners (District and County Councillors, local organisations and other public bodies) and internal reports from the Mayor, committee chairmen, lead councillors, representatives to organisations.

4.2.2 These reports are to inform and give the opportunity for topics of note to be addressed later by the Council or its committees.

4.2.3 Reports and minutes provided in advance are taken as 'read'.

4.3 Financial, Legal and Risk Implications

4.3.1 There are no financial implications arising from this report as the item is not specific enough to give advance notice of a decision to be taken.

4.3.2 There are no legal implications arising from this report for the reasons identified in Financial Implications.

4.3.3 There is a risk of decisions being taken on items not clearly identified on the agenda. This is mitigated by clear agendas and deferring items not notified in advance.

*STRATEGIC PLAN AREAS: ENGAGEMENT, PHIL PROCTOR
POLICIES, PROCEDURES AND GOVERNANCE, MARK JACKSON*

4.4 Detail

4.4.1 **Shaftesbury Open Spaces Group, Shaftesbury Tree Group, Shaftesbury Snowdrops** and other organisations which relate to the Recreation, Open Spaces and Environment Committee are welcome to provide a report at this point.

4.4.2 **Shaftesbury in Bloom**

The Clerk met with representatives of the Chamber of Commerce and Shaftesbury in Bloom to discuss collaborative working between the organisations to enhance the 'In Bloom' experience and support the Town Council's 'Shaftesbury Experience' work stream. A proposal for a service level agreement will be put to the General Management Committee

(End)

Report Author:

Claire Commons, Town Clerk

5 Shaftesbury Community Ecology Competition

To consider running a competition to create and execute an ecology project

5.1 Recommendations

- 5.1.1 That a working group is formed to manage the detail of the competition.
- 5.1.2 That the clerk is delegated to manage the implementation of the competition within a defined budget and in consultation with the chairman of the ROSE Committee, Cllr Perkins as the proposer of the competition and the working group.
- 5.1.3 That a recommendation is put to the Council for virement of funds or to draw funds from reserves for this project.

5.2 Summary

- 5.2.1 This proposal is put by Councillor Perkins. The competition is proposed to involve (or benefit) the whole community to create a plan that will execute an ecology project – creating a new area or restoring an existing.
- 5.2.2 The Council would look to have 3 awards which will attract a grant to allow the winning teams to create a fully costed and timed working plan which within certain parameters the council will financially support.
- 5.2.3 The winning projects will have an execution time line of 12 months with a sustainable outcome of more than 10 years.

5.3 Key Conditions (proposed)

- Within Shaftesbury
- For newly formed groups within 3 categories
- Marketing to commence 1st March
- Applications in by 13th May that meet the given criteria
- Award ceremony on 5th June
- Update reports quarterly

5.4 Financial Implication

- 5.4.1 Financial implication to be determined by the Committee for the project grant and for the preceding publicity.

5.5 Legal Implication

- 5.5.1 The Council must be careful not to carry out publicity during purdah (15th March to 2nd May) which may be seen to benefit individual councillors standing in the election.

5.6 Risk

- 5.6.1 There is a risk that the new council in May chooses not to progress with the competition. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least six councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

**STRATEGIC PLAN AREA: ASSET MANAGEMENT, ANDY PERKINS AND RESIDENTS LIFESTYLE
OUTDOOR, LUKE KIRTON**

(End)

Report Author: Claire Commons, Town Clerk

6 A30 Allotments

To receive an update report on the provision of allotments on the A30 and resolve the architect for the project

6.1 Recommendation

- 6.1.1 That the architect for the creation of the carpark is selected
- 6.1.2 That the project plan is adopted noting timescales and committee touch points in March, July, September and November 2019. the report is received and noted

6.2 Summary

- 6.2.1 The creation of the allotments on the land south of the A30 includes provision of a carpark which is subject to Planning Permission.
- 6.2.2 A revised project plan has been scoped out to enable the allotment plots to be let as soon as possibly whilst still ensuring the site is safe to access for the tenants.
- 6.2.3 Architect quotes have been sought and will be provided to the committee members prior to the meeting.
- 6.2.4 The project is proposed to be undertaken in three parts which will allow tenants in place to start planting for late and overwinter crops, then creation of the carpark and the last stage for the creation of maintenance access.
 - Stage 1: Creation of path and plots
 - Stage 2: Creation of footpath
 - Stage 3: Creation of maintenance access
- 6.2.5 A revised project plan has been scoped out to enable the allotment plots to be let as soon as possibly whilst still ensuring the site is safe to access for the tenants.
- 6.2.6 A detailed project plan is provided as a separate document

6.3 Financial Implication

- 6.3.1 Financial implications for the contract work will be presented as quotes to the committee in March.
- 6.3.2 £25,000 council funds and up to £78,529 in s.106

6.4 Legal Implication

- 6.4.1 The Council has the power to provide land for allotments and to enter into allotment tenancies in or outside the council's area (Small Holding and Allotments Act, 1908 ss23, 25)

6.5 Risk

- 6.5.1 There are no risks identified in this report

STRATEGIC PLAN AREA: ASSET ACQUISITION, LESTER TAYLOR

(End)

Report Author:
Claire Commons, Town Clerk

7 Salisbury Street Green

To resolve the Heads of Terms for transfer of Salisbury Street Green

7.1 Recommendation

7.1.1 That the Heads of Terms are resolved for the transfer of Salisbury Street Green

7.2 Summary

7.2.1 At a meeting of the ROSE Committee in March 2018 it was resolved to request the land known as Salisbury Street Green (adjacent to number 46 Salisbury Street) from Dorset County Council.

7.2.2 Dorset County Council's cabinet has resolved the transfer and the heads of terms are appended to this report.

7.2.3 The Council's solicitors will be instructed at the end of the month for completion of the transfer as soon as is practicable.

7.3 Financial Implication

7.3.1 £1 transfer fee and solicitors' costs (to be advised)

7.4 Legal Implication

7.4.1 The Council has the power to provide and maintain land for public recreation (Open Spaces Act, 1906 s10)

7.5 Risk

7.5.1 There are no risks identified in this report

STRATEGIC PLAN AREA: ASSET ACQUISITION, LESTER TAYLOR

(End)

Report Author:
Claire Commons, Town Clerk

Appendix C. Draft Head of Terms

Authority/Minute No:	Min 74.5 Cabinet 27 th June 2018
Seller:	Dorset County Council
Buyer	Shaftesbury Town Council
The Property	The property identified outlined red on the attached plan.
Plan No:	PD 3837
VAT	The property is not VAT elected.
Permitted Use:	The property is being sold with existing use as public open space
Costs:	Each party to bear their own costs
Other Terms:	The land is to be 'gifted' to Shaftesbury Town Council subject to a 100% clawback provision should the purchaser obtain planning consent for change of use for a more valuable use. The clawback will be protected by a restriction upon title.
Sale Price	£1

