

CORFE MULLEN PARISH COUNCIL



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There is to be a Meeting of the Parish Council at the Village Hall, Towers Way, Corfe Mullen on Tuesday 12th June 2018 at 8.30 p.m.

A handwritten signature in black ink that reads 'K. Blee'.

Mrs K M Blee
Parish Clerk
5th June 2018

Mrs Katrina M Blee
Parish Clerk
Council Office
Village Hall
Towers Way
Corfe Mullen
Wimborne
Dorset
BH21 3UA

PUBLIC DISCUSSION PERIOD

Members of the public will have an opportunity to raise issues pertaining to this agenda before the meeting starts. Each member of the public will be limited to a 5-minute slot (30 minutes in total).

1. To Record apologies for absence
2. To Record any Declarations of Interest
3. To Approve minutes of the Parish Council meeting held on 22nd May 2018
4. Community asset Transfer: To Consider list of EDDC assets which may be available for asset transfer
5. To Confirm date and time of next meeting as at 26th June 2018 at 7.45p.m. (*time subject to change*)

ITEM 3 MINUTES OF PREVIOUS MEETING

Minutes of the FULL COUNCIL held at the Village Hall, Corfe Mullen on Tuesday 22nd May 2018 commencing at 8pm

Present: Cllr Harrison - Chairman

Cllrs	Alexander	P Holland	Parkin
	Anderson	Honeyman	Perry
	Everett	Jefferies	Stennett
	A Holland	Mattocks	Waterman

Officers in attendance: Katrina Blee (Clerk) and Claire Gamble (Assistant Clerk).
There was one member of the public present.

PUBLIC DISCUSSION PERIOD

A member of the public present asked if the containers at the top of Pardy's Hill are going to be removed and requested that consideration be given to cleaning the War Memorial. In answer, Cllr Perry said that he had no plans to move them. The Clerk offered to obtain a quotation for the refurbishment of the war memorial for consideration by the Council.

18/001 Apologies for Absence

Apologies for absence were received from Cllr Dix.

18/002 Election of Chairman for the municipal year 2017 -18

Cllr. Harrison said he had enjoyed his year as Chairman and added that it had been a great honour to represent the Parish Council, as someone who had been born in the village and lived there his whole life.

Cllr Harrison was proposed by Cllr Everett and seconded by Cllr. Anderson. There being no other nominations and with all members agreeing he was therefore duly elected as Chairman for 2018-2019.

18/003 Election of Vice-Chairman for the municipal year 2018 - 19

Cllr P Holland was proposed by Cllr Jefferies and seconded by Cllr Waterman. There being no other nominations and with all members agreeing he was therefore duly elected as Vice-Chairman for 2018-2019.

18/004 Declarations of Interest

Cllrs Honeyman, Mattocks and Jefferies declared an interest in Minute 18/020 as they are all on the Corfe Mullen Sports Association (CMSA) committee and in addition Cllrs Jefferies and Mattocks are trustees of the CMSA and are currently Chairman and Vice-Chairman respectively.

18/005 Minutes of Previous Meeting

The minutes of the Parish Council meeting held on 24th April 2018 were approved.

Nem Con.

Referring to the minute regarding her April report, Cllr Jefferies read out an email she had received withdrawing a request to run an archery business on the recreation ground and repeated her disappointment.

18/006 Committee Minutes

Minutes of the following committees were noted:

- a) Planning 10th April 2018
- b) Planning 24th April 2018
- c) Community Services 13th March 2018
- d) Staffing Sub-Committee 1st February 2018

18/007 Recommendations from the Community Services Committee and the re-consideration of entering into Highways Together Agency Agreement

The Community Service Committee had set up a working party to consider the Council's policy approach to street furniture etc, and the following recommendations from the Committee were agreed: -

On Parish Council sites	
Item	Issues/Comment
Requests for memorial seats	<p>Issues are future maintenance, style of seat etc. and whether there should be criteria to decide whether to grant permission or not.</p> <p>Other parishes' practices were researched. A lot of other parish councils stipulate the make and style of the seat and it becomes the Parish Council's, which then maintains it.</p> <p>This Parish Council however, although stipulating the seat style within reason, allows the seat (and therefore any maintenance) to remain with whoever requests it. Generally, this has worked well, and there is no reason to change this at this time. It was however felt that a written agreement should be drafted to cover future responsibility and set out a maintenance/inspection schedule.</p> <p>It was felt difficult to prescribe some set criteria, and that the Council will have to decide requests on a one by one basis. It was however thought that requests should not be granted if these have only been submitted by one or two residents.</p>
	<p>Agreed recommendation: a set charge will be introduced to cover purchase, installation and maintenance of any new memorial bench rather than the donor undertaking maintenance.</p>
Additional dog bins	<p>The Parish Council has litter bins at all play areas, the recreation ground, the cemeteries and Springdale Road POS. It was noted that people have their favourite locations, especially for dog bins, but that does not necessarily mean that there are insufficient on the whole site. Grounds staff have not reported any problems with either dog bins or litter bins not being sufficient.</p> <p>Noted that DWP are moving to replacing bins with dual purpose bins, one side recycling and the other for litter/dog waste. This should be considered for the Parish Council sites going forwards.</p> <p>Also, PC should consider erecting signage encouraging people to take dog litter and ordinary litter home etc.</p> <p>Agreed recommendation: when replacing bins consideration will be given to the dual litter/recycling type.</p>
Additional litter bins	
Requests for railings, signs, steps, lighting, bollards, disabled parking bays etc.	<p>In a similar way to memorial seats, it was felt that these should continue to be considered on a case by case basis, e.g. we have in the past erected railings and steps in the cemetery for easier accessibility to graves and have erected railings at the rec to prevent 'wheelies' on the grass.</p> <p>Agreed recommendation: these will continue to be assessed on a case by case basis.</p>
Other issues on Parish Council sites which the Working Party considered:	

Drones	<p>As these are increasing, advice has been sought from Ellis Whittam. Some would come under the definition of 'model aircraft' which cannot land or take off on Parish Council sites. Permission therefore needs to be sought from the Parish Council for events such as the Carnival if drones are going to be used.</p> <p>Drone operators – the CAA has restrictions and regulations on the flying of drones which includes these not being flown near to people or crowds.</p> <p>As always though enforcement is an issue and of course malfunctioning is also possible.</p> <p>Agreed recommendation: a written policy on drones will be drafted.</p>
Floodlights at the rec	<p>When replaced, CMSA should be asked to install more directional ones so that they impact less on surrounding residences.</p> <p>Agreed recommendation: the CMSA will be requested as above.</p>
Electric car charging points	<p>These will be required in the coming years and the Parish Council should give consideration as to whether it wants to site any on its sites and what it would charge.</p> <p>Agreed recommendation: The Parish Council should bear in mind the need for charging points in the future.</p>
Non-Parish Council sites	
Item	Issues/Comment
Bollards Railings Seating Planters	<p>This would have to be considered on a case by case basis, and of course the highways authority (usually DCC) would have to assess requests. Again, an agency agreement would be required.</p> <p>The issue of maintenance would need to be considered, e.g. the Parish Council may find itself having to maintain seats and planters.</p> <p>Recommendation: requests for bollards and railings will be assessed on a case by case basis. Requests for seats or planters will not be supported.</p>
Grit bins	<p>The Working Party felt that the Parish Council's policy of not providing grit bins should continue. There would be so many requests, and these may also be in locations where it would be difficult for DCC to fill up anyway. The Parish Council should continue to promote community self-help such as street monitors.</p> <p>Agreed recommendation: the current policy of not providing grit bins will continue. Due to wider availability and lower prices the Parish Council will no longer offer an 'ice melt' type product at a discount.</p>
Litter/dog bins	<p>It was felt that this is an area that the Parish Council should not consider for itself.</p> <p>The Parish Council can continue however to make representations where it agrees additional bins are needed, or to ask for one to be put back.</p> <p>It was noted that local authorities are moving towards dual bins as replacements (recycling and litter/dog waste sections).</p> <p>Agreed recommendation: the above approach will be taken on this issue.</p>
Bus shelters	<p>There are now only two which the Parish Council is responsible for (1 at Windgreen and 1 near the Lambs Green). However, grounds staff are not trained to work on the highway, so it would be better to use a DCC agency agreement for maintenance of these.</p> <p>If consideration is given to the provision of additional shelters, cost, maintenance and future replacement would have to be considered. DCC or other highways authority as appropriate would have to approve any proposed installations.</p>

	Agreed recommendation: any requests for additional bus shelters will be assessed on a case by case basis with consideration given to future maintenance and replacement costs.
Public Rights of Way	It was felt that the Parish Council should continue to periodically survey these and submit reports of any problems. Agreed recommendation: the above practice will continue.

Nem Con

In addition to the above recommendations, the following comments from the Community Services Committee in relation to other items were noted:

Fingerpost restoration/ replacement	The County Council no longer restores or replaces the traditional finger posts and may also stop replacing other discretionary signage. This is work the Parish Council could authorise under an agency agreement.
Christmas tree/lights	The Working Party did not look at these in detail, as Cllr Harrison and the Carnival Committee are working on this.
Verge cutting, street cleaning, extra gully cleaning (where DCC no longer do so regularly)	The Parish Council could consider contributing to these types of tasks under an agency agreement. This is work the Parish Council could authorise under an agency agreement.
'Corfe Mullen in Bloom'	The Working Party felt that this could only be progressed if there was someone prepared to champion it in the community and drawn together a group wanting to run it. Cllr Harrison has agreed to speak to CM Gardening Club to suggest they gauge interest and contact other towns and parishes for information about the level of commitment involved.
Other issues for the future	
Electric car charging points	These will be required in the coming years and the Parish Council should give consideration as to where it might request they are located.

Highways Working Together agency agreement

The Council has previously identified that it may wish to contribute to highways repairs or improvements and the only legal way to do this is via an agency agreement with Dorset County Council. The agreement would encompass everything the Council might wish to contribute to, without any obligation to do so, but the agency agreement would mean that there is a legal framework in place.

Cllr A Holland proposed that the Council enters into an agency agreement with DCC and this was seconded by Cllr Jefferies.

Vote: 9 in favour

2 against

A counter proposal that the Parish Council should not enter into such an agency agreement put forward by Cllr Perry and seconded by Cllr Parkin was not voted on in the light of the above vote.

18/008 Accounts for payment

The following accounts were authorised for payment:

PARISH COUNCIL ITEMS		
201002	Rigby Taylor - 4 x nozzles for line marker	14.40
201003	Sorrels Caterers - catering for Chairman's Reception	770.10
201004	GLS - black sacks	230.28
201005	Logik Copying Systems - quarterly copy charge	72.76
201005	Logik Copying Systems - refund of overpayment re lease	178.80
201006	PSDF - invest excess funds	60000.00
201007	DAPTC - GDPR regs update course	25.00
201008	B&Q - materials	20.82
201009	Borough of Poole - grounds maintenance April	856.80
201010	J Fallon - repair to stand pipe at allotments	72.00
dd 25.05.18	NatWest - autopay charge	10.00
dd 19.05.18	S Electric - streetlight energy April	47.05
dd 16.05.18	DCC - April waste collections from rec.	133.20
dd 28.05.18	S Electric - cemetery electricity	35.43
dd 21.05.18	Gazprom - office electricity usage April	104.25
dd 01.06.18	EDDC - office rates	360.00
dd 01.06.18	EDDC - cemetery rates	235.00
card 01.05.18	Boots - sunscreen for g'staff	33.50
	TOTAL	63199.39

VILLAGE HALL ITEMS		
201011	BT Office Furniture - feet protectors for chairs	72.00
201012	Booker Construction - hedge clearance & new fence installation	7872.00
dd 15.05.18	Dual Energy - April electricity usage	142.87
card 01.05.18	Instanta - new PCB for auto water boiler	109.56
card 10.05.18	Amazon - new water jugs	23.04

Nem Con

18/009 Bank Reconciliation

The following bank reconciliation was approved:

Bank reconciliation 30.04.18		
Nat West current		34891.23
Scot Widows Business Deposit		500.78
Petty Cash		3.18
Cooperative current	176049.54	

<i>less unrec. payments</i>	2103.06	
<i>add unrec. Receipts</i>	0.00	173946.48
<i>Cooperative dep. a/c</i>		2.84
<i>Coop Charge Card</i>		-804.09
<i>Public Sector Deposit Fund</i>		297095.26
Total		505635.68

Nem Con

18/010 Internal Auditor's Report

The internal auditor's final report for the financial year ended 31st March 2018 was received and the following actions agreed:

Control	Issue	Recommended Action	Action Agreed
<i>Quotes and tenders for work</i>	<i>When the council awards contracts for work following a quote or tender process, it does not always clearly name the winner and the amount of the contract.</i>	<i>As such items, when they are paid, are likely to be significant, care should be taken to ensure that the advance minute approval is clear.</i>	<i>Noted, and the Clerk to be asked to ensure that this is made clear in minutes.</i>
<i>Conflicts of interest</i>	<i>Members of the council should be very careful not to take part in decisions relating to outside bodies (including charities) where they have an interest.</i>	<i>Even where the interest is non-financial, best practice is to disclose relationships with other bodies so that all council decisions are taken in a transparent and accountable manner.</i>	<i>The Parish Council did not adopt Appendix B of the Model Code of Conduct in 2012, however recognises that this is best practice and Councillors will be encouraged to do this in future.</i>
<i>Purchase ledger</i>	<i>The ledger contains several running balances relating to direct debit payments.</i>	<i>On a quarterly basis, officers should run the detailed creditors report and ensure that all payments have been correctly allocated.</i>	<i>The Clerk/RFO to be asked to ensure that this is done quarterly.</i>
<i>Reserves</i>	<i>The reserves of the council are significantly higher than both guidance and best practice. General reserves should be between 3 and 6 months of revenue expenditure. Those of CMPC stand at over 12 months. Councils have no power to hold savings. Money taken from the taxpayer should be spent for their benefit.</i>	<i>The council should actively review its capital programme and bring projects forward to utilise the available funds and look at what facilities are needed for the community.</i>	<i>The Council recognises that due to delayed capital projects and the delay in Local Government Reorganisation, the General Fund is higher than anticipated and the July meeting of the Finance & Administration Committee is to be asked to review the Capital Programme as a first step in addressing this.</i>

Nem Con

18/011 Annual Governance Statement for the year ended 31st March 2018 (Appendix 1)

The Annual Governance Statement (Section 1 of the Annual Return) was completed and signed by the Clerk and Chairman.

18/012 Statement of Accounts year ended 31st March 2018 (Appendix 2)

The Accounting Statements (Section 2 of the Annual Return), have previously been certified by the Clerk/RFO, were approved and the Chairman signed to confirm this.

18/013 Management Accounts and Notes for the year ended 31st March 2018 (Appendix 3)

These were noted, and any members' queries were answered by the Clerk.

18/014 Appointments to Committee and Sub-Committees for the municipal year 2018-2019

Community Services Committee	8 Members	Cllrs Alexander, Dix, Harrison, A Holland, P Holland, Honeyman, Jefferies and Mattocks
Finance & Administration Committee	8 Members	Cllrs Alexander, Anderson, Honeyman, Harrison, Parkin, Perry, Stennett and Waterman
Planning Committee	8 members	Cllrs Anderson, Everett, Harrison, A Holland, Jefferies, Mattocks, Stennett and Waterman

Nem Con

18/015 Appointments to Outside Bodies

Beacon Hill Liaison Committee	Up to 2 representatives	Cllr Dix Vacancy
Corfe Mullen Sports Association	Up to 2 representatives	Cllr Honeyman Cllr Harrison
DAPTC Eastern Area Committee	2 representatives	Cllr Waterman Cllr Honeyman
DAPTC Towns & Larger Parishes Committee	2 representatives	Cllr A Holland Cllr P Holland

Nem Con

Councillors agreed with the Clerk's view that the Corfe Mullen Youth Trust Committee should include an Parish Council representative, who is not a trustee, given that the Council gives a substantial revenue grant to the Trust. This item was deferred as no volunteer was forthcoming for this position.

18/016 Review of Standing Orders, Financial Regulations and Model Publication Scheme

This item was deferred until the next Full Council meeting.

18/017 Membership to Outside Bodies – Council and Employees

It was agreed to continue with the current memberships as follows: -

- a) Member of the Institute of Crematoria and Cemetery Management
- b) Clerk's membership of the Society of Local Council Clerks.

- c) *Head Groundsman and full-time Assistant Groundsman membership of the institute of Groundsmanship.*

Nem Con

18/018 Correspondence Received

DAPTC	<i>Letter from Eastern Area Chairman asking for responses on services retention and local decision-making post Local Government Reorganisation. Members agreed a response and the Clerk will submit it to the DAPTC. Nem Con</i>
DCC	<i>Outcome of Blythe Road petition regarding yellow lines. Noted.</i>

18/019 Verbal Reports from County & District Councillors and other organisations

- a) *The County Councillor reported as follows: -*
- (i) *DCC has carried out extensive pot hole repairs but members should continue to report any remaining problems.*
 - (ii) *Local Government re-organisation –*
 - *Shadow Council is about to meet.*
 - *The focus remains on setting up legal and safe services from 1 April 2019 so any reorganisation or changes to service provision will take place after the new unitary authority is in place*
 - *The future management of Moors Valley is under discussion*
 - (iii) *Verge cutting is currently in progress in Corfe Mullen*
 - (iv) *DCC is keen to promote health and wellbeing and is interested in giving extra publicity to the Diamond Jubilee Walks.*
- b) *District Councillor Paul Harrison reported as follows: -*
- (i) *The recent defibrillator training was successful with 20 people attending.*
 - (ii) *Moors Valley Park has received a Bronze Visit England Award.*
 - (iii) *A recent litter pick was not as well attended as previously; however, it is hoped that the next one will see a good turnout. The Guides have borrowed the equipment for a litter pick of their own and other local organisations are welcome to do the same.*
 - (iv) *EDDC Chairman Cllr Derek Burt has been replaced by Cllr Toni Coombs for the ensuing municipal year and Cllr Barry Orange has been appointed as Vice-Chairman. The Chairman's chosen charities are Macmillan and Mosaic.*
 - (v) *Cllr Harrison has been appointed as Chairman of the Ethical Governance Committee, for which he had previously acted as Vice-Chairman.*
- c) *The Parish Council Chairman reported on official engagements as follows:*
- (vi) *He attended attend a Growing Compassionate Communities event at Westminster.*
 - (vii) *The recent Parish Council Chairman's Reception went well, was under-budget and he hopes to repeat it next year.*
 - (viii) *He attended the recent Lesley Shand Funeral Services Open Day.*
 - (ix) *He attended the Civic Thanksgiving Service held in Wimborne recently.*
- d) *DAPTC – Towns and Larger Parishes Group*
- Cllrs Paul and Anne Holland reported on the meeting held on 18th May:*

- (i) *Many larger councils have already replied to the 'Local Government Services' questionnaire.*
- (ii) *Councils including Colehill, Wimborne and Wareham have increased their precepts to cover the cost of providing devolved services.*
- (iii) *The list of assets owned by EDDC is to be issued shortly and councils are invited to express an interest in any that they would like to acquire.*

[The Clerk indicated that these had just been received].
- (iv) *DAPTC is pressing for funding to be provided for devolved services.*
- (v) *Revenue Support Grants are being withdrawn and may go negative, however Business Rates may offset these cases.*
- (vi) *The Boundary Commission is briefing on the boundary changes on 12th June. No changes for Corfe Mullen are anticipated at this stage.*
- (vii) *NALC has successfully negotiated the removal of the requirement for Parish and Town Councils to appoint a Data Protection Officer. Care will still be required to ensure compliance.*
- (viii) *From 1st April 2019 legal powers will transfer to the new Dorset authorities and most staff will be transferred under TUPE. A transition period will follow during which departments and services will be reorganised.*

18/020 Items of Information and Matters for Forthcoming Agendas

- a) *Having recently attended a meeting relating to the housing development in Wimborne, Cllr Parkin was concerned that Corfe Mullen Parish Council has not fought for or secured anything in the form of facilities from the planned new development.*

The meeting noted Cllr Parkin's comments and the Clerk reminded her of the range of contributions to and provision of community facilities in the Section 106 agreement.
- b) *The Clerk reported that a request has been received from Seafarers UK to fly a flag on Merchant Navy Day. This would require the installation of a flag pole somewhere in the village which the Parish Council may wish to consider.*
- c) *The Clerk reported on a very productive meeting with the Community Highways Officer, Susan Hetherington, and highlighted key points as follows: -*
 - (i) *Illegal and obstructive parking at the Towers Way/Wareham Road junction – re-lining and a 'No Loading Sign' might be possible and Mrs Hetherington also agreed to meet Cllr Stennett on site.*
 - (ii) *Verge parking outside BH Live – she will investigate options to prevent this.*
 - (iii) *Grass triangular verge outside Lockyers School – she is considering the installation of 'dragons' teeth' in this location.*
 - (iv) *Mrs Hetherington has already spoken to Savills about cutting back the hedge along the Wimborne Road as soon as possible.*
 - (v) *Mrs Hetherington will respond to all online reports as soon as she is able and asked for as much detail to be given as possible, including landowner details, if known and relevant.*
 - (vi) *Mrs Hetherington suggested that the Parish Council could prioritise five or six burning issues for her to address around the Parish at any one time.*
 - (v) *Weed-spraying is scheduled for July and the Clerk apprised her of the problems experienced last year.*

- d) *Following a request from the Parish Council the Clerk has now received from DCC a price for the installation of a hardstanding for a bus stop in Springdale Road and this will go to the next Community Services meeting for consideration.*
- e) *The Clerk has received details of the EDDC report to Cabinet outlining which assets might be suitable for community asset transfer and these include: Towers Way public toilets, land at village hall, Towers Way play area and Towers Way MUGA. The Clerk has queried the apparent exclusion of the rest of the Towers Way amenity area and it has been confirmed that this could also be considered. The District Council is not considering the transfer of any car parks in the District, due to potential future income generation.*

This item will go to the next Community Services Committee and subsequent Full Council for consideration subject to the report being agreed by the EDDC Cabinet.
- f) *There is a new Civil Society Strategy from the Department of Culture, Media & Sports: details are in the office.*
- g) *GDPR: The Clerk reported that the Council's website provider is preparing compliant privacy statements for the Council's use and the Clerk will work through the NALC compliance toolkit over the coming months to ensure that the Council achieves full compliance at the earliest opportunity.*
- h) *The Guides have confirmed that they are not wanting to sow poppies this year after all as they were unable to organise it in time. However, the Clerk and Head Groundsman have identified an area on the grass outside the pavilion which could be used for any future similar requests and have some suggestions as to where any future community bulb planting could take place. These will be shown to the Community Services Committee on its annual tour of sites.*

18/021 Date and time of next meeting

The date and time of the next meeting were confirmed as Tuesday 26th June 2018 at 7.45pm (time subject to change).

18/022 CONFIDENTIAL ITEM: PAVILION LEASE

EXCLUSION OF PRESS AND PUBLIC

It was resolved that: by reason of the confidential nature of the business to be transacted the press and public be excluded during consideration of the following item.

In addition to the declarations of interest made under minute 18/004, the Chairman also declared an interest in this item, having been appointed Parish Council representative to the CMSA under minute 18/014.

Cllr Jefferies started to speak on this item and was reminded by the Chairman that she had declared an interest and was unable therefore to participate. As the Chairman had declared an interest he handed the Chair to the Vice-Chairman, Cllr P Holland for this item.

The report was considered, and it was agreed that:

- 1) the lease be offered to the Corfe Mullen Sports Association (CMSA) for a further period of 35 years;*
- 2) following a request from the CMSA the Council enter negotiations for the early renewal of the lease (renewal date is 1 December 2020);*
- 3) the Council asks the CMSA to consider whether it would prefer Option 1 or Option 2 as outlined in the confidential report as a basis for the Heads of Terms relating to maintenance of the facility.*

Nem Con

The meeting closed at 9:35pm

ITEM 4 COMMUNITY ASSET TRANSFER

East Dorset District Council's Cabinet (One Year Strategy) considered and agreed the recommendations in the following report when it met on 30th May 2018.

Appendix 3 of the report outlines possible assets for transfer, and in Corfe Mullen these are:

Corfe Mullen Public Convenience, off Towers Way
Land at Corfe Mullen Village Hall
Pathway at Springdale Road (leased to East Dorset)
Play Area, Victoria Close
Play Area, Towers Way
MUGA, Towers Way

Appendix 4 of the report lists larger open spaces which may be considered for transfer. In Corfe Mullen, these are:

Springdale Road Open Space (leased to East Dorset, part sub-let to Parish Council)
North-East side of Blandford Road (around Cogdean and Hadrian Way area)

At this stage, the District Council is gauging interest from local councils, and it is suggested that should the Parish Council be potentially interested in acquiring some of the above areas, a meeting is set up to be attended by the Clerk, Parish Council Chairman and Chairman of the Community Services Committee.

For consideration and decision.

Community Asset Transfer

1. PURPOSE AND RECOMMENDATIONS

Report Type:	Public Report for Decision
Purpose of Report:	To consider the implications of, and potential processes for, Community Asset Transfer prior to the end of March 2019
Recommendations:	It is RECOMMENDED that: <ul style="list-style-type: none">(a) The following principles are agreed as a framework for any future actions by the Cabinet Committee:<ul style="list-style-type: none">(i) Any transfer of assets will usually be by transfer of the freehold to a public or charitable body or via a long lease (25 years minimum)(ii) There is to be no discussion about possible transfer of services, only assets.(iii) Consideration will only be given to transfer of assets where there is no detrimental effect for a future Unitary Council(iv) Transfer will also be dependent on an assessment of the capacity of the receiving authority/organisation to take on the asset.(v) EDDC will consider asset transfer to community groups other than P&TCs where appropriate and subject to the same assessment of the capacity of such groups but such transfers are considered to be lower priority because of timescales and capacity.(vi) Transfers will only be considered where there is staff capacity to deliver them (see 5 below).(b) The attached lists of assets (Appendices 2, 3 & 4) are agreed and prioritised(c) The criteria set out in paragraphs 3.19 and the requirements in 3.20 are adopted as the procedure for Community Asset Transfer.

- 3.2. Work has begun to ensure that the two new Unitary Authorities are ready to take on the running of services and assets from vesting day (1st April 2019).
- 3.3. Given the short timescales it is most likely that there will be no restructuring of services until after vesting day and all services and untransferred assets currently provided by Dorset County Council and the 5 District and Borough Councils will continue to operate as they currently do for a period after the new authority comes into being.
- 3.4. The premise for the establishment of the new Unitary Authority is to protect services and to run them more efficiently as a result of economies of scale. Assets supporting statutory service delivery are not in scope at this point and it is likely, therefore, that assets that do not realise an income are the most likely to be to be considered for transfer.
- 3.5. Local Government Reorganisation is also an opportunity to make a fresh start and reconsider how assets are best managed and what part local communities can play in their future management.
- 3.6. Although there may be opportunities for Parish and Town Councils to run facilities more efficiently as a result of reduced on-costs it is likely that where such facilities currently cost the County or District Council to run, Town and Parish Councils are unlikely to take them on and bear the cost themselves unless such costs are minimal or unless the asset will be lost to the community otherwise.
- 3.7. In such circumstances it may be considered to be worth raising the parish precept in order to take on the management of an asset, rather than lose the facility altogether.
- 3.8. Prior to LGR it is impossible to say which assets and services will continue to be supported by the new Unitary Authority.
- 3.9. Any assets which currently bring money into the County or District Council are likely to be required to be retained by them, and subsequently the new Unitary Authority, as a valuable source of income.
- 3.10. Purbeck District Council recently decided on a policy which stated that any assets which currently bring an income to the authority will not be devolved to local Parish and Town councils but that the management of some small pieces of land, public toilets etc. could be devolved. They also recognised that any requests for transfer would create a burden on their Legal Team and they approved funds to purchase legal skills from private companies to facilitate the transfer.
- 3.11. Where transfers have been supported in other authorities across the country, it has usually been the new Unitary Authority which has carried out the transfer. In all cases they have recognised that the Parish and Town Councils or community groups which wish to take on the operation of an asset, require significant support from the Community Development Team prior to devolution and that there are significant implications for Legal and Property Services Teams as well. This implication should be considered by the Cabinet Committee if they wish to devolve assets prior to vesting day.
- 3.12. Three lists of assets owned by EDDC have been compiled and are shown at Appendices 2, 3 & 4 to this report.

- 3.18. EDDC may wish to consider whether or not it would only transfer assets to an accredited Quality Council which would exclude some of the Towns and Parishes (see paragraph 2.3 above).
- 3.19. It is proposed that Town and Parish Councils to which the asset is transferred must be able to demonstrate that they are:
- Properly constituted with strong and open governance arrangements
 - In a position to hold property
 - Able to manage the asset efficiently, including finances, health and safety and other operational issues
 - Non-profit making and exist for community / social / environmental / economic benefit, whilst recognising that they may have a business element to how they operate, such as a community café. However, this type of business and financial gain will not be the main driver and will not distribute any financial surplus to owners or members but be applied to serving core community aims and objectives
 - Open to and demonstrate an inclusive approach to members of the wider community.
 - Cognisant of the social, economic or environmental benefits to the community. This could include creating local jobs, improving local skills, increasing local volunteering opportunities, or improving environmental conditions
 - Able to meet the needs of the current and future users of the asset
- 3.20. It is advised that, if it is decided to proceed with Community Asset Transfer, EDDC should have a clear strategy for devolution of assets and should not approach it on an ad hoc basis. The P&TCs should be required to make an expression of interest and then produce a business plan to show that they can run the facility which should include:
- A clear and compelling case for transfer
 - Demonstration that they can make a difference or add value by managing the facility locally.
 - Demonstration of good governance and financial stability
 - Any requirement for support from the LA prior to devolution
 - An agreed pace and timetable for transfer
 - Proposed standards and method of delivery which meet local needs.
 - Demonstration of value for money compared with the existing
 - Realistic funding profiles.
 - Demonstration that the parish has (or plans to have) adequate staff capacity, knowledge and skills to manage the facility.
 - Willingness to take on liability for the facility e.g. staff and insurance as applicable.
- 3.21. Transfer of assets should not be a burden on the T&PC and should be the basis of a mutual agreement. Prior to developing the process locally it would
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Consultation and Engagement

- 4.9. Consultation will take place with potential town and parish council partners as part of the agreed process for exploring asset transfer opportunities.

5. CONCLUSION

- 5.1. It is proposed that the methodology outlined in this report is established for the transfer of assets to community groups prior to 1 April 2019 and that certain assets are prioritised as shown in Appendix 3 and 4.

Appendices:

Appendix 1: List of Parishes in East Dorset Council Area

Appendix 2: List of those assets which it is recommended are not transferred to the Towns and Parishes.

Appendix 3: List of assets which it is suggested might be considered for Asset Transfer:

Appendix 4: List of assets which are classed as open space in descending order according to size.

Appendix 5: Risk Register

Background Papers: None
