

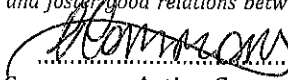


SHAFTESBURY TOWN COUNCIL

SUMMONS

To: Cllr Hicks (Chairman), Cllr Tippins (Vice-Chairman), Cllr Clinch, Cllr Cook, Cllr Harvey and Cllr Pritchard.

You are hereby summoned to a meeting of the Recreation, Open Spaces and Environment Committee to be held on Tuesday 25th February 2014 at 7:00pm in the Mayor's Parlour. *Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: the three aims of the general duty of the Public Sector Equality Duty (eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, advance equality of opportunity between people from different groups and foster good relations between people from different groups), Crime and Disorder, Health and Safety and Human Rights.*


Claire Commons – Acting Committee Services Officer
18th February 2014

Members of the public are welcome to attend meetings of the Council and Committees, unless specifically excluded due to the confidential nature of the business. Enquiries to Claire Commons on 01747 852420 or email clairecommons@shaftesburytowncouncil.co.uk

AGENDA

PROCEDURAL ITEMS

01. Apologies for Absence

- a) To receive apologies from those unable to attend
- b) To consider for acceptance apologies from those unable to attend

02. Declarations of Interests and Dispensations to participate

- a) To receive declarations of interest in respect of matters contained in this agenda, in accordance with the provisions of the Local Government Act 1972 in respect of officers and the Localism Act 2011 in respect of members.
- b) To receive any dispensation requests received by the Clerk and not previously considered.

03. Open Forum

Members of the public are invited to address the Committee on matters relating to this agenda. Time will be limited to three minutes per person and should relate only to matters on this agenda.

04. Updates

- a) To report any significant information on matters not included on this agenda or delegated to the Council, a Committee or a working group, such information to be received but not debated
 - i) Committee Clerk
 - ii) Councillors
- b) To agree any attendances required at meetings additional to those scheduled in the Council's calendar

05. Correspondence

To receive and note any correspondence relating to the business of the Recreation, Open Spaces and Environment Committee, including but not restricted to:

- a) Request to use chalk to highlight dog fouling in the town.
- b) Request for the funfair in April and June.

BUSINESS ITEMS

06. Tree Applications

- a) Members are asked to provide their observations on the following tree work application for onward submission to North Dorset District Council (*papers attached*):

2552/CA/BH/13	6 Kingsman Lane
2557/CA/BH/13	1 French Mill Lane
2567/CA/BH/13	1 Sally Kings Lane
2568/CA/BH/13	1 Great Lane
2575/CA/BH/13	3 Love Lane

- b) Members are asked to note the Tree Preservation Order as per the attached report:
TPO/517-2014 Land to the rear of 46 Salisbury Street

07. Alcohol Free Zones

- a) To consider a request from the Central Ward for alcohol free zones.

08. Hall Hire

- a) To consider request from Hope for hire of the hall at a reduced rate for a monthly tea dance.

Shaftesbury Town Council

LOCALISM ACT 2011

DISPENSATIONS FROM SECTION 31(4)

APPLICATION FOR A DISPENSATION TO PARTICIPATE IN A MEETING

Under Section 33 of the Localism Act 2011 councillors and co-opted members of a council may, in limited circumstances, apply for a dispensation to speak and vote on a matter to be considered by the Council or one of its Committees despite having a disclosable pecuniary interest in it. Such a dispensation may only be granted if it fulfils one of the grounds set out overleaf.

Any member who wishes to apply for such a dispensation from the Clerk is requested to complete this form and to return it to the Clerk no later than two clear working days before the meeting in which the member wishes to participate.

Councillor*(insert name)*

I apply for a dispensation to allow me to participate in –

Title of meeting:

Date of meeting:

Subject matter:

I have the following disclosable pecuniary interest:

I request the dispensation for the following reasons:

I would like to speak only / speak and vote on the matter under consideration *(delete as appropriate)*

I would like the dispensation to apply to this meeting only/until *(insert date which may not be more than four years in the future or the date of the next elections whichever is the sooner)*

Date

Signed

LOCALISM ACT 2011

DISPENSATIONS TO PARTICIPATE IN A MEETING

A request for a dispensation must be submitted promptly if a member with a disclosable pecuniary interest is to have the request considered in sufficient time to enable participation in a meeting of the Council or a Committee. In practice this means that any request must be submitted to the Proper Officer before the meeting not at it so that the Clerk has sufficient time to consider the request.

A request for a dispensation is needed only when a member is aware that he or she has a disclosable pecuniary interest in business to be transacted at full Council, or at a Committee meeting.

A dispensation may be granted under the Act only if, after having had regard to all relevant circumstances, the authority –

- (a) considers that without the dispensation the number of persons prohibited by section 31(4) of the Act from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,
- (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
- (c) considers that granting the dispensation is in the interests of persons living in the authority's area,
- (d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements considers that without the dispensation each member of the Authority's executive would be prohibited by s.31(4) from participating in any potential business to be transacted by the authority's executive, or
- (e) considers that it is otherwise appropriate to grant a dispensation.

If there are a number of members seeking a dispensation in respect of the same matter, each member should complete and sign their own form.

Agenda item 5a

Hello,

I walk my son to the Abbey School with a group of local mums and dads.

We walk through Castle Hill reserve up the steps to Castle hill, across to Park Walk and down Stoney Path to St James.

The amount of dog fouling we encounter each day is staggering. Our children cannot play on the grass, kick through leaves, and in places have to keep to the middle of the path and steps to avoid it, but still frequently step in it. It is disgusting. We all feel that we must do something to persuade people to clean up after their dogs.

I have heard of campaigns where chalk spray paint is used to highlight the mess. The paint lasts about a week and harmlessly disappears. It is intended to shame the guilty dog owners and highlight the problem. Of course it would also help our children to avoid it!

Castle hill seems to be a popular dog walking spot and some people drive there especially for that purpose. Of course the guilty few must be leaving the dog mess only when others aren't there to see.

Would the council support us to use this paint on our journey to school?

Do you perhaps have some stocked? and could the idea be rolled out to other areas with the same problem?

Many thanks for your time,

Kate O'Farrell

kateofarrell@letterboxes.org

18 The Knapp
Enmore Green
Shaftesbury
SP7 8LT

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<http://www.fastmail.fm> - Send your email first class

From: Barbara Carter
Sent: 28 January 2014 11:12
To: kateofarrell@letterboxes.org
Cc: Tracy Moxham; Claire Commons
Subject: Discouraging Dog Fouling

Dear Ms O'Farrell

Your email sent to the Town Council on 24 January has been forwarded to me to respond in respect of the problem of dog fouling at Castle Hill.

I fully understand your concern and disgust at the amount of dog fouling you encounter on your walk through Castle Hill. We have on order some more signs and will ensure they are put up along the pathway and steps at Castle Hill (not just on the dog bins and at the play areas).

I will also include a request to dog owners in the next issue of the Town Crier, highlighting the problems not clearing up causes to other users of the areas they walk and exercise their dogs.

The Council does not have any supplies of the chalk spray you mention, I'm afraid, but I will arrange for your request for the Council to support you to use this paint, to the next Recreation, Open Spaces & Environment Committee meeting on 25th February 2014.

Barbara

Barbara Carter

Shaftesbury Town Council

01747 852420

barbaracarter@shaftesburytowncouncil.co.uk

Tracy Moxham

From: Robert Cole [bobtoniacole@aol.com]
Sent: 05 February 2014 13:16
To: Tracy Moxham
Subject: Funfair visit in June

Hi
My name is Tonia cole from b cole & sons funfair I would like to book a weeks summer visit in your town at our Usual location if that would be ok with you We would like to arrive Monday 2nd June 2014 & depart mon 9th June 2014 Weather permitting !
Please could you let me know if that
Would be ok

With Kind Regards

Tonia cole

Tracy Moxham

From: Tracy Moxham
Sent: 12 February 2014 10:33
To: 'Peter Cole'
Subject: Booking Barton Hill

Good Morning Peter

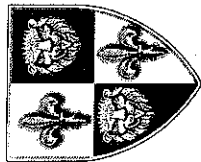
Further to our telephone conversation I am writing to confirm your requests for the use of Barton Hill from 22nd April – 27th April inclusive.

This request will be taken to the ROSE committee on Tuesday 25th February.

Kind regards

Tracy

Tracy Moxham
Finance and Admin Officer for and on behalf
of Shaftesbury Town Council



SHAFTESBURY TOWN COUNCIL

Meeting of the Recreation, Open Spaces and Environment Committee of the 25/02/2014

Agenda item 6a Members are asked to note the following delegated observations on the following tree work applications

2552/CA/BH/13	6 Kingsman Lane	Shaftesbury	Deadline for comments: 06/02/2014
<u>Tree Group comments</u>		<u>Committee comments</u>	<u>Tree Officer response where applicable</u>
This mature birch stands alone in the hedge, clearly visible from the road and it is not obstructing or overshadowing anything. It is a fine shape as it is, and we see no necessity to touch it.		Delegated observation: in accordance with the tree group's comments.	
T1	Birch	Overall crown reduction by 2.5m	
2557CA/BH/13	1 French Mill Lane	Shaftesbury	Deadline for comments: 05/02/2014
<u>Tree Group comments</u>		<u>Committee comments</u>	<u>Tree Officer response where applicable</u>
Apart from the firs, these trees are not visible from the road. We do not have any objections.		Delegated observation: in accordance with the tree group's comments.	
T1	Maple	Remove regrowth	
T2	Liquidamber	Reduce by 6ft	
T3	Yew	Reduce by 5ft	
T4	Firs	Reduce to hedge level	

Agenda item 6a

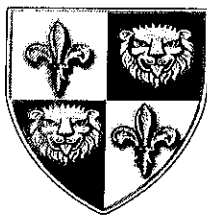
Members are asked to note the following delegated observations on the following tree work applications

2567/CA/BH/13	1 Sally Kings Lane Shaftesbury	<u>Tree Group comments</u> This is a magnificent, mature and unusual tree in an important position as you come down Church Hill. Its beautiful shape adds an important dimension to this place. It is a landmark tree that is clearly visible from two roads and the pub. The measures proposed are drastic and would destroy it's delicate shape and presence. We strongly recommend that a TPO is put on it as soon as possible. We shall propose to the Shaftesbury Tree Group that it is added to the list of Significant Trees.	<u>Committee comments</u> Delegated observation: in accordance with the tree group's comments.	Deadline for comments: 14/02/2014
T1	Birch	Carry out a 30% reduction and 30% crown thin to reduce tree back from neighbouring property	<u>Tree Officer response where applicable</u>	
2568/CA/BH/13	1 Great Lane Shaftesbury	<u>Tree Group comments</u> This is a sad remnant conifer hedge that needs replacing - hopefully with one of native species. The wind blown conifer obviously needs removing.	<u>Committee comments</u> Delegated observation: in accordance with the tree group's comments.	Deadline for comments: 14/02/2014
G1	Conifer Hedge	Remove	<u>Tree Officer response where applicable</u>	
T1	Conifer	Fell		
2575/CA/BH/13	3 Love Lane Shaftesbury	<u>Tree Group comments</u> We were unable to see the trees behind the house, but T2 has grown quite big for a small front garden and we appreciate that these trees do need careful management.	<u>Committee comments</u> Delegated observation: in accordance with the tree group's comments.	Deadline for comments: 19/02/2014
T1	Yew	Crown raise branches over neighbours drive to 4m	<u>Tree Officer response where applicable</u>	
T2	Conifer	Crown reduce by 33%		
T3	Macrocarpa	Crown reduce by 40%		
T4	Row of Purple Prunus	Crown raise by 2-3m		
T5	Conifer	Crown raise branches over garage to leave a 1m clearance of the roof		

Agenda item 6b

Members are asked to note the following Tree Preservation Orders or Dead and Dying notifications

248/DD/SLS14	Edwardstowe	52 Bimport				Deadline for comments:
	<u>Tree Group comments</u>		<u>Committee comments</u>	<u>Tree Officer response where applicable</u>		
T1	Sweet Chestnut	Fell				
TPO/517-2014	Land to the rear of 46 Salisb Shaftesbury					Deadline for comments: 28/02/2014
	<u>Tree Group comments</u>		<u>Committee comments</u>	<u>Tree Officer response where applicable</u>		
T1	Ginkgo biloba	As map				



SHAFTESBURY TOWN COUNCIL
RECREATION, OPEN SPACES AND ENVIRONMENT COMMITTEE
TUESDAY 25th FEBRUARY 2014
AGENDA ITEM 07 Designated Public Place Orders

Report author:	Claire Commons, Acting Committee Services Officer
Purpose of report:	To inform members of Designated Public Place Orders
Financial Implications:	none at this point.
Statutory Authority:	none at this point

Shaftesbury Town Council has received correspondence regarding litter and vandalism at Barton Hill. This area continues to be a target for this behaviour and the Council has received a request to investigate an alcohol ban in an attempt to limit these problems.

Alcohol bans per se do not exist however, it is possible where required to apply for a Designated Public Place Order (DPPO). A DPPO does not ban the consumption of alcohol within the designated area but an offence would be committed if the individual refused to comply with a request from the police to stop drinking.

This subject was considered by the members in March 2010 and a further paper was prepared in April 2011 which is attached for your information.

Members are asked to consider the information provided and identify if there is a requirement to investigate the provision of a DPPO further.

Designated Public Place Orders (DPPO)

DPPOs were introduced in 2001 under section 13 of the Criminal Justice and Police Act 2001 and updated in April 2007 following commencement of section 26 of the Violent Crime Reduction Act 2006. DPPO powers enable local authorities to designate places where restrictions on public drinking apply. **However, they can only be used in areas that have experienced alcohol-related disorder or nuisance.**

These powers do not make it an offence to consume alcohol within a designated area. An offence is committed if the individual refuses to comply with a constable's request to refrain from drinking. The police have the power to require a person in the DPPO area not to drink alcohol in that area where an officer reasonably believes the person has, or intends to do so. In addition, they may ask the person to surrender the alcohol and any unopened or sealed containers in their possession. However, this power is discretionary.

Consultation

Before making an order, the regulation requires local authorities to consult with the police and each premise licence holders in relation to each premise in the place that may be affected by the designation. Reasonable steps should also be taken to consult the owner or occupiers of the land proposed to be designated.

Publicity

Before making an order, a notice should be published in the local newspaper, identifying specifically the area in question. This should be made at least 28 days before the order is made. Once an order has been made and before it takes effect another notice needs to be placed in the same local newspaper.

Signs

Reasonable signage is required around the designated area to ensure that the public (including visitors to the area) are made aware that restrictions on public drinking may apply.

Extending a DPPO area

In order to extend a DPPO area a new order has to be produced

Temporary Event Notice (TEN)

The powers would be temporarily suspended in or within the grounds of the premise which is covered by a TEN when alcohol is being sold or supplied there and for 30 minutes after.

Future legislation

Consultation is currently ongoing under the new Government and although the future of DPPOs is not confirmed, at present it seems highly likely that they will not be in force after 2013 when the new legislation is due to begin. The new proposal aims to bring existing police dispersal powers for ASB into a single police power.

Other options

Direction to leave under section 27 of the Violent Crime Reduction Act 2006 could also be used where an individual or group is required to leave the area for up to 48 hrs. This power can be used for anybody over the age of 10 years. Other powers include a penalty notice for disorder (PND) for being drunk and disorderly; acceptable behaviour contracts (ABCs); Anti-Social behaviour Orders (ASBROs); dispersal orders and Confiscation of Alcohol (young Person) Act 1997.

Cost

The cost to Christchurch Borough Council for implementing a DPPO was over £3000 including publications in the local newspaper; signs; a letter drop to all households within the designated area plus officer time.



SHAFTESBURY TOWN COUNCIL
RECREATION OPEN SPACES AND ENVIRONMENT COMMITTEE
TUESDAY 25th FEBRUARY 2014
AGENDA ITEM 08 Hall Hire

Report author:	Claire Commons, Acting Committee Services Officer
Purpose of report:	To consider request for concession on hall hire charges
Financial Implications:	As detailed within the report
Statutory Authority:	Local Government Act 1972 s151

Shaftesbury Town Council has received a request from HOPE for a concession to the hall hire rate to enable them to hold monthly tea dances in support of their charitable work.

Members should note that the current hire charge for a 4 hour period is £110 and the charity discount is 50%

Members are asked to consider whether to grant a further concession to HOPE and if any caveats should be placed on the hire agreement.