



SHAFTESBURY TOWN COUNCIL

**RECREATION, OPEN SPACES AND ENVIRONMENT
(ROSE) COMMITTEE MEETING**

Minutes of the Recreation, Open Spaces and Environment Committee meeting held in the Mayor's Parlour, Town Hall, High Street, Shaftesbury Dorset SP7 8LY on Tuesday 10th June 2014 commencing at 7:00pm.

MEMBERS PRESENT: Councillors M Madgwick (Chair), K Tippins (Vice Chair), S Clinch, W Harvey, and R Tippins.

OFFICER PRESENT: Locum Town Clerk

ALSO PRESENT: 5 members of the public.

PART 1 (PUBLIC ITEMS)

R01 ELECTION OF CHAIRMAN AND VICE CHAIRMAN

Cllr R Tippins proposed and Cllr K Tippins seconded Cllr Madgwick to be elected Chairman of the Recreation, Open Spaces and Environment Committee for the municipal year 2014/2015.

There being no other nominations Cllr Madgwick was duly elected Chairman of the Recreation, Open Spaces and Environment Committee for the municipal year 2014/2015

Cllr R Tippins proposed and Cllr Madgwick seconded Cllr K Tippins to be elected Vice-Chairman of the Recreation, Open Spaces and Environment Committee for the municipal year 2014/2015

Cllr S Clinch proposed and Cllr Madgwick seconded Cllr Clinch to be elected Vice-Chairman of the Recreation, Open Spaces and Environment Committee for the municipal year 2014/2015

Cllr Harvey proposed and Cllr Clinch seconded Cllr Hicks to be elected Vice-Chairman of the Recreation, Open Spaces and Environment Committee for the municipal year 2014/2015

A vote was taken and Cllr K Tippins was duly elected Vice-Chairman.

R02 APOLOGIES

Apologies were received and accepted from Cllr Hicks (Holiday)

R03 DECLARATION OF INTERESTS

No declarations of interest were made.

R04 RECEIPT OF DISPENSATION REQUESTS

No dispensation requests had been received for consideration.

It was explained following a question from the public, that in certain circumstances Councillors may be granted a dispensation which enables them to take part in Council business where this would otherwise be prohibited because they have a Disclosable Pecuniary Interest. Provided Councillors act within the terms of their dispensation there is deemed to be no breach of the Code of Conduct or the law.

Section 31(4) of the Localism Act states that dispensations may allow the Councillor:

- (a) to participate, or participate further, in any discussion of the matter at the meeting(s); and/or
- (b) to participate in any vote, or further vote, taken on the matter at the meeting(s). If a dispensation is granted, the Councillor may remain in the room where the meeting considering the business is being held.

It should be noted that if a town councillor participates in a meeting where he/she has a Disclosable Pecuniary Interest and he/she does not have a dispensation, they may be committing a criminal offence under s34 Localism Act 2011.

The Chairman (Cllr Madgwick) has asked that the Clerk attach as an appendix (marked - **Subsequent Clarification**) to these minutes a fuller explanation such that this is available for all to access the implications and responsibilities under this item.

R05 TERMS OF REFERENCE

Committee discussed its Terms of Reference to be recommended to Full Council for adoption.

A number of proposals were put forward by both Councillors and Members of the Public to amend the proposed Terms of Reference.

Following consideration it was unanimously **RECOMMENDED** that the ROSE Committee Terms of Reference be adopted subject to the following amendments:

- To add “and is mindful of and will discharge its role with due consideration to operate within its budget and be financial accountable” to the Mission Statement;
- Add as under item 3 of the Meetings section;
- Add “and to be accountable for any overspends” under remit;
- Add “To ensure Council makes best use of its resources and assets at its disposal in delivering services for and on behalf of the town” under Remit;
- Add “in consultation with the Shaftesbury Tree Group and Shaftesbury Open Spaces Group under Terms of reference item 11;
- Add item 16: To co-opt onto the committee as and when necessary those representatives of significant organisations relevant to the work of the committee (e.g. Shaftesbury Tree Group and Shaftesbury Open Spaces Group) who the committee considers will help it with its decision-making by virtue of their knowledge and experience. Such representatives shall be nominated by the organisations themselves but the committee shall reserve the right to refuse a nomination on the condition that its reasons for refusal are publicly stated;

- The Chairman has asked that the revised ToRs be attached to these minutes so that all relevant papers are held in one place as a record of the meeting's conclusion.

R06 OPEN FORUM

The following matters were raised:

(a) St John's Churchyard

During a recent clear up of the area evidence of a bench was discovered. It was suggested that the area would make a very attractive park area and lack of maintenance may encourage antisocial behaviour. The Yew Tree was of major importance.

It was recommended that the following matters be discussed at the next ROSE Committee:

- The future usage of St John's Churchyard;
- A potential management plan for the Yew Tree;
- A potential management plan for the area in general;
- Ownership.

(b) Improvements to Reports

A request was made to improve the quality and layout of reports attached to the agenda. It was requested that future reports should have the following elements:

- Clear report title;
- Author(s) name(s) and position(s) in full;
- Subject and purpose of the report and its relevance to the committee;
- Date of the report;
- Concluding with financial implications, if any, and recommendations to committee if any.

(c) Shaftesbury Festival

Committee noted that the Food Festival was now the Shaftesbury Festival.

(d) Funfair, Barton Hill

Clarification was sought regarding the funfair recently held at Barton Hill which clashed with the Shaftesbury Festival. In particular clarification as sought regard the following matters:

- Did the Council/Committee know the date being requested?
- Did Council know the date clashed with the Shaftesbury Festival?
- Was written permission provided?
- Was there a written agreement to reinstate the area following the Fair?
- Has Council drawn up a reinstatement specification?
- Request Council not to allow this site to be used as a Funfair site in the future.

It was agreed to discuss alternative sites at the next ROSE Committee meeting. As part of that discussion research would be undertaken to establish whether there was an ancient right to hold a Funfair in Shaftesbury.

It was agreed to respond with the information requested.



(e) **Twining Visit**

It was confirmed that the Twining visit had taken place over the previous weekend from 6th to 8th June 2014. 29 May - 2 Jun.

R07 EXEMPT ITEMS

Members noted that there were no exempt items to be considered.

R08 CLERK'S REPORT

The Clerk had nothing to report.

R09 GROUNDS TEAM REPORT

Committee received the Grounds Team report.

Committee **AGREED** to delegate authority to the Chair and Vice-Chair to action the following matters:

- Future reports would follow a revised template as previously discussed;
- It was agreed to clarify which Committee had responsibility for the bus shelters in the town;
- A report on the grounds team maintenance schedule of works would be developed and discussed with the Team which would include daily, weekly and monthly tasks as well as future planning;
- Repairs needed to be carried out to some of the benches in Park Walk;
- A policy for redundant memorials on the Cemetery needed to be drawn up;
- The Chair and Vice-Chair to work with the office staff and grounds team to develop a new reporting schedule.

R10 COMMITTEE MATTERS

- (a) **Trees, St John's Churchyard** – The Committee received a report on trees in St John's Churchyard. The Town Council had commissioned a tree report in 2011 which identified the beech tree in the churchyard as being at risk.

Following consideration it was **RECOMMENDED**:

- To submit a planning application to remove the beech tree and remove the laurel;
- To obtain costings to remove the beech tree and remove the laurel;
- To consult with English Heritage, the Council's Tree Surgeon and the Shaftesbury Tree Group regarding this work;
- To commence the works as soon as is practicable once quotations have been obtained, planning permission received and Council has reached agreement to carry out the works;
- To develop a management plan for the churchyard for consultation and on agreement adoption via Full Council.

- (b) **Car Boot Sales, Pak Walk** – The Committee had received a request from Shaftesbury Chamber of Commerce for use of Park Walk for car boot sales. Following discussion it was **RECOMMENDED** that permission be granted to hold a series events on the following dates, subject to the Council's conditions of hire:

- 22nd June 2014;
- 13th and 27th July 2014;
- 10th and 24th August 2014;

- 7th September 2014

- The Committee wished it to be recorded, that they appreciated the work of the Chamber of Commerce in these ventures that help fund Christmas lights and trees in the High Street.

R11 SHAFTESBURY OPEN SPACES GROUP

The following verbal report was received from the Shaftesbury Open Spaces Group:

- The issues relating to the trees in Park Walk continued. The MP had been written to and clarification regarding the instructions received from English Heritage was awaited;
- An application had been submitted to thin the trees in Abbey Park and Gold Hill Walk had been submitted. A response was still awaited from North Dorset District Council;
- Ownership had still not been verified regarding the land at Coppice Street corner so the proposed improvements had been delayed;
- A request was submitted to the Town Council to consider joining the Fields in Trust organisation and obtain a booklet entitled "Planning & Design for Outdoor Sport & Play", which costs £75;
- The limes in the Cemetery were overhanging the path by Trinity Churchyard. This needed to be addressed by light thinning;
- It was suggested that maintenance of Trinity Churchyard should be carried out by one contractor in future;
- Concern had been raised regarding potential damage that may be caused by tree roots once the Castle Hill path was installed.

Committee agreed to draw up a list of outstanding unregistered land with options to enable them to be registered.

R12 REPORT FROM CLLR K TIPPINS

Committee **RECEIVED** an information report from Cllr K Tippins on matters relating to the Eastern Development which was discussed and **NOTED**.

The following was agreed:

- The actions identified within the recent ROSPA report had now been actioned;
- Cllr K Tippins presented the 'Toddler' play area for Green Acres/East Green were presented to the Committee. The proposal has now gone through 3 iterations due to feedback from residents and also M Coker, NDDC.
- The committee were also shown all of the signatures achieved from residents living around Green Acre showing approval. However, Cllr K Tippins stated that one or two residents express concern regarding teenagers.
- The committee endorsed the design shown.
- The next step is to obtain 3 quotes to be brought back to ROSE committee.
- The accepted proposal is to be funded from S106 payments and the ongoing maintenance costs will also come from the s106 money once the land is transferred;
- Cllr K Tippins stated that the next project for the Maltings is the area currently allocated for the Bypass. The land is owned by Persimmons and permission needs to be sought to be able to utilise this land for recreational activities. This is 200m long and the proposal is looking into splitting this into 3 sections, which are 1)

Wth

BMX track 2) Football Pitch 3) Allotments. If Persimmons give the go ahead for this Cllr K Tippins needs to check if there are any liabilities to be considered. ;

- The committee were also brought up to speed regarding the Swing at Meles Mead being 16m away from the closest residents house, rather than 30m. Also, discussion was held regarding the three memorial stones, which required work based on the RoSPA inspection report. Cllr K Tippins confirmed that the residents like the memorial stones and that they were not to be removed from Meles Mead. Cllr K Tippins also stated that she has requested that NDDC inform her of any changes to be done to the stones so that this is checked with the residents.
- The area would be covered by NDDC's public liability insurance (this needs to be reconfirmed that NDDC appreciate that the facility is in that organisation's ownership and hence any liabilities for play areas would fall to them).

The update was formally endorsed by the Committee and thanks were extended to Cllr K Tippins for all her work.

R13 TREE WORKS

Committee considered the following tree works application:

Site: Broad Dene, Hawkesdene Lane, SP7 8EX
Proposal: Damaged conifer, reduce 2 beech trees nearest house by 3m, reduce and overextended branches over Broad Dene and neighbouring gardens by 1.5m to 2m – secondary and tertiary laterals.
Comment: No objection subject to the views of the Shaftesbury Tree Group

R14 EXEMPT ITEMS

There were no exempt items to be considered.

R15 PUBLIC RECESS

The meeting was then opened to the public for further comment and consultation. The following matters were considered:

- A request was made to send tree applications to the Tree Group when received by the Council;
- Any schemes relating to the bypass corridor must be clear as there was a small chance that a bypass might be built at some point in the future;
- It was reiterated that the proposed Mampitts development was high on the Council's priority list;
- Consideration would be given to enabling volunteers to help maintain the public gardens either under Shaftesbury in Bloom or other relevant community groups.

There being no other business the Chairman thanked Members and the public for attendance and closed the meeting at 9.31pm


MAYOR:

24 Jun 14 .
DATE: