

Purbeck Local Plan (2018-2034)

The Purbeck local plan (not the Dorset Local Plan) was submitted for independent examination in January 2019. Examination hearing sessions were held in public between July and October 2019, during which modifications were made to the plan to address matters and issues raised. A consultation on Main Modifications was held between November 2020 and January 2021. The Government Inspector has raised some queries which we personally consider to be minor in comparison to the complete plan, but we have been strongly advised that we will need to address the points she has raised otherwise she has indicated she will view the plan as unsound and all the work that has gone into this would be wasted. In addition, if we were to start the plan all over again it would be nigh on impossible to reduce the numbers, but we would be under pressure to increase them.

As a result, specific changes may be needed to be made to the conditions for a site in Morden Park for holiday homes and the associated requirement for a suitable alternative natural green space (SANG) for this area. We will be required to consult on this site alone which will happen sometime later this year or early next year. The scope of the consultation will be strictly limited. As previously, the consultation will last six weeks and interested parties will be invited to comment. The responses to the consultation will then be sent to the Planning Inspector who will decide how to proceed. Subject to a consideration of the issues, we hope that the Inspector will be able to prepare a final report into the examination of the local plan early next year. As soon as we know more about the consultation, we will write an article (hopefully for the next magazine) which will advise you on who is to be consulted and our suggested responses to help get the plan “over the line”, obviously what you say is entirely up to you.

Some of you may think it odd that a small site (much less than 100 dwellings) has the potential to derail the whole plan. We agree.

I emphasise that the above is the personal view of your elected representatives.

Bere Regis Poole Roundabout & Rye Hill closure 1st to 5th November

Letters have been sent to local residents informing them of the closure of this road to enable Highways to carry out maintenance work. Highways plan to close Poole Hill Roundabout, Bere Regis, between 1st and 5th November 2021. From Monday 1st November 2021 at 20:00 to Wednesday 3rd November 2021 at 06:00. The road will also be closed at night between the hours of 20.00 and 06.00 but it will be open daily. Then from Wednesday 3rd November 2021 at 06:00 to Friday 5th November 2021 at 06:00 the closure will be in place 24 hours per day.

During the closure periods there will be no on street parking available. Parking restrictions will be imposed to prevent waiting or parking on the roads stated above. Any vehicle waiting in contravention of any restriction imposed by this Notice may be removed under the provisions of the Removal and Disposal of Vehicles Regulations 1986. If a vehicle has been towed the owner will need to contact our towing contractors Bride Valley on 01305 889421.

National regulations require that Highways must divert traffic onto the same classification of road as the one they have closed. This is why the diversion may appear unnecessarily long. If you have any questions, please give Peter a ring. People requiring local access may have to wait and they will then be guided through.

If any emergencies occur, please phone 01305 221020

Community and Culture Fund

£65,000 will be up for grabs when a further round of the Community and Culture Project Fund will open on 1 November 2021. The fund offers grants of between £1,000 – £5,000 for arts, museums, heritage, community, physical and play activities to help make a difference to people living in Dorset's communities. To Find information about the Community and Culture Project Fund applicants can email communities@dorsetcouncil.gov.uk if they wish to discuss eligibility.

Children's Services

A detailed inspection of Dorset Children Services has just been completed by OFSTED. I hope to be able to report on the findings in the next report.

Return to work

When the full Council meets, we have up to 82 members along with Officers and the public all in attendance at major meetings. As a result of Covid considerations, we have delayed holding Full council meeting in person. We have now decided to return to physical meetings from mid-November except for Full Council's meetings which will resume in person in December.

Household Recycling Centres (HRCs) hours of operation

From 1 October to 30 March, HRCs would usually be open from 10am to 4pm. From Friday 1 October, all HRCs will now open an hour earlier at 9am. From next year, 1 April to 30 September, HRCs will still open at 9am but close at 5pm. The revised times will bring Dorset Council's HRCs in line with those in the Bournemouth, Christchurch and Poole Council area and better reflect the demand for these services.

Statutory Nuisance

I have been asked to clarify what is a statutory nuisance (often loud noise) how it is determined and why there are not clear guidelines in terms of sound decibels to judge it by. The article below clarifies explains it.

The determination of a statutory nuisance is informed by and developed from approaching 200 years of English case-law, which continues to evolve as further decisions are made in courts of various jurisdiction across the country. As a consequence, one long-established principle of nuisance cases is that local authorities & the courts remain free (and in some senses are required) to determine each case according to local circumstances, which will inevitably be different in each case. As a learned Judge put it "What might be a nuisance in Berkeley Square would not necessarily be one in Bermondsey" – and that principal remains to this day. Parliament has explicitly avoided regulatory prescriptiveness when producing legislation for this.

Statutory Nuisance is a subjective assessment undertaken by an authorised (qualified and competent) officer that considers frequency, duration and severity on the material effect of the nuisance in someone's home. It needs to consider the time that the nuisance is occurring and the day of the week, the nature and location of the nuisance, for example does it prevent sleep? It has no decibel level since this does not consider tonal qualities of sound, varying background levels, or the emotional impact of times and types of sound. Statutory nuisance does not consider a person's sensitivities as the officer must be seen, in their deliberations, to consider the matter from a 'normal' person's perspective and the 'normal' use and enjoyment of their home. Seemingly similar circumstances, to the untrained eye, are frequently very

different when examined under the microscope of a nuisance investigation undertaken by an experienced practitioner. Officers must therefore be free to make such decisions having regard to the individual circumstances involved in every case, and not be constrained by arbitrary 'benchmarks' which might well serve to produce an inappropriate decision which might later be overturned.

That is not to say that such matters are not subject to peer review to achieve a good degree of consistency across decisions, and officers will routinely confer with colleagues, their line managers and seek external and legal advice to ensure that decisions are, as far as possible, in accordance with established principles.

Surgery

We are not (yet) holding face to face meetings for the moment. However, we would be more than delighted to talk to you on the telephone or via Zoom. Please ring or email us with some details so that we can prepare ourselves. Peter's email address is peterwharf@hotmail.com telephone 07986 600799 and Laura's is cllr.laura.miller@dorsetcouncil.gov.uk telephone 07814 569563.

Peter Wharf & Laura Miller, Dorset Councillors for West Purbeck