

Minutes of the Meeting of the **FINANCE AND PERFORMANCE MANAGEMENT COMMITTEE** held at the Town Hall, Swanage on **MONDAY, 6<sup>th</sup> APRIL 2009** at 9.30 a.m.

PRESENT:- Councillor M.W. Pratt (Town Mayor) – Chairman.

Councillor L. Gloyn-Cox  
Councillor S. Poultney (until 11 a.m.)  
Councillor Mrs. A. Patrick

**Public Participation Time**

There were three members of the public present at the meeting.

1. **APOLOGIES**

Apologies for their inability to attend the Meeting were received from Councillors Suttle (who will arrive later in the Meeting) and Trite.

Having regard to the public interest in the following matter (two representatives of the Swanage Tennis Club were present in the audience), the Town Mayor invoked Standing Order No. 69 and adjourned the Meeting so as to allow members of the public to address the meeting.

2. **FORMAT OF TOWN COUNCIL'S MANAGEMENT ACCOUNTS**

It was RESOLVED:-

That, in the absence of Councillor Suttle, this matter be deferred for the time being .

3. **SERVICE REVIEW**

(a) **Beach Gardens**

The Clerk updated Members on matters relating to the service review at Beach Gardens and discussions held with representatives of the Swanage Tennis Club and Swanage Bowls Club.

The outline proposal for the creation and granting of three separate leases was presented for consideration, as follows:-

- 1) Pavilion – Joint lease.
- 2) Bowls Rinks – Bowls Club.
- 3) Tennis Courts – Tennis Club.

The proposals did not include the putting green which would be retained initially, but were to be considered for immediate letting out on a concession basis.

A comprehensive Briefing Note had been circulated to all Members prior to the Meeting, and detailed consideration was given to the information contained therein.

A Conditions Survey and Report on the Pavilion had also been circulated for information.

During the ensuing discussion, the following matters were highlighted for consideration when preparing the lease documents:-

Pavilion

- a) Public access to the toilets should be through the Pavilion.
- b) Asbestos Report – notification be provided to any contractor, as applicable.
- c) Energy Certificate – not being required if the Pavilion all permanent or fixed heating units were removed.
- d) Electrical wiring. - Upgrade

**MRS. W. CLARK**, on behalf of the Swanage Tennis Club, referred to the proposed term of the leases i.e. 21 years or 50 years, and stated that the Tennis Club would prefer a 50 year lease agreement.

It was also considered that a clause be incorporated within the lease documents whereby in the event of non-sustainability of either Club, the facilities revert back to the administration of the Town Council – thus securing the retention of the sporting facilities for the benefit of the inhabitants of Swanage. No pre-emption rights should fall on the surviving Club.

The meeting reconvened at 10.07 a.m.

After further discussion and consideration of the revised budget for 2009/10, it was AGREED as follows:-

Proposed by Councillor Mrs. Patrick, seconded by Councillor Poultney, and RESOLVED UNANIMOUSLY:-

**TO RECOMMEND**

The disposal of the Pavilion, Bowling Green and Tennis Courts by the granting of three individual leases satisfied that the provisions of Section 127 (1) of the Local Government Act 1972 with regard to the General Disposal Consent (England) 2003 in terms of the promotion or improvement of social well-being and the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 (two million pounds) were met.

Proposed by Councillor Gloyn-Cox, seconded by Councillor Mrs. Patrick, and RESOLVED UNANIMOUSLY:-

**TO RECOMMEND**

To agree the term of the proposed leases i.e. 21 years or 50 years (the preferred option of the Swanage Tennis Club being 50 years).

Proposed by Councillor Mrs. Patrick, seconded by Councillor Poultney, and RESOLVED UNANIMOUSLY:-

**TO RECOMMEND**

The adoption of the contents of the Briefing Note as the basis for drafting heads of terms (to be agreed by the respective Clubs) and approved by the Council.

It was FURTHER RESOLVED:-

**TO RECOMMEND**

That the proposed revenue contribution of £10,000 be increased to £12,500 in year one, reducing by £2,500 per annum (this increased sum to be met from identifying additional budget

savings, if possible).

Proposed by the Town Mayor, seconded by Councillor Poultney, and  
RESOLVED UNANIMOUSLY:-

**TO RECOMMEND**

The letting out of the Putting Green as a concession  
(commencement date to be determined).

(b) **Boat Park**

Before consideration of this item, Councillor Mrs. Patrick declared a personal interest under the Model Code of Conduct by reason of being an acquaintance of an interested party, but as her interest was non-prejudicial, she remained in the meeting during the debate.

The Town Clerk updated those present on matters relating to the service review and expressions of interest and business plans submitted in respect of the Boat Park facility.

It was RESOLVED:-

That delegated authority be given to a working party,  
comprising of the Town Mayor, Deputy Mayor and  
Councillor Gloyn-Cox to progress the matter.

4. **FORMER COASTGUARD BUILDING**

The Clerk reported that, in accordance with the Council's instructions, the Council's appointed surveyor had advertised the availability of the former coastguard building.

To date, offers had been received in excess of the guide price, and the matter would be formally reported to the Council at its meeting on the 27<sup>th</sup> April 2009.

5. **ITEMS OF INFORMATION AND MATTERS FOR FORTHCOMING AGENDAS**

(a) **Precept – Proposed Public Meeting**

Further to Minute No. 3 of the Council Meeting held on 23<sup>rd</sup> January 2009, clarification was sought regarding the publication of "Swanage Matters" and the possibility of convening a public meeting to allow discussion on the precept levied for 2009/10.

(b) **Stone Quay – Parking**

Concern was expressed at the parking of vehicles on the paved area adjacent to the Stone Quay. It was noted that this area did not come under the jurisdiction of the Town Council at the present time, but negotiations were currently taking place regarding the future management of this piece of land so that enforcement action could be taken against offenders.

(c) **Tourist Information Centre – Winter Opening Hours**

It was requested that the winter opening hours of the Tourist Information Centre be reviewed.

(d) **Regular Agenda Item**

It was requested that "Priority Action Plan" be included as a regular item on the Agenda of the Finance and Performance Management Committee to assist the monitoring of outstanding issues.

6. **SCALE OF CHARGES – 2009/10**

Before consideration of the charges to be levied for the Operators Licence for the Beach Chair Rights, Storage Hut and Pedalcraft Rights, Councillor Poultney declared a personal interest under the Model Code of Conduct by reason of being related to the licensee, and as his interest was prejudicial he left the Meeting during the debate.

Consideration was then given to the charges to be levied for the following licences:-

**Beach Chair Rights**

Proposed by Councillor Pratt, seconded by Councillor Mrs. Patrick, and  
RESOLVED UNANIMOUSLY:-

That the Operators Licence for the Beach Chair  
Concession be increased to £7,050 plus VAT for  
2009/10 – an increase of 2.17%.

**Storage Hut**

Proposed by Councillor Pratt, seconded by Councillor Mrs. Patrick, and  
RESOLVED UNANIMOUSLY:-

That the charge for the Beach Storage Hut remain  
the same for 2009/10 i.e. £275.

**Pedalcraft Rights**

Proposed by Councillor Pratt, seconded by Councillor Mrs. Patrick, and  
RESOLVED UNANIMOUSLY:-

That the Operators Licence for the Pedalcraft  
Concession be increased to £1,700 plus VAT  
for 2009/10 – an increase of 1.8%.

**Punch & Judy Concession**

Proposed by Councillor Pratt, seconded by Councillor Mrs. Patrick, and  
RESOLVED UNANIMOUSLY:-

That the Operators Licence for the Punch & Judy  
Concession be increased to £370 plus VAT for  
2009/10.

**Cabin Restaurant**

The Clerk reported that an agreement had been reached in respect of the outstanding rent review for the Cabin Restaurant. It was the recommendation of the Council's surveyor that the figure of £33,000 per annum be accepted.

**Family Games Room/Children's Amusement Area – Recreation Ground**

The Clerk reported that, following a request for the two leases to run concurrently, agreement had now been reached and a new lease would be prepared with effect from 1<sup>st</sup> April 2009. The rental had been agreed, as follows:-

Family Games Room	£10,000 per annum
Amusement Area	£ 8,000 per annum

It was RESOLVED:-

**TO RECOMMEND**

That the following scale of charges for 2009/10 be approved:-

		Actual Fees 2008/09 (Including VAT) £/p	Actual Fees 2008/09 (Excluding VAT) £/p	Proposed Fees 2009/2010 (Excluding VAT) £/p	Proposed Fees 2009/2010 (Including VAT @ 15%) £/p
<b><u>SUNDRY</u></b>					
Access Rights	Lease expires 10/12/2019			agreement terminated	
Quarry Field - Grazing Rights	(Reviewed Annually)				
	Licence (364 Day w.e.f. 1st April)	1/4/05		vacant wef 26/12/06-tenancy terminated	
	Licence (364 Day w.e.f. 1st May)	1/5/03		vacant	
Beach Chair Rights				Operators Licence extended to 31/10/2011	
	1/4/07	8,107.50	6,900.00	7,500.00	7,935.00
Storage Hut	1/4/07	275.00	275.00	275.00	275.00
Pedalcraft Rights	1/4/07	1,670.00	1,670.00	1,700.00	1,700.00
Cabin Restaurant				Lease expires 28/9/2009	
Rent reviewed 28/09/08		29,000.00	29,000.00	33,000.00	33,000.00
Swanage Railway - Station Buildings				Lease Expires 23/6/2043	
Rent review 01/01/11		11,625.00	11,625.00	11,625.00	11,625.00
				(Excl. VAT)	
Office Accommodation - Swanage Railway Store				(Reviewed Annually)	
		2,800.00	2,800.00	2,800.00	2,800.00
				(Excl. VAT)	
Bus Depot (Wilts & Dorset)				Lease expires 23/6/2047-Rent review pending	
T/A Go-Ahead Group - Rent Review 24/6/12		31,500.00	31,500.00	37,250.00	37,250.00
				(Excl. VAT)	
Taxi Office (Swanage Associated Taxis)				Lease expires 31/1/2011	
		3,500.00	3,500.00		
				(Excl. VAT)	
Lease renewal pending					
Family Games Room				Lease expires 31/03/22	
(Recreation Ground) – Rent Review 1/4/13		9,400.00	8,000.00	10,000.00	11,500.00
				(plus VAT)	
Children's Amusement Area – Santa Fe				Lease expires 31/03/22	
(Recreation Ground) – Rent Review 1/4/13		9,987.50	8,500.00	8,000.00	9,200.0000
				(plus VAT)	
Ice Cream Kiosks - Main Beach				Lease expires 1/10/2014	
		22,618.75	19,250.00	19,250.00	22,137.50
				(plus VAT)	
Ice Cream Kiosk - Shore Road/Victoria Avenue				Lease expires 1/10/2009	
		11,655.00	11,655.00	11,655.00	11,655.00
				(Excl. VAT)	

Punch & Judy Concession	423.00	Operators Licence - Renewed Annually (Excl. VAT)	360.00	370.00	425.50
Vodafone	2,847.03	Lease Expires 27/03/2012 (plus VAT)	2,423.00	2,423.00	2,786.45
Wessex Telescopes Sites (x4)	200.00	Lease requires 3 months notice of termination (Excl. VAT)	200.00	200.00	200.00

7. **FORMAT OF TOWN COUNCIL'S MANAGEMENT ACCOUNTS**

It was RESOLVED:-

That in the absence of Councillor Suttle, the format of the Town Council's Management Accounts be considered at the next meeting of the Finance and Performance Management Committee.

8. **DATE OF NEXT MEETING**

It was AGREED:-

That the next meeting of the Finance and Performance Management Committee be held on Monday, 11<sup>th</sup> May 2009 at 9.30 a.m.

The meeting concluded at 11.15 a.m.

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