

**Friends of Swanage Bandstand – To consider request to repair coping stones and proposal to donate remaining funds to the Town Council to ringfence for future maintenance of the bandstand.**

The Friends of Swanage Bandstand Committee have met on two occasions over recent months with Councillors Bonfield and Moreton with regard to the finalisation of work on the restoration of the bandstand and the future of the committee. Following the first meeting it was agreed that the Council would commission a report into the condition of the coping stones around the perimeter of the bandstand area. This report was completed in November 2022 by a Regional Property Surveyor at Dorset Council and recommended the replacement of 10 coping stones. The report went on to state that whilst a further 27 coping stones could be considered cosmetically defective, replacement was not essential at this time.

The Friends of Swanage Bandstand have therefore determined that on the basis that the Council agree to undertake work to replace at least 10 of the identified coping stones within a reasonable time scale that they will fund these works and transfer any surplus funds remaining to Swanage Town Council. Their funds to be placed into an earmarked reserve and held for future maintenance of the bandstand.

**Action Required**

That the Council consider agreeing to undertake to replace at least 10 coping stones within a reasonable period, such works to be funded by the Friends of Swanage Bandstand. That any remaining funds held by the Friends of Swanage Bandstand be transferred to the Council and held in an earmarked reserve for future maintenance of the bandstand.

Gail Percival  
Assets & Compliance Manager

January 2023

**To consider requests for grant funding and recommendations of Grants Panel**

Members of the Grants Panel met on 24<sup>th</sup> January 2023 to review in detail further Swanage Town Council Grant Applications for the 2022/23 financial year. All applications received are set out in the table below (Appendix 3). This also indicates the sum requested, the recommended size of the grant from the Grants Panel, a summary of the project that will be funded by the grant, and the reason for the Council's support.

**Background**

The Council has agreed a grants budget of £10,000 for the 2022/23 financial year. This is separate from the support for the Citizens Advice Bureau which has been given its own budget line. This sum also excludes the Council's support to partner organisations including Dorset Council, through which the Council funds the Mount Scar School Crossing Patrol.

Also attached is a copy of the Council's grant criteria (Appendix 1), adopted by Council in February 2021. This states that in order to ensure a wide distribution of funds, grants will usually be for sums of less than £500, and would typically only support festivals and events whilst they are being established.

**Details**

A total of £1,250 has been awarded to date (Appendix 2). A total of £5,713.43 has been requested, and it is proposed that £1,924.43 be awarded. The balance of £6,825.57 will be available for applications received for the remainder of the financial year (year-end 31<sup>st</sup> March 2023).

Following discussions, a question was raised as to whether consideration should be given to regular annual donations to be made to local volunteer/community groups (similar to those above to CAB/school crossing patrol), subject to appropriate eligibility guidelines being met, to help protect the invaluable services provided by these groups in the future. It is therefore proposed that a review of the Council's donations policy be undertaken at a future Panel meeting, and any recommendations will be presented to the Finance and Governance Committee for further consideration at a future Committee Meeting.

The Town Council provided details of its grant scheme to partners/attendees of the Swanage Town and Community Partnership meeting held on 7<sup>th</sup> December 2022, and will continue to increase awareness of the scheme with local charitable/community groups.

**Decisions required:**

- 1) To approve the recommendations of the Grants Panel made at its meeting held on 24<sup>th</sup> January 2023.

Niki Clark  
Planning and Community Engagement Manager  
January 2023

## GUIDELINES FOR APPLICANTS

**Please read these notes carefully before completing the application form.**

1. Swanage Town Council provides an annual budget of £10,000 available for grants and donations. In order to ensure a wide distribution of funds, grants will usually be for sums of less than £500. Larger grants may be considered in exceptional circumstances. In all cases applicants will be required to demonstrate financial need, and the sum requested must be commensurate with the direct benefit obtained.
2. Please complete the attached application form as fully as possible. If there is insufficient space on any part of the application form, please attach a separate note. The Council welcomes any additional supporting information that you believe will assist your application. Any application not on the approved form cannot be considered. Applications that are applying retrospectively cannot be considered.

Applications will only be considered from community groups and organisations that are a properly constituted body. This may include a group or organisation with charitable purposes, a charity, or a not-for-profit company.

Applications will not be considered from grant-gifting organisations, i.e., those who allocate grants to others, profit-making organisations and companies, or individuals.

3. Requests for grant aid should be consistent with the Town Council's statement of policies and objectives (see [www.swanage.gov.uk/Policies.aspx](http://www.swanage.gov.uk/Policies.aspx)) and will normally only be considered from the following:
  - 3.1 A charity based in and/or operating within the boundaries of the civil parish of Swanage. National and regional charities must demonstrate direct local benefits.
  - 3.2 A non-profit making organisation serving the needs of Swanage or its residents.
  - 3.3 Residents of Swanage requesting grant aid with a capital project to provide benefit to a wider group.
  - 3.4 A club, association or organisation serving all or part of the Swanage community.
  - 3.5 Organisers establishing new festivals and events, which will bring an economic, cultural, or other demonstrable benefit to the town.
  - 3.6 The Council will not provide grant aid to individuals, for the support of any political group, or to organisations that are socially exclusive (i.e., where there are restrictions on membership inconsistent with equal opportunities).

4. Applications for grant aid that do not meet the criteria set out in 3.1 to 3.6 above may be considered in special circumstances, but the Council cannot make grants retrospectively. If you wish to discuss a potential application please contact the Town Clerk either by telephone on 01929 423636, or e-mail [admin@swanage.gov.uk](mailto:admin@swanage.gov.uk)
5. Together with this application form you should also supply the following information:
  - A copy of the last audited annual accounts or, in the case of smaller organisations, a recent income and expenditure statement authorised by a qualified accountant.
  - A business plan or strategy that includes a clear understanding of the organisation's operating environment, risk exposure, and projected income and expenditure.
  - A minute of the meeting of the organisation stating the purpose of the funding request and authorising the application.
  - Payments will not be made to individuals or private bank accounts. Please include the name and details of the account that any grant will be paid into (must be in the name on the application form).
  - Applications must take into consideration the impact on climate and environment and show a commitment to comply with the Town Council's Environment Policy and Action Plan.
6. Applications will normally be considered annually as part of the Council's budget setting process. The deadline for submission is the **31<sup>st</sup> December** for grants to be paid in respect of the forthcoming financial year, from 1<sup>st</sup> April. However, if funding remains available, requests may be considered at any stage during the financial year.
7. Applications will be assessed on the basis of the information supplied, against the following criteria: whether the grant will support the Town Council's policies and objectives; how well the grant will meet the economic, cultural, environmental, social or other needs of the community; availability of alternative funding; extent of fundraising activity by the applicant(s); previous grant aid from the Town Council.

The Council reserves the right to request further information and supporting evidence.

Grants may be paid over a three-year period.

The length of the grant period will be at the discretion of The Council.

8. The decision of the Town Council is final. If your application is successful you will receive written confirmation of your award. You must sign a form accepting the Council's terms and conditions and will be expected to acknowledge Council support in all communication with the media.
9. Any grant not utilised within 12 months for the original purpose must be returned to the Town Council.



**Swanage Town Council - grants awarded to date**

**Grants and Donations Summary 2022/23**

**Grant applications already approved as at 30<sup>th</sup> January 2023:**

Swanage Jazz Festival £ 250

The Swanage Platinum Jubilee Committee £ 1,000

**Total awarded to date:** £ 1,250

Swanage Town Council - Grant applications received

Applicant	Sum requested	Recommended grant	Summary of project	Reason for support
<p><a href="#">Art Workshop Swanage</a> (a project of the Swanage &amp; Purbeck Development Trust – Registered Charity)</p> <p><a href="#">Art Workshop Swanage</a> <a href="#">Facebook</a></p>	<p>£500</p>	<p>£300 one-off grant</p>	<p>Community arts project in Swanage, not-for-profit, dedicated to providing accessible art workshops for everyone, regardless of artistic skill or resources. Offering low-cost art and craft workshops as a support for physical and mental health, for people on low incomes or with health problems. Aims:</p> <ul style="list-style-type: none"> <li>• To develop and reinforce positive messages of health and wellbeing</li> <li>• To teach a range of art skills which then enable self-expression and boost confidence.</li> <li>• To promote positive emotional environments.</li> <li>• To tackle social exclusion and widen participation in arts and culture</li> </ul> <p>Currently running one group per week during school term times (attendees ages ranging from 20's to 90's), and now considering a second group to cater for demand.</p>	<p>Benefit to the local community's health and wellbeing, particularly mental health.  Volunteer run.  In view of small fees charged for sessions, the project is somewhat dependant on grant-making bodies. Budget figures reviewed, and it is noted that other grants have been applied for. Would wish to support the continuation of this service, however, in line with the Council's grant policy, Points 3 to 3.6, a reduced one-off grant of £300 is recommended.</p>

<p><a href="#">Lewis-Manning Hospice Care</a></p> <p><a href="#">Lewis-Manning Hospice Care</a>   <a href="#">Poole</a>   <a href="#">Facebook</a></p>	<p>£484.43</p>	<p>£484.43</p>	<p>Registered charity.</p> <p>The Swanage &amp; Wareham Day Hospice Hub commenced on 13<sup>th</sup> September 2022 (one day per week) and provides a free service to people with a life-limiting illness, living in Swanage, Wareham and Purbeck. More recently a new respiratory service has commenced on two days per month at Swanage Hospital.</p> <p>The charity's vision - to provide the community with outstanding hospice care and support. The only independent day hospice provider serving East Dorset and Purbeck, and planning to bring more services to Swanage in the near future.</p> <p>A new Lewis-Manning Hospice Care charity shop also opened in Swanage in July 2022.</p>	<p>Benefit to the local community's health/mental health and wellbeing (and social activities).</p> <p>'Care Closer to Home' project offering free day hospice support/palliative care, in order to help people cope with their illness and stay in their own homes for longer.</p> <p>Support request in full - the grant is being used to purchase new equipment for the Hub, which will enhance the service offered to local residents.</p>
<p><a href="#">Purbeck Good Neighbours</a></p>	<p>£1,620</p>	<p>£500 one-off grant</p>	<p>Volunteer group helping people over the age of 50, or disabled, in Swanage and Purbeck, with small or difficult one-off tasks in their own homes, for a small donation of £2, including:</p> <ul style="list-style-type: none"> <li>• Shopping</li> <li>• Changing lightbulbs</li> <li>• Moving furniture</li> <li>• Removing rubbish</li> <li>• Re-tuning a television</li> <li>• Helping with paperwork</li> <li>• Helping with a mobile phone</li> <li>• Clearing cupboards</li> </ul>	<p>Benefit to the local community's health/mental health and wellbeing (social activities).</p> <p>Volunteer run.</p> <p>In view of small fees charged for tasks, the project is somewhat dependant on grant-making bodies. Income/expenditure figures received and reviewed. Would wish to support the continuation of this service, however, in line with the Council's grant policy, Points 3 to 3.6, a reduced one-off grant of £500 is recommended.</p>



			<ul style="list-style-type: none"> <li>• Taking items to charity shops</li> <li>• Dog walking if owner unwell</li> <li>• Small repair jobs</li> </ul> <p>Aims: to prevent falls, and assist with health and wellbeing in people's own homes.</p> <p>The volunteer run service relies on grant funding and client donations to cover advertising, public liability insurance, central telephone services and printing costs.</p>	<p>It was noted that the group currently does not have a website/Facebook page and that the Town Council could promote the service on its own pages, and also via the Swanage Town &amp; Community Partnership.</p>
<p><a href="#">Swanage &amp; District Chamber of Trade and Commerce</a></p>	<p>£1,000</p>	<p>£500</p>	<p>Local Chamber of Trade, annual membership fee of £36 for local businesses. Also raising funds to assist local charities, and community events.</p> <p>Aim: to organise a one-off community event to celebrate King Charles III Coronation, for all ages, to be held in Prince Albert Gardens.</p> <p>Proposal: a musical celebration on Sunday 7<sup>th</sup> May 2023 (military/police band, local entertainers and singers). Free event for the local community to bring along a picnic and be entertained.</p> <p>Funds required towards cost of printing and advertising, toilets, waste containers, flags/ decorations and hire of benches. Request also for free parking for the band's coach and the #WillDoes bus in Broad Road car park on 7<sup>th</sup> May.</p>	<p>Benefit to the local community's health and wellbeing (free event/social activities). Entertainment for all ages, paying tribute to King Charles III as part of the official Coronation Weekend of celebrations.</p> <p>In support of funding a one-day community celebration event, however, in line with the Council's grant policy, Points 3 to 3.6, a reduced grant of £500 is recommended.</p> <p>The application also includes a request for free parking arrangements in Broad Road car park on the day. Further 'logistics' support could also potentially be considered/provided on the day by the Council.</p> <p>No supporting documents/financial information were received with the application.</p>

			<p>Any profit from the event will be donated to the #WillDoes Charity.</p>	<p>It is also noted that the Town Council will be considering the potential purchase of commemorative souvenirs for pupils of all schools in Swanage.</p>
<p><a href="#">Swanage Fish Festival</a></p>	<p>£1,000</p>	<p>£0</p>	<p>Run by a small committee of local volunteers. Annual fish and food festival held in Prince Albert Gardens, including cookery demonstrations, stalls and family activities, since 2015. The 6<sup>th</sup> festival is being held 17<sup>th</sup>/18<sup>th</sup> June 2023 – the organisers had been unable to hold festival from 2020-2022 due to the Covid-19 pandemic.</p> <p>Funds required for a new website to include improved interactive functionality, admin services and domain purchase is £1,000.</p>	<p>Decline – established event. Existing support provided to the event by way of use of PAG and free parking arrangements.</p> <p>In line with the Council's existing grant policy, Points 3 to 3.6, this is an established event.</p> <p>Latest Annual Accounts received and reviewed, and other fundraising activity taking place.</p>
<p><a href="#">Swanage Town Band</a> <a href="#">Swanage Town Band – Swanage.co.uk</a></p>	<p>£609</p>	<p>£140</p>	<p>Committee run (by members) - the Town Band provides the local community and visitors alike with live music at local events, promoting the practice and enjoyment of music. Membership fee of £20 per term, or £60 per annum, also raising funds at concerts to assist local charities.</p> <p>Request made for the Town Council to reconsider its position regarding ongoing support to the Band (previously paid £75 per performance at the Swanage Bandstand) or alternatively, consider grant funding to cover</p>	<p>Benefit to the local community's health and wellbeing (free events/social activities).</p> <p>In support of funding capital purchase (of new Music) and, in line with the Council's grant policy, Points 3 to 3.6, a reduced grant of £140 is therefore recommended.</p> <p>Further to Minute No. 193 of the Council Meeting held on 27<sup>th</sup> January 2020, the Council discontinued the payment of £75 for performances at the bandstand, and had acquired seats and built a store for these in close proximity to the bandstand.</p>

		<p>the costs of advertising (£120), insurance (£99), Performing Rights Society (£250), and new music (£140).</p> <p>Due to increased membership numbers the Town Band no longer uses the Town Hall for band practice (which had been free of charge).</p>	<p>It had further agreed that any band using the bandstand for a performance would be permitted to undertake a collection from members of the public in attendance.</p> <p>Financial information, and forecast of accounts and cashflow for 2023/24 received and reviewed.</p> <p>If any further capital expenditure/projects are to be undertaken in the future then further grant applications will be welcomed. The Panel also kindly draws attention to the permission provided by the Council regarding collections at the Bandstand, which could also go towards part-funding ongoing/regular expenses (in addition to charitable donations).</p>
<b>Total</b>	<b>£5,713.43</b>		<b>£1,924.43</b>

**Events Working Party – 25<sup>th</sup> January 2023**

The following event requests have been received by the Council.

**Antiques Roadshow: May/June 2023, PAG and Broad Road Car Park**

The Council have been approached by the company that produces Antiques Roadshow for the BBC. They are looking to use the Pier, Prince Albert Gardens and Broad Road Car Park to site their production and crew facilities. Actual filming will likely take place on parts of the Pier and Prince Albert Gardens. A road closure around Pier Approach is also being considered to link the two areas in a safe way and to provide a flat surface to facilitate filming.

The date is yet to be confirmed but will be during May or June 2023. The producers have been provided with a list of events currently planned in this area and advised that they should avoid the Fish Festival and May half term. The site would be required from Sunday evening to Wednesday morning with filming taking place on the Tuesday. The event itself would be ticketed with possibly up to 5,000 tickets (tbc).

Each Antiques Roadshow filming is used for three programmes and would be a fantastic opportunity to showcase the town to a wider audience.

It is suggested that a fee roughly equivalent to the ‘lost income’ from the car park is made, once a date is known.

It is recommended that the event is approved with delegated authority provided to the Visitor Services & Business Development Manager, in consultation with the Events Working Party, to agree a date and fee.

**Four Piers Swim Race: 15<sup>th</sup> July 2023, PAG and Monkey Beach**

A request has been received from a local company known as the ‘Wild Swimming Co’ to use Prince Albert Gardens for a day on 15<sup>th</sup> July with 16<sup>th</sup> July as a reserve day, if the weather is bad. They will undertake a swim race across the bay, incorporating the Stone Quay, Banjo Pier and the Pier and Old Pier. The event is planned for around 150 swimmers and will be fully lifeguarded. The event will include a catering van and the sale of merchandise related to swimming. Wild swimming is a very fast-growing sport and Swanage is particularly well suited to this activity and it is expected that this event will bring a good number of visitors to Swanage.

**Action Required**

1. It is recommended that the Antiques Roadshow is approved with delegated authority provided to the Visitor Services & Business Development Manager, in consultation with the Events Working Party to agree a date and fee.
2. It is recommended that the swimming event is approved.

Culvin Milmer, Visitor Services and Business Development Manager  
January 2023



**Rents and Licences Panel – To consider proposal to expand remit and rename as Asset Review and Commercial Property Panel.**

The Council first appointed the rents and licences panel in June 2020 to assess requests received for financial assistance from its commercial tenants as a result of the Covid-19 lockdown. It has been re-appointed as a working party at each Annual Council Meeting since then and has played a useful role in providing a forum for officers to discuss with councillors forthcoming rent reviews and the pursuit of rent arrears.

During discussions in connection with budget setting for the forthcoming financial year, Members raised the importance of reviewing the Council's assets, both in terms of income generation and identifying whether any are surplus to requirements and could therefore be disposed of. One example mentioned elsewhere on today's agenda is the vacant space adjoining Burlington Chine public conveniences.

It is, therefore, proposed that the remit of the Rents and Licences Panel be broadened to provide a forum for informal discussion between Members and officers of the following matters:

- A review of Council-owned/leased assets;
- Requests from third parties for the purchase of Council-owned assets;
- Rent reviews;
- Lease renewals;
- Pursuit of rent arrears.

In light of the above, it is suggested that the Panel be retitled the Asset Review and Commercial Property Panel. It will retain the status of a working party, meeting on an ad-hoc basis, and would continue to have no decision-making powers. Relevant matters relating to council property would then be given formal consideration at a meeting of a relevant committee (most likely Finance and Governance) or the Council.

In May 2022 the following councillors were appointed to the panel until the next Annual Council Meeting: Councillor Foster (Town Mayor), Councillor Moreton (Deputy Mayor) and Councillors Bonfield, Harris, Monkhouse and Suttle. Members are able to review membership of the Panel if they so wish.

**Decision Required**

To consider the above proposals to expand the remit of the Rents and Licences Panel and to rename it the Asset Review and Commercial Property Panel.

To confirm or amend membership of the Panel.

Martin Ayres  
Town Clerk

January 2023



**Coronation of King Charles III - To consider proposals for celebration and commemoration.**

The Coronation of King Charles III will take place on Saturday 6<sup>th</sup> May 2023.

Early plans are being developed by a small committee of volunteers. These plans are subject to change, however there are no plans to undertake a large-scale street party as was the case for the Platinum Jubilee in 2022.

The events planned so far are listed below.

**Friday 28<sup>th</sup> April**

Mayor's Ball to be held at 'Swanage Bay View'

**Saturday 6<sup>th</sup> May**

No local events due to King Charles III Coronation

**Sunday 7<sup>th</sup> May**

Public event to be held at Prince Albert Gardens 12.00pm to 3.00pm. It is anticipated that this will include a Band and other musical entertainment insured by the Swanage Chamber of Trade. The event is planned to finish at 3.00pm as a national concert will be held on TV from 6pm. The holding of this event would require funding and a grant application has been submitted to the Town Council (see agenda item 11 b).

**Monday 8<sup>th</sup> May (bank holiday)**

Public event to be held at the Swanage Bandstand, insured by the Swanage Chamber of Trade. It is hoped that this might be an opportunity to provide all Swanage primary school children with a commemorative teaspoon.

This day could also include a 'flotilla' of boats in Swanage bay. The Swanage Sailing Club Commodore has been asked to take a lead on this.

King Charles has dedicated this day as 'The Big Help Out' with the aim to use volunteering to bring communities together and create a lasting volunteering legacy from the Coronation Weekend. The Swanage Volunteering Bureau is hoping to hold an event on the Hardstanding to celebrate local volunteers and encourage people to get involved.

**Commemorative teaspoon**

A request has been received to provide a memorial teaspoon to all children who attend schools in Swanage, which amounts to 917. Cost of teaspoons vary between £2 and £10. Assuming that the cheapest supplier can be used, a budget of up £2,000 would be required from the Town Council to facilitate this.

## **Street Parties**

It is suggested that the Town Council might like to encourage local residents to organise street parties across the town. Dorset Highways have issued advice regarding applying for a street party which can be found here: [Temporary traffic restrictions for a street party - Dorset Council](#)

While a number of restrictions exist for some roads, those that meet the Dorset Highways criteria can apply for a road closure for a street party at no cost.

### **Action Required**

1. To note the proposed events.
2. To consider if the Town Council wishes to provide commemorative teaspoons to all the Primary School children in the town, as detailed above at a cost of up to £1,300.

Culvin Milmer  
Visitor Services and Business Development Manager

January 2023

**Recreation Ground, Remembrance Wall – To determine request for installation of commemorative plaque**

The Swanage Branch of the Royal British Legion have approached the Council with a request to install a commemorative plaque on the Remembrance Wall at the Recreation Ground. The plaque, to be made to the same design of those existing, is to commemorate Mr Leslie Smale, who was killed in Cyprus during the troubles (1955-59) at the age of 19 and is buried in the military cemetery in Nicosia.

**Action Required**

That the Council consider agreeing to provide permission to the Swanage Branch of the Royal British Legion to install a plaque on the Recreation Ground Remembrance Wall (of the same design of those existing in this location) to commemorate Mr Leslie Smale.

Martin Ayres  
Town Clerk

January 2023

**Proposal to site mobile kiosk in vicinity of Stone Quay – To formulate Council’s views and response to business owner**

In late November 2022 an enquiry was received from local businessman, Tom Greasty, as follows:

Background - I have been running an angling and sightseeing business from Swanage, the past 20 years. I offer trips to a wide range of people, from seasonal anglers, to families and complete novices, as well as students visiting Swanage on educational trips with schools.

At present, 80% of my seasonal work comes in via Swanage Angling Centre, which is unfortunately now up for sale. All tackle and essentials/bait for my customers on the trips, are also bought through the angling shop. There is a very strong possibility that it will no longer remain an Angling shop, which will not only affect my business dramatically, but also the whole town.

Proposal - I would like to position a pop up shop and booking office on Swanage seafront, between the old quay and the pier entrance, situated where the life jacket lockers currently are. The shop would be a clad container 8ft by 10 ft, and be in position from Easter to October half term (or when the flood defences are put in place.)

It would require an electric supply, which would be generated from flat solar panels fitted on the flat roof of the container (not visible). I have attached some pictures of the area and the ideal look of the container (copied overleaf).

Further to an informal site meeting with Councillor Bonfield, the Town Clerk and the Assets and Compliance Manager, it has become clear that the land on which the kiosk will be sited is neither recognised as highway by Dorset Council, nor does it fall within the Town Council’s registered title. Consequently, there are further discussions to be had to determine whether either authority can licence the premises.

Subsequent to the meeting Mr Greasty has clarified that it is his intention to use a trailer, which can be moved in bad weather, rather than a container. He has also submitted a planning application to Dorset Council.

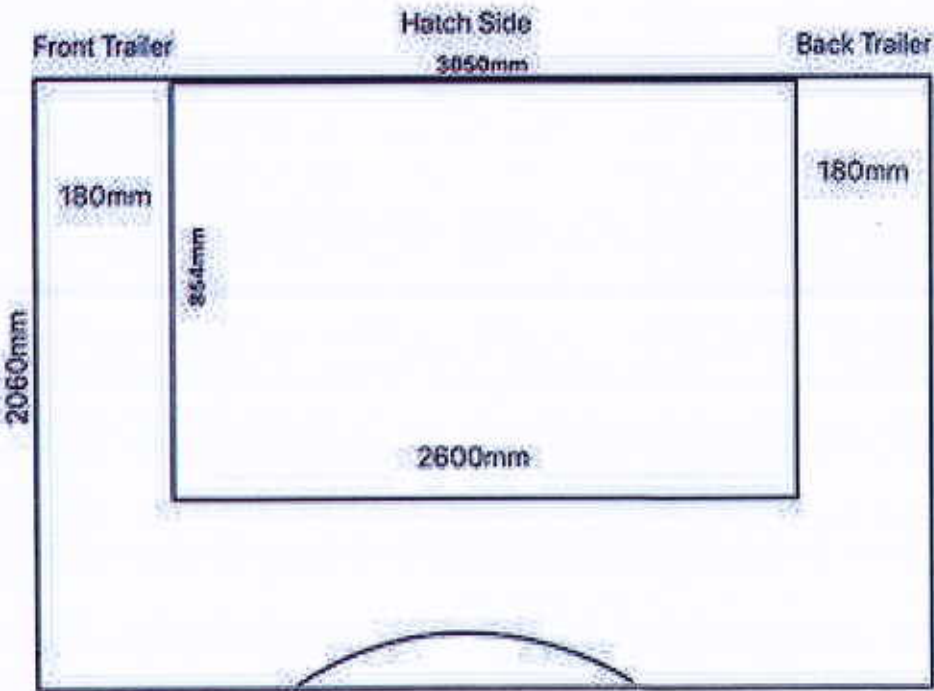
Although the Town Council is not the relevant landowner, Mr Greasty has wanted to be transparent about his proposal, and hence it has been placed on the agenda to provide an opportunity for Members to provide early feedback on the proposal. Clearly, there will be the opportunity to provide formal comment on material planning matters via the planning process. Relevant considerations include the fact that this area is likely to be remodelled as part of the Pier Approach flood defence scheme.

**Action Required**

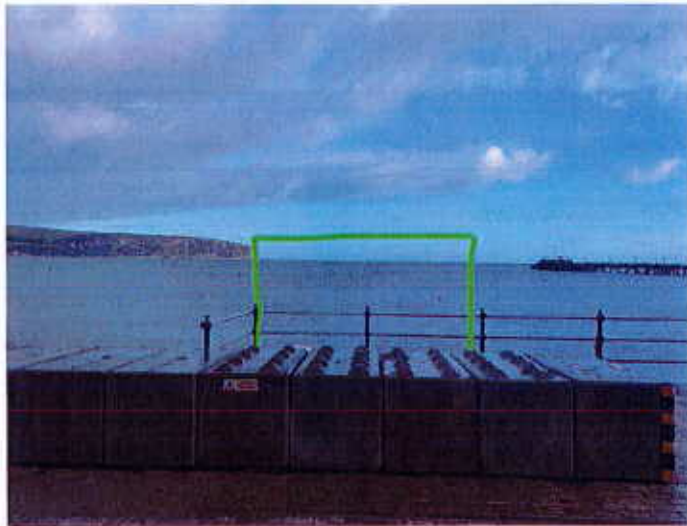
To consider whether the Town Council has any representation that it wishes to make to the business owner regarding the proposal to site a mobile kiosk in the vicinity of the Stone Quay, prior to the Planning & Consultation Committee considering the relevant planning application.

Martin Ayres, Town Clerk - January 2023

Appendix 1 – Images supplied by Mr Greasty indicating the scale and location of the proposed mobile kiosk







**Prospect Nursery – To confirm lease to Swanage & Purbeck Development Trust (Greengage Project) at Peppercorn Rent**

In 2017 a lease was agreed with Dorset Wildlife Trust for the use of the former Council plant nursery adjoining Prospect Allotments for the Greengage therapeutic gardening project. In early 2021 Council agreed to assign the remainder of the lease to Swanage and Purbeck Development Trust (S&PDT) to enable the community-led Greengage Project to continue its work.

That lease expired in January 2022, Council having agreed in November 2021 to enter into a new six-year lease with S&PDT at a peppercorn rent. In the interim period the Greengage Community Gardening Project has continued to have use of the site under a licence agreement.

Legal advice has since clarified that the property forms part of the Public Pleasure Grounds Charity, of which the Town Council is the Corporate Trustee. This had previously incorrectly been associated with Day's Park. This has led to a delay in agreeing the lease, as the Council needed to establish in which capacity it is acting, and its legal powers, as a charity, to grant a new lease at a peppercorn rent.

It is now clear that in granting such a lease the Council will be acting in its capacity as Corporate Trustee of the Public Pleasure Grounds Charity. The legal advice received (dated 22<sup>nd</sup> March 2022) stated that the Charity Commission's rules require the Council to always obtain best value for the land and seek consent from the Charity Commission when making certain disposals. However, the Council does not always need to seek permission to make a disposal, for example, a lease of 7 years or less is classed as a short-term disposal and does not require authority from the Charity Commission. The solicitor advised that it is arguable that the land may have nil value because it cannot be used for anything other than public pleasure grounds, but that professional advice should be obtained to ensure the terms of the lease obtain best value.

Valuation advice has now been received (dated 23<sup>rd</sup> January 2023) that 'a peppercorn rent would be seen to be fair over the proposed lease term of 6 years' 'due to the highly restrictive terms to be incorporated within the lease, as well as in the original conveyance of the land in 1924, tying the use of the land to Public Pleasure Grounds' together with 'the charitable status of the proposed tenant'. A further factor to consider is that the tenants will maintain the property, therefore relieving the charity of that burden.

**Decision Required**

That, in light of professional advice received, the Town Council, acting as Corporate Trustee of the Public Pleasure Grounds Charity, confirms its intention to enter into a lease of Prospect Nursery with Swanage & Purbeck Development Trust for a 6-year term, at a peppercorn rent, and authorises the Mayor and Deputy Mayor to sign the document accordingly. It is proposed that the term should start on the date of signing the lease.

Martin Ayres, Town Clerk  
January 2023