

Minutes of the Extraordinary Meeting of the Swanage
Town Council held at the Town Hall, High Street, Swanage
on **WEDNESDAY, 5th JULY 2023** at 9.30 a.m.

PRESENT:-

Councillor C. Moreton – Chairman

Councillor C. Finch

Councillor A. Harris

Councillor N. Rogers

Councillor C. Tomes

Public Participation Time

There were no members of the public present at the meeting.

The Chairman opened the Council Meeting at 9.30 a.m.

57. **Apologies**

Apologies for their inability to attend the Meeting were received from Councillors Bishop, Bonfield, Foster, Suttle, Trite and Whitwam. Councillor Monkhouse attended the meeting remotely.

58. **Declarations of Interest**

Members were invited to declare their interests and consider any requests for Grants of Dispensations in accordance with Section 9 and Appendix B of the Council's Code of Conduct. No declarations of interest were made.

59. **Items of Information and Matters for Forthcoming Agendas**

No items of information or matters for forthcoming agendas were raised.

EXCLUSION OF PRESS AND PUBLIC

Proposed by Councillor Moreton, seconded by Councillor Harris and

AGREED:-

That, under Standing Order No. 1 c), in the public interest, the press and public be excluded from the Meeting in view of the confidential nature of the business to be transacted under agenda item 5 for reasons of legal and commercial confidentiality.

60. **Property Related Legal Matters**

(a) **Beach Ice Cream Kiosks summer 2023 – To receive update, note actions taken subsequent to Council Meeting held on 26th June 2023 and consider next steps**

Further to Minute No. 55 (a) of the Council Meeting held on 26th June 2023, attention was drawn to a briefing note, prepared by the Town Clerk, which outlined two main items of business.

Firstly, consideration was given to Minute No. 39 (a) of the Extraordinary Council Meeting held on 14th June 2023. It was noted that since the expiry of the lease on 27th May the beach ice cream kiosk bases have been occupied under a licence, pending the potential agreement of a tenancy at will, and therefore the references to the tenant in that Minute were inaccurate. Instead, the kiosk operator should have been referred to as the occupier. It was therefore proposed by Councillor Harris, seconded by Councillor Rogers and RESOLVED UNANIMOUSLY:

That Minute No. 39 (a) of the Extraordinary Council Meeting held on 14th June 2023, approved and signed by the chairman at the meeting held on 26th June 2023, be amended by substituting the word ‘occupier’ for the word ‘tenant’ which was inadvertently used inaccurately in that minute.

Secondly, consideration was given to next steps in respect of the continuing occupation of the kiosks. It was noted that an agreement had not yet been signed as the conditions set down in Minute No. 55 (a) of the Council Meeting held on 26th June 2023 had not been complied with. It was noted that further action had been taken, in accordance with legal advice received.

Members agreed that it would be useful to review the situation again once the next deadline for action on the part of the occupiers had passed on Monday 17th July. Consequently, it was proposed by Councillor Moreton, seconded by Councillor Rogers and RESOLVED UNANIMOUSLY:

That a Council Meeting should be called for the afternoon of Monday 17th July.

A provisional time of 4 p.m. was agreed, but delegated authority was given to the Clerk to amend that depending on councillor availability, provided due notice was issued in accordance with the Council’s statutory obligations.

It was noted that a meeting of the Property Panel had been scheduled for Wednesday 12th July, at which consideration would be given to opportunities to generate commercial income along the seafront, taking into account responses to the draft Seafront Masterplan.

The Meeting closed at 10.20 a.m.
