



Minutes of the Seaton Town Council Meeting on Wednesday 1 July 2020

Present:

Chair: Cllr K Beer

Councillors: J Rowland, D Ledger, D Haggerty, M Shaw, A Singh, M Hartnell, J Russell and E Bowman

Officers: Town Clerk and Administrative & Community Events Officer

Public: 8 members of the public

Note: All attendees accessed the meeting remotely and could be either seen and/or heard

12. Apologies for absence

No apologies for absence were received

13. Declarations of Interest

Cllrs Ledger, Hartnell & Rowland declared a personal interest as a Councillor with East Devon District Council (EDDC)

Cllr Shaw declared a personal interest as a Councillor with Devon County Council (DCC)

14. Minutes

All Members **RESOLVED** to approve the minutes of the Council meeting held remotely on Wednesday 6th May 2020 (proposed Cllr. Rowland; seconded Cllr. Haggerty)

Those Members present of the Community & Open Spaces Committee **RESOLVED** to approve the minutes of the Community & Open Spaces Committee held on Monday 24th February 2020 and these were noted by all members of the Council (proposed Cllr. Singh; seconded Cllr. Ledger)

15. Public Question Time

A statement was made by a member of the public questioning how the Council could justify building new Council offices which, in her view, would not benefit the town at all. She went on to discuss the state of the lampposts, benches and planters and said that the town looked 'derelict and neglected'. Cllr Beer responded stating that the Council was taking a lot of time making the town look



better. Cllr Ledger added that the lampposts were one of the Council's priorities and that if the Marshlands scheme went ahead it would benefit the town by providing business units and a museum. The speaker responded that the lampposts had been talked about for two years. Cllr Beer explained that most of the lampposts do not belong to the Town Council. This was echoed by Cllr Rowland who added that work had started on the lampposts of West Walk, but this had been curtailed by the outbreak of Covid-19 and the lampposts on East Walk were owned by DCC and, if we were to carry out that work, DCC's agreement would be needed. Cllr Rowland reiterated that any redevelopment of Marshlands would benefit the town by relocation of the Museum and possibly help finance elements of the Seafront Enhancement Scheme. Cllr Hartnell went on to add that there were a lot of positive items on the agenda that would address the issues raised.

16. Report of Internal Auditor 2019/20

Members noted the report of the Internal Auditor and accompanying documents

17. Annual Governance Statement 2019/2020

Members **RESOLVED** to approve Section 1 - Annual Governance Statement (proposed Cllr. Ledger; seconded Cllr. Singh)

18. Accounting Statements 2019/2020

Members **RESOLVED** to approve Section 2 – Accounting Statements (proposed Cllr. Russell; seconded Cllr. Haggerty)

19. Town Clerk's report and update on 2020/21 priorities, including recommendations as to budgetary and other decisions as appropriate

The Town Clerk directed Members to her report and asked Members to note and resolve as per the recommendations. There was particular debate around recommendation 5 regarding the redevelopment of Marshlands. Cllr Hartnell questioned the detail of the overage clause that had been entered into as part of the purchase of Marshlands from DCC. His recollection was that any sale by the Council to a third party (ie if any redevelopment included residential units for the sale) may be affected by the overage provisions. Cllr Rowland did not believe this was an issue but it was agreed that the provisions would be checked prior to any work being done and the proposed recommendation would be amended to reflect this.

Members **RESOLVED** to:

1. approve the website and authorise the Clerk to arrange its launch as soon as practicable, including amending priority (2) to reflect this has been done (proposed Cllr. Beer; seconded Cllr. Singh)
2. note the town improvements already carried out (proposed Cllr. Rowland; seconded Cllr. Singh)
3. approve the first part of the Seaton Art Trail including:



- a. the allocation of a maximum of £1,200 for the replacement of the boards at Marshlands; and
 - b. approval of the 6 complementary works by local artists (proposed Cllr. Rowland; seconded Cllr. Singh)
4. note the conclusions reached regarding the Virtual Town Hall Project and remove this as a priority for 2020/21 (proposed Cllr. Rowland; seconded Cllr. Singh)
5. subject to the outcome of a prior investigation into the overage provisions entered into between the Council and DCC on the purchase of Marshlands, to commission a feasibility report including the drafting of a tender process, to enable the Council to explore the possibility of redeveloping the Marshlands Centre by demolishing existing buildings and replacing them with purpose-built accommodation for Seaton Town Council and a museum, together with residential units on upper floors so that the overall development is in keeping with the surroundings and height of the Fosseyway Court redevelopment. The report should also include options for temporary accommodation for Seaton Town Council and the associated costs (proposed Cllr. Rowland; seconded Cllr. Haggerty)

20. Appointment to Committees

Members **RESOLVED** that Cllrs Hartnell and Bowman be appointed to the following Committees:

- Cllr. Hartnell – Planning Committee and Finance & General Purposes Committee
- Cllr Bowman - Finance & General Purposes Committee

(proposed Cllr. Russell; seconded Cllr. Singh)

21. Approval of Direct Debits 2020/21

Members **RESOLVED** to ratify the schedule of monthly direct debits payments for 2020/21, as already approved under the Council's Scheme of Delegations (proposed Cllr. Ledger; seconded Cllr. Singh)

22. Replacement of outdoor gym equipment using CIL

The Council received verbal reports on the possibility of the replacement of the town's outdoor gym equipment using available CIL monies. Cllr Rowland confirmed he had been in discussion with officers at EDDC who would seek quotations on the Town Council's behalf as they had specialist experience in this regard. EDDC had also agreed in principle to enter into an agreement to maintain any equipment purchased. Cllr Hartnell, said he completely echoed what Cllr Rowland had said and local residents were quite rightly upset that the equipment had been removed and ward members were frustrated that it had been removed without then being given notice, as they had not had the



opportunity to assess the condition to see if it could be kept going longer. Whilst Cllr supported the use of CIL monies in principle, he questioned whether all CIL funds held should be utilised towards replacement equipment and added that he felt that a consultation with residents should be carried out. Furthermore, the type of equipment needed should be considered. Cllr Bowman asked who determined what type of equipment would be installed – like for like or different and stated that he felt further discussion with residents was needed? Cllr Rowland stated that the original equipment had been funded by s106 monies and public consultation had been carried out at that stage. Cllr Beer commented that we had no idea of the costs at the moment. Cllr Haggerty added his support in principle and said clearly any equipment would have to be such that it did not require supervision so he would have thought like for like would be appropriate. Cllr Hartnell re-entered the discussion and proposed that agreement on the replacement of equipment using CIL monies be given in principle, and quotations could then be obtained to see what could be afforded and at what costs and perhaps a decision could be made to replace the more popular equipment. Cllr Shaw proposed that once costings were available, the amount of CIL funds to be allocated could be decided.

Members **RESOLVED**, in principle, that CIL funding should be used to provide replacement outdoor gym equipment at Seafeld Gardens and EDDC should be asked to proceed with obtaining costings for the replacement of individual pieces of equipment. Once available a decision would be made as to the equipment to be purchased and level of CIL funds to be allocated and any purchase would be subject to East Devon District Council entering into an agreement to carry out all necessary checks and maintenance of the equipment, in line with the manufacturer's requirements for the duration of its lifetime (proposed Cllr. Rowland; seconded Cllr. Hartnell)

23. Review of Council's Grants Scheme

Members considered the updated Community Grants Scheme and application form and associated Business/Shop Front Grants Scheme to businesses to assist in the general improvement of the town. Cllr Hartnell summarised the proposed Business/Shop Front Scheme which he had drafted by taking the best elements of similar schemes adopted by other town and parish councils that had worked well. He emphasised that this would help businesses already struggling as they come out of lock down and would tie in with the Council's priority of tidying up the town. He proposed a further provision should be added to the scheme precluding serving councillors from applying. Cllrs Hartnell and Haggerty declared an interest as business owners. Cllr Beer asked how it might be promulgated and it was noted that this could be done via social media, the new website and also via a comprehensive database of businesses that was being compiled.



Cllr Ledger thanked Cllr Hartnell for the work he had done on this policy.

Members **RESOLVED** to:

1. approve the updated Community Grants Scheme and application form; (proposed Cllr. Rowland; seconded Cllr. Haggerty);
2. approve, in principle, the Business/Shop Front Grants Scheme and application form including an additional provision that serving Councillors may not benefit from the scheme, subject to such amendments as are necessary to ensure compliance with the Council's powers under s137 or otherwise.
(proposed Cllr. Hartnell; seconded Cllr. Singh)

Cllr Rowland proposed a suspension of Standing Orders to enable a change in the order of business and to bring forward item 20/COU/15. This was agreed unanimously.

24. Request from the Gateway Theatre

Members considered a request from the Gateway Theatre for financial assistance in light of the Covid-19 crisis and received a verbal update from Elga Mackie of The Gateway Theatre Company. The venue is currently closed due to the Covid-19 crisis and is likely to remain so until early next year. The Gateway had submitted a formal request for assistance to the Council could give the Gateway. Cllr Rowland said that, whilst no promises could be made there was a discretionary grants system, funded by central government, and awarded by EDDC which would be worth the Gateway looking into. Whilst it could not make grants for loss of income, it could consider the fixed costs of running a building. Members agreed that this item should be referred to the next Finance & General Purposes Committee (F&GPC) and that, in the meantime, Cllr Hartnell and Cllr Rowland would meet with Trustees of the Gateway to gain information on their position and report back to F&GPC .

25. Seafront Enhancement Project

Members received the Clerk's report on the Seafront Enhancement Scheme, outlining the work that had been done and the issues that had arisen in respect of the implementation of planning permission 17/0369/FUL prior to its expiry in August 2020. Cllr Haggerty spoke first and stated that, in his view, there was a lack of information about the project and he would like to see it delayed until a new planning permission were granted and all the finance in place.

Cllr Shaw countered that the project had been thoroughly and carefully developed over a long period of time, including three public consultations He



added that the seafront was the town's key asset, albeit not currently looking at its best and it should go ahead with a new application being made on the same terms as the existing permission.

Cllr Rowland added that, in order to apply for grant funding, planning permission would need to be in place. Furthermore that recent progress had been made on the redevelopment of the Moridunum and Fosseway Court and, if that came to fruition, then the seafront project was a key component thereof.

The Clerk reiterated the issues set out in her report to Council and confirmed the current position regarding the recent announcement on a possible change in the law to extend the implementation period for the current permission but said at this stage this had not been confirmed.

Cllr Hartnell stated that he was disappointed that decisions had been taken regarding the project which could potentially have led to the project being implemented unlawfully, and was concerned that neither the current Town Clerk, nor her predecessor had been included in the Seafront Enhancement Working Group meetings. He added that if the project was to proceed then the tender process had to be carried out correctly and the submission of a new application would allow time for that to be done. Cllr Hartnell therefore prosed that a new application be submitted, mirroring the existing, with the associated costs to be taken from the existing budget for the project. The budget could then be topped up in the next financial year. He also stated that the Clerk should attend and minute future working group meetings and that a project manager would need to be appointed.

Cllr Russell expressed the view that whatever funding was required to complete the project should be available before it started.

Cllr Ledger questioned whether the funding from Devon County Council that had been made available had to be spent within a certain time period. Cllr Shaw responded that he was unsure on this point but would check the position. The Clerk stated that her understanding was, from communications received from DCC's legal team, was that at least some of the monies had to be utilised by 31 December 2020.

Members acknowledged that the existing planning permission cannot be implemented lawfully or in line with the Council's Financial Regulations and Public Contract Rules prior to its current expiry date and **RESOLVED** to:

1. submit a new application to EDDC, mirroring the existing scheme and that the Town Clerk should attend any meeting the working group to take minutes
2. approve that the costs associated with that application should be met from the 2020-21 budget for the Seafront Enhancement Project



(moved Cllr Hartnell; seconded Cllr Rowland)

26. **Budgetary Review and Adjustments 2020/21**

In light of the underspend of existing budgets, identified as part of the budgetary review by the Finance & General Purposes Committee, Members **RESOLVED** to reallocate the funds as follows:

1. an additional £10,000 should be added to the existing grants budget bringing the available amount to £18,000; this would be the combined sum available to the Community Grants Scheme and the newly adopted Shop Front/Business Grants Scheme; (proposed Cllr. Ledger; seconded Cllr. Hartnell)
2. the remaining £7,500 should be placed in a Covid-19 contingency budget; (proposed Cllr. Ledger; seconded Cllr. Hartnell)

There was further discussion regarding Cllr Rowland's proposal regarding the reallocation of monies set aside for a Streetscene operative towards the further cleaning costs arising from Covid-19 to enable a further public toilet to be opened in the town. Discussion centred around whether the reopening of facilities at Marsh Road or Thury Harcourt would better serve the town. On balance, it was decided that Thury Harcourt would be the more appropriate option. Members therefore **RESOLVED** to:

3. reallocate the sum of £7,500, included in the current budget as a contribution towards the Streetscene service for an all year round barrow service, as a contribution to be paid to East Devon District towards the additional cleaning costs of opening the public toilets at Thury Harcourt. (proposed Cllr. Hartnell; seconded Cllr. Shaw)

27. **Allotments**

Members considered the report on allotments including the results of the recent inspections, current financial position, review of risk, update of Non-Statutory Rules and the proposed dissolution of the Allotments Committee. Cllr Hartnell raised a question in relation to the risk assessment regarding the safety of ponds. The Clerk noted this and agreed that this would be considered and added to the risk assessment. Members **RESOLVED** to:

1. approve the updated Non-Statutory Allotment Rules including the provision on one plot per household (proposed Cllr. Hartnell; seconded Cllr. Ledger)
2. note the 2020/21 Risk Assessment (proposed Cllr. Hartnell; seconded Cllr. Ledger)



3. dissolve the existing Allotments Committee (proposed Cllr. Singh; seconded Cllr. Ledger)
4. agree that the fees for 2020/21 should not be increased (proposed Cllr. Singh; seconded Cllr. Ledger)

28. Christmas Lights 2020

Members received the report on the Council's Christmas lights event and

RESOLVED to:

1. approve the date of the 'Christmas Lights Switch On' as Saturday 28 November 2020
2. enter into a three-year contract with Supplier 1 for the provision of Christmas Lights
3. authorise officers to work with other stakeholders in the town to take forward the organisation of the Christmas Lights event, along the lines of the itinerary at appendix 3, making adjustments as necessary to ensure compliance with any rules and guidance that prevail at the time (proposed Cllr. Singh; seconded Cllr. Beer)

29. Walking & Cycling Interventions for Town & Parish Councils

Members noted the 'Reallocation of Road Space for Active Travel Framework and Guidance' produced by Devon County Council and summary by Cllr Shaw

30. Update on Covid-19

Members noted the ongoing work in Seaton being done by the volunteer group and commended their efforts

31. Any Other Business

Discussions were had around:

- **Use of Marshlands** – a request had been received from Ben Tucker regarding the use of Marshlands kitchens free of charge by Seaton's newly established CIC Re:store for storage of food and, going forward, to produce meals. This had been established with a view to harnessing and continuing the committed voluntary response by the community to the Covid-19 pandemic and enabling food that was donated by Tesco to be used without going to waste. This effort was unanimously supported by Members as extremely beneficial to the community at large and something they wanted to support, subject to ensuring that Marshlands could be accessed out of hours without compromising security. Cllr Singh said he was happy to assist on occasions to enable members of the group to access the building.
- **Play Parks** – the Clerk outlined the recently issued guidance regarding the re-opening of play parks and confirmed that she had carried out a risk assessment and it was clear that – in light of the nature of the play equipment, location of the parks and level of staff available - the only realistic precaution that could be



taken would be additional signage which would fall short of the recommendations in the guidance. She confirmed that she had discussed the matter with Dave Cooke at EDDC earlier that day who advised that a paper was going to Cabinet at EDDC regarding the opening of the skate parks in the first instance. EDDC had indicated that if the skate park was re-opened, but a decision was made not to open play park at The Underfleet, then he would arrange for barriers to separate off the play park. On balance, at the current time, Members agreed that the play parks should remain closed, pending further guidance.

Meeting closed at 20.44pm

Signed_____

Dated_____