

SIDMOUTH TOWN COUNCIL



WOOLCOMBE HOUSE
WOOLCOMBE LANE
SIDMOUTH
DEVON
EX10 9BB

Telephone: 01395 512424
Email: towncouncil@sidmouth.gov.uk
Website: www.sidmouth.gov.uk
VAT Reg. No. 142 3103 24

To: All Members of the Town Council
Town Clerk

31 October 2023

Dear Sir/Madam,

**Meeting of Sidmouth Town Council
in its Capacity as Trustee
Monday 6 November 2023 at 6.30pm**

You are hereby summoned to attend the above meeting to be held in the Council Chamber, Woolcombe House, Woolcombe Lane, Sidmouth.

It is proposed that the matters set out on the agenda below will be considered at the meeting and resolution or resolutions passed as the Council considers appropriate.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chris Holland', written over a horizontal line.

Christopher E Holland
Town Clerk

A G E N D A

PART 'A'

Page/s

- 1 **Apologies**
To receive any apologies for absence.
- 2 **Minutes**
To confirm the minutes of the Trustee Meeting held on Monday 2 October 2023. 3 – 4
- 3 **Declarations of Interest**
To receive any Members' declarations of interest in respect of items on the agenda.
Note: You must also declare the nature of any personal or disclosable pecuniary interests in an item whenever it becomes apparent that you have an interest in the business being considered.
- 4 **Matters of Urgency**
To consider any items that in the opinion of the Chair should be dealt with as matters of urgency because of special circumstances. (Note: such circumstances need to be recorded in the minutes)
- 5 **Exclusion of the Public**
To agree any items to be dealt with after the public (including the press) have been excluded. There are no items which the Town Clerk recommends should be dealt with in this way.

6 Use of The Ham – Sidmouth On Sea – Winter Lights Festival – 19 Jan to 19 Feb 2024

At the September Council meeting it was resolved that; £2,500 be allocated from the Woolley Bequest to Sidmouth School of Art's Sidmouth Winter Lights Festival.

And that the applicant be reminded that an application to use The Ham, for relevant parts of the festival to include all dates, times, planned activities, would need to be made and considered by the Council acting as Trustee.

Members are now asked to consider the attached detailed formal request to use The Ham for a Winter Lights Festival on the following dates: 5 – 8

Friday 9, Saturday 10 February 2024 - Switch on times from 5.30pm to 8pm.

Thursday 15 to Saturday 17 February 2024 - Switch on times from 5.30pm to 8pm.

SIDMOUTH TOWN COUNCIL
Minutes of the meeting of Sidmouth Town Council
in its Capacity as Trustee
held in the Council Chamber, Woolcombe House, Sidmouth
on Monday 2 October 2023
on the rising of the Council Meeting

Ward	Councillors Present:
Sidmouth North	Bernie Davis
	Stuart Hughes
Sidmouth South	Kelvin Dent
	Chris Lockyear (Chair)
	Rachel Perram
Primley	Kevin Walker
	Hilary Nelson (Vice Chair)
Sidbury	John Loudoun
Salcombe Regis	Ian Barlow
Apologies:	Lorraine Brown, Mike Goodman, Louise Laybury

The meeting started at 7.30pm and finished at 7.45pm.

PART 'A'

The Council, when acting as Trustee to discuss agenda items placed before it, considers economic, social, environmental and equality impacts as a whole and in making its decisions, seeks to strike a balance between the positive and negative impacts on the community in the Sid Valley. When considering issues, Town Councillors exercise their individual judgment based on the evidence before them.

15 Minutes

The minutes of the Trustee meetings held on Monday 7 August 2023 were signed as a true and accurate record.

16 Declarations of Interest

There were no Declarations of Interest received for items on the agenda.

17 Use of The Ham – Sidmouth Sailing Club – Sunday 5 November 2023

Sidmouth Sailing Club were holding a junior race training session on Sunday 5 November 2023, and had requested permission to use a section of The Ham to rig boats in the morning and leave trolleys whilst in the water.

The winter race coaching session was being run by South West Youth Sailing Academy for sailors aged 10-18 and the uptake had been better than expected, with about 40 expressions of interest.

RESOLVED: That permission be granted to Sidmouth Sailing Club to use a section of The Ham to rig boats and leave trolleys during the junior race training session to be held on Sunday 5 November 2023.

18 Proposed Replacement of Fish Shack at Fishermen’s Yard, The Ham, Sidmouth

The following email had been received from Oliver Salter, Architectural Services:

“To the Sidmouth Town Council Trustees

I am writing as their agent on behalf of Sidmouth Trawlers who lease the fishermen’s yard at the Ham. They are seeking your permission to replace the dilapidated timber shed that is used primarily for special events with a permanent structure which is an extension to the main building. It will not affect the decorative wall facing the Ham other than a roof being supported by it as the remainder of the wall. With the other alterations planned at Port Royal this will tidy up the corner which is visible to anyone walking past. As with many businesses especially after covid they have to be creative to get back to where they were before and enhance what can be offered to customers. I have attached a copy of the information submitted for planning permission and served on the council as owners.

Regards, Oliver Salter.”

The Chair reported that if Members agreed the replacement building then the Town Clerk would arrange for a revaluation of the whole area to ensure that appropriate rents were being charged by the Town Council.

The Vice Chair reported that the current lease did not include Permitted Use for the selling of hot food or fish and chips. The Town Clerk had written to Sidmouth Trawlers giving temporary permission when the timber shed had originally been installed. However, the lease would require an alteration if the shed was made permanent.

RESOLVED: That this item be deferred until late 2023/early 2024 to give time for the report of the TaFF of the Tourism & Economy Committee looking into the use of the Fishermen’s shed area.

(The TaFF had been set up to consider potential concessions at both the Fisherman’s Sheds and the Ham as a whole, along with their benefits and disbenefits and would report to full Council at the end of the year whilst proposing Long Term objectives for the whole area.)

.....
CHAIR OF THE COUNCIL



Application to use Trustee Land

When making assessments the Town Council, as Trustee, will consider the economic, social, environmental and equality impact of the event as a whole and in making its decisions will seek to strike a balance between the positive and negative impacts on the community in the Sid Valley. When voting on these decisions Town Councillors will exercise their individual judgement based on the evidence before them.

For the hire of:	The Ham for Community Events
Name of Applicant:	Louise Cole, Sidmouth School of Art Sidmouth School of Art is a registered charity in England and Wales (1199539).
Address:	[REDACTED]
Telephone Number:	[REDACTED]
Email address:	info@sidmouthart.org
Emergency Contact telephone number: <i>(Contact must be available during the hours of set up, operation and take down)</i>	[REDACTED]
Description of Event: <i>(You must supply a summary of planned activities and basic risk assessment together with relevant Public Liability Insurance documentation)</i>	<p>Sidmouth On Sea – Winter Lights Festival (outline proposal previously provided)</p> <p>Installation of 9 light sculptures in the Sensory Garden and Riverside Walkway. The lighting installations will be curated by Lighting Artist Zac Greening featuring installations by the lead artists – sculptures and projections, and other artists and including installations created by the community through a process of artist led workshops in Sidmouth Schools. The installations will each have an environmental theme and use recycled materials and LED (bat friendly) lighting.</p> <p>The installations will be installed in the last week of January and equipment will be tested, we will work with Fords of Sidmouth and the lead artist to ensure safety of the construction of the installations and the lighting equipment. It is not anticipated that any specialist installation equipment will be necessary as projection equipment will be ground level, rigging of lighting and the sculptures will not be above a height of 3 metres.</p> <p>Once the site set up is complete there will be a site safety meeting and further risk assessment completed to inform any further mitigation actions required.</p> <p>Sidmouth School of Art has it’s own public liability and insurance cover.</p> <p>There will be a team of volunteer stewards assigned to each installation to ensure during switch ons to ensure the safety of the public viewing them. Projection equipment will be removed when not in use for safety and to avoid risk of theft and damage. A Fire safety check by a qualified professional will be made and there will be provision of fire extinguishers on site.</p>

	<p>The festival will open with Launch Events on Friday 9th and Saturday 10th February 2024 Times: 5.30pm - 8pm (with food and drink) Additional Switch-Ons will be on Thursday 15th, Friday 16th, Saturday 17th February 2024 – Times: 5.30pm - 8pm.</p> <p>There will be a small-scale food and drink offering at the Fishermen’s Yard during the launch events on the 9th and 10th February events. Depending on footfall and weather the food and drink options may be extended to open to include 15th, 16th and 17th February.</p> <p>Sidmouth Trawlers are able to open their fish and chip van on these dates in addition to their usual one day per month opening – we are therefore requesting this is permitted to support this event.</p> <p>Food and drink will not be housed in the Sensory Garden to ensure good flow and space – this will enable effectively a trail for the event: Sidmouth Wallspace, Coral Reef Garden (to be lit) food and drink at the Fishermen’s Yard, lighting installation along Riverside Walkway and at end of the Ham in the parking area and the main site of the Sensory Garden.</p> <p>All vehicles transporting equipment and installations will be offsite for the festival.</p> <p>All switch ons – will be staffed by volunteers for safety. These are to maximise viewing opportunities and will coincide with schools half-term which is 12th – 16th February 24 which will give the best opportunity to promote to the local community and surrounding areas as a new event to the Sidmouth event calendar. By utilising both weekends of half term – there will be good opportunities to engage with children and young people and families and visitors.</p> <p>Sunset in February is around 17.40 – switch ons will be timed to coincide i.e. from 17.30 to 20.00 so there is no anti-social impact on local residents nor impact on biodiversity. Advice has been sought from Sid Valley Biodiversity Group and given the time of year bats and other species will still be hibernating and there will be very little light impact in line with the aims of the festival. Switch ons are for a maximum of 2.5 hours per time and will emit less light than the Alma bridge lights.</p> <p>NB. There will be an additional launch/promotion event on the 18th November as part of the Christmas Lights Switch on event – this is separate to the main festival and not on this site.</p>
<p>Dates requested: <i>(This must also include set up/take down days where appropriate)</i></p>	<p>19th January to 19th February 2024</p>

<p>Start/End times: <i>(This must include operating times and also set up/take down times)</i></p>	<p>Weather conditions will be accounted for in our site risk assessment and any decisions which need to be taken should adverse weather impact safety considerations.</p> <p>Operating times for set up will be in daylight hours between 10am and 5pm with testing once set up is complete which will not go beyond 8.00pm with event times from 5.30 pm to 8.00pm with any equipment needing to be removed daily for safe keeping by 9.30pm during the festival i.e. one hour after the switch on.</p> <p>Final take down of the installations and equipment following the end of the festival will be during daylight hours 9am to 5pm and will be completed in 2 days.</p>
<p>Licences applied for: <i>(Please supply a copy of any licences)</i></p>	<p>A TENS licence will be required for the Fishermen’s Yard only during this period, – there will be no licensable activities taking place in the Sensory Garden.</p>

PLEASE NOTE:
No charge will be made for the use of The Ham
For Community Events

**TERMS & CONDITIONS OF USE
FOR SIDMOUTH TOWN COUNCIL PROPERTY/LAND**

The applicant signs to undertake to comply with the following Terms & Conditions of Use:

- Relevant Public Liability Insurance documentation **must** be supplied with this form.
- A summary of planned activities accompanied by a basic risk assessment for your event **must** be provided with this form.
- No vehicles shall be taken onto the land.
- No damage shall be caused to the property.
- In line with the Town Council’s Environment Policy no single use plastics are to be used and/or sold at this event.
- All rubbish & litter shall be removed at the end of the event and the property returned to the state at which the hirer took possession.
- Where marquees, tents and other structures are to be erected for the duration of the event and/or vehicles are approved to be brought onto the site a **bond of £500** shall be paid to Sidmouth Town Council **not less than 28 days before the date of the event**. This will be held against any damage caused or litter clearance needed and will be repayable after the event upon completion of the Council’s inspection.
- You should contact East Devon District Council Licensing to enquire if a Street Trading and/or Temporary Event License is required for your event; a copy of which must be enclosed with this form.

- If the operator/hirer requires any Licence from the Licensing Authority (EDDC) as well as permission from the Town Council and the terms of the EDDC Licence are less strict than the permission given by the Town Council (eg the hours of operation), the Town Council's permission will take precedence.
- The Town Council may decide to impose additional special conditions for individual events.

Signature of applicant ...

Date19/10/23.....

Please print nameLouise Cole..... Position in

Organisation...Director/Trustee –Sidmouth School of Art.....

Christopher E Holland, Town Clerk
Sidmouth Town Council
 Woolcombe House, Woolcombe Lane, Sidmouth, EX10 9BB
 Tel: 01395 512424 Email: towncouncil@sidmouth.gov.uk

For office use only:

Trustee meeting:	
Approved/Rejected:	
Special conditions imposed:	
Invoices issued:	
Invoices paid:	