

Agenda Item 21

Executive Board

09 February 2011

11/1102



THE STRAND ENHANCEMENT, EXMOUTH

Exempt Information

Para 3 Schedule 12A information relating to the finance or business affairs of any particular person

Summary

This report seeks to bring Members up to date on issues relating to the Strand Enhancement project in Exmouth and necessary delegated authority to progress related matters.

Recommendation

- i) That delegated authority, in consultation with the Portfolio Holder Economy, be granted to the Principal Estates Surveyor to:-
 - a) finalise a tri-lateral agreement between the Council, Devon County Council and Exmouth Town Council in relation to the future management and maintenance of the Strand in consultation with the Head of Legal, Licensing and Democratic Services;
 - b) instruct an external agent to commence marketing of the Strand Pavilion based on the building plans submitted to the Authority for planning permission, and;
 - c) submit a premises licence application to enable the holding of entertainment events in the enhanced Strand area, including the performance stage element of the Strand Pavilion

a) Reasons for Recommendation

The reasons for reaching the recommendations are set out in the main body of this report.

b) Alternative Options

Not provide the necessary resolution to accept the recommendations

c) Risk Considerations

Risk considerations form part of the main body of the report

d) Policy and Budgetary Considerations

The Strand Enhancement is part of the Exmouth Regeneration agenda. The submission of the premises licence is £100 plus legal fees. Other financial considerations are set out under the financial implications section at the end of the report.

e) Date for Review of Decision**1.0 Background**

1.1 At its meeting of 2 September 2009, Members of the Executive Board made the following resolution:-

- RESOLVED**
- (1) that the enhancement and pedestrianisation scheme shown on drawing no C08020/8 be approved, at an estimated cost of £3M including design, works and site supervision;
 - (2) that funding for the scheme be agreed at £2M from Devon County Council's and £1M from East Devon District Council's Capital Budgets and the County Council's Capital Programme be enhanced accordingly.

1.2 Since that time, Devon County Council have undertaken the majority of the works, including the works to the highway and the hard landscaping. The soft landscaping is now being overseen by the Parks and Gardens Manager, Mark Pollard. Phase One is scheduled to be completed by the end of March.

1.3 DCC have now entered into a contract with Paul Humphries Architects to design a replacement building at the Rolle Street end of the site. The current design includes a retail unit with potential use as a cafe, and a performance stage.

2.0 The future management and maintenance of the enhanced Strand

2.1 It is anticipated that DCC and the Council will maintain the site. The scheme has been built with particularly good quality materials and will need to be maintained to a high level. The scheme also includes a lighting scheme, acoustic scheme, high quality (and expensive) street furniture and a new performance stage. As such, it is expected that to maintain the area at the standard required, is likely to have higher revenue budget implications for both Councils. However, it is anticipated that the rent received from the letting of the commercial element of the building will assist in meeting that budget gap.

2.2 Exmouth Town Council are well placed to manage the day to day running of the Strand. DCC are to delegate the management of pavement cafe licences to Exmouth Town Council.

2.3 Exmouth Town Council would also like to manage and arrange events in the Strand, including those using the Strand Pavilion performance stage.

2.4 Draft 'Heads of Terms' for this proposed tri-lateral agreement are attached at Appendix 1.

2.5 Attached at Appendix 2, are the draft 'Heads of Terms' for the management of the area between the Council and Exmouth Town Council.

3.0 The Strand Pavilion

3.1 At the date of writing, Exmouth Members and the wider public have been consulted on the proposed plans for the new building and Paul Humphries Architects have now submitted a planning application on Devon County's behalf.

3.2 As Members will be aware, it is anticipated that on completion, the Pavilion will be held in the ownership of East Devon District Council. To assist the Estates Team, it is proposed that the marketing of the commercial part of the building is passed to a specialist external agent, the Stonemith Partnership. The firm is local, based in Exeter, and has good experience in marketing this type of premises.

4.0 Premises Licence

4.1 Exmouth Town Council anticipate the running of and management of events in the Strand and from the performance stage to support the use of the new area along with existing established events such as the Exmouth Festival and the Christmas Cracker. As such, it is deemed appropriate to apply for a premises licence to enable the use of the area for entertainment purposes. This will be submitted by East Devon District Council.

Legal Implications

Comments from Legal Section:

As Exmouth Town Council will be managing events it would produce much clearer lines of accountability if ETC holds any premises licence which may be granted. However, if the Town Council is unable to do this, the draft management agreement does set out their responsibilities. It would be desirable for ETC to provide details of staff managing events so these are available to the police and other responsible authorities.

Any premises licence application will be considered by the licensing authority under its powers in the normal way. Any decision of the Executive Board is without prejudice to licensing processes.

Signed and dated (Legal): Rachel Pocock 28.1.11

Financial Implications

It is expected that a revenue income will be generated from the rental of the Strand Pavilion and that this will assist the future maintenance and replacement costs for Devon County and the Council.

Comments from Finance Section:

£1m is in the capital programme for the project with £100k paid to DCC in March 2009 and a further £500k in March 2010 leaving a balance of £400k.

Other items of maintenance will come from existing proposed revenue budgets in 2011/12; no additional sums have been included.

It is assumed that there will be no revenue expenditure associated with the new Pavilion until 2012/13.

Signed and dated (Finance): L Gifford Capital only 26/1/11 Mandy White 27/01/11

Consultation on Reports to the Executive

Appendices

- Appendix 1 – Draft Heads of Terms for proposed tri-lateral Agreement
- Appendix 2 – Draft Heads of Terms for management of area between EDDC & ETC

Background Papers

- Executive Board Minutes for 2 September 2009

Donna Best ext 1584
Principal Estates Surveyor

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