

EAST DEVON DISTRICT COUNCIL

Minutes of the Extra Ordinary Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 13 September 2017

Attendance list at the end of document.

The meeting started at 7.35 pm and ended at 8.39 pm

***32. Public speaking**

The Chairman welcomed those present and invited members of the public to address the Council. There were seven public speakers.

Mark Myer expressed his view that the outcome of the closure of the Fun Park would be increased anti-social behaviour, dereliction and the loss of a well used amenity in Exmouth.

Honorary Alderman David Scott commented that there was a need to maintain all successful local businesses.

Nick Hookway commented that there had been no suitable developer coming forward for the site of the fun Park in four years of marketing. He expressed his view that EDDC was held in disregard and made decisions in secret. He stated that the closure of the Fun Park was an outrage and supported the motion to keep it open.

Sally Galsworthy commented that EDDC has reprieved one business and not another, and queried why the same terms could not be offered to the Fun Park as had been offered to the Harbour View café.

Lyn Alexander queried why the Fun Park was to be replaced with temporary facilities until a permanent replacement had been identified. She commented that the Fun Park should be allowed to re-open for a year.

Chris Greenway queried why pop up attractions are to be used until long term plans are in place, particularly when a family have been running a business wanted by local people.

Daphne Currier commented that the site of the Fun Park had been broken into four times already. There were no alternative affordable arrangements locally which were suitable for all age groups, and the Fun Park was wanted by all residents.

***33. Declarations of interest**

No declarations of interest were given.

***34. Motion – Closure of businesses as part of the Queen's Drive redevelopment**

The following motion was proposed by Councillor Megan Armstrong, seconded by Councillor Geoff Jung and supported by Councillors Cathy Gardner, Matt Booth, Dawn Manley and Marianne Rixson.

‘that in order to prevent further unnecessary dereliction, and to save the current community and visitor offer, this motion proposes that the closures of the Fun Park and Harbour View Café are postponed and that:

- a) these two remaining businesses are offered licence agreements on either an ongoing or periodic basis until such time as there is a developer and planning applications for both sites in place, and
b) the timing for site works has been confirmed.'**

The Chairman called on the proposer, Councillor Megan Armstrong to speak.

Councillor Armstrong commented that half of the motion had been agreed by Cabinet at a meeting on 6 September and she was delighted that the Harbour View café was to be offered a further one year licence but could see no reason for the Fun Park not be made a similar offer. Doing so could be done on favourable terms to EDDC with a willingness to vacate when required by the business concerned. If closed the Fun Park would result in a loss of 18 local jobs. There was an experienced tenant willing to pay rent so temporary arrangements should be unnecessary.

As a result of the Cabinet meeting resolution she proposed an amendment to the motion in the form it was in the papers for this council meeting as follows;

'that in order to prevent further unnecessary dereliction, and to save the current community and visitor offer, this motion proposes that the closure of the Fun Park is postponed and that:

- a) this remaining business is offered a licence agreement under the same terms as the Harbour View café on either an ongoing or periodic basis until such time as there is a developer and planning application for the site in place, and b) the timing for site works has been confirmed.'**

She pointed out that this was a public confidence issue in terms of being seen to treat all tenants fairly. This was a sensible solution to a long term problem and she proposed the amended motion.

The Chairman then called on the seconder of the amended motion, Councillor Geoff Jung, to speak.

Councillor Jung agreed the amendment and commented that there was no need to close an established business with an experienced tenant and staff. It could be open to legal challenge and seemed unethical. Exmouth is growing and an important part of the seaside offer, close to Exeter. He pointed out that the Fun Park needed to be upgraded but that it was the wrong time to close it.

The Chairman called on the supporters of the motion to speak.

Councillor Cathy Gardner expressed concern about the decision made at the Cabinet meeting. It would not make sense for EDDC to try to run the Fun Park itself, and was economically sensible to continue to support an existing business, which had a nostalgic element to it in contrast to the big theme parks.

Councillor Dawn Manley wanted to know when discussions had taken place about the use of temporary arrangements.

Councillor Marianne Rixson commented that extending a café licence was not a risk to EDDC but having a derelict site was.

The Chairman called on other members of the council to speak.

Councillor David Key wanted to know when there was a prospect of plans being implemented.

The Deputy Chief Executive, Richard Cohen, stated that the future phases of development of the site would be the subject of continued consultation involving local people. For Phase 2, a third party, Grenadier, had signed a development agreement to deliver a water sports centre and would be revealing their plans in public consultation shortly. Planning approval for Grenadier would enable the council to move forward with Phase 1, the building of a new road and car park. For Phase 3, the last phase of development, the council would carry out a fresh visioning exercise. In the meantime, the council would be preparing the former fun park site for new temporary attractions from Easter next year onwards.

Councillor Pauline Stott outlined some of the issues relating to tenants on the site that the council as landlord had faced, including court proceedings to challenge the ending of their tenancies and vacation of the site needed prior to redevelopment.

Councillor Tom Wright stated that Exmouth Town Council had been given weeks to comment on proposals for a big wheel on the seafront contrary to the views expressed earlier by some members of the public. He also expressed the view that there was an unwillingness on the part of some people to accept that redevelopment is necessary in Exmouth and that the former Fun Park was not a 21st Century attraction.

Councillor Ben Ingham agreed with public views expressed. He said that he had spoken to the tenant of the Fun Park prior to this meeting, who had confirmed that he would be happy to have his licence extended prior to a developer coming in at some point.

Councillor Bruce De Saram expressed his view that all seaside resorts need to change to attract all year round trade and have modern attractions.

Councillor Steve Gazzard stated that people like what Exmouth offers. To close the Fun Park without another plan in place does not make sense.

Councillor Darryl Nicholas stated that the reason there was no developer in place for the later phase of development (Phase 3) is because councillors have been clear that they wanted proper consultation and subsequent plans before a developer was on board to take forward Phase 3. In the meantime it was important to progress Phase 1 and 2. The broader economy of the town and involvement of local people was important.

Councillor Brian Bailey commented that the Harbour View café is not in the way of the new road whereas the Fun Park could be. It also closes down for the winter whereas the café stays open.

Councillor Jill Elson stated that the Fun Park closes for the winter while the Harbour View café is open 364 days per year. Grenadier will be consulting over a six week period and the Water sports Centre will be a facility for everyone. Independent consultants will also be brought in for Phase 3 to reflect the wishes of the public for consultation. Visitors do not spend enough in Exmouth as the tourism survey discovered.

Councillor John Humphreys commented that the redevelopment of Exmouth has taken longer than anticipated but good plans are now in place. EDDC needs to have opportunities to clear, clean and make safe the site for the public. Flexibility is required in order to negotiate a good deal for the town. He went on to say that bar one, none of the councillors who had put forward the motion were from Exmouth. Keeping the café for a while longer is good news and the Coast watch service will also benefit.

Councillor Eileen Wragg asked the Chief Executive if there were any legal reasons why the tenancy could not be extended and where the budget was coming from for Phase 1, the road and car park relocation. He responded by explaining that council could grant a new tenancy but that a court decision is in place which means that the council is acting appropriately in its decision to repossess the site. He also reminded members that they had approved the money for the road in the council's capital programme.

The Chairman moved that the motion now be put and invited Councillor Megan Armstrong to make her right to reply.

Councillor Armstrong spoke in support of the motion and referred to the number of people who travel from a distance to Exmouth. She wanted to query some of the comments made by Councillor Stott earlier in relation to the tenant taking the council to court.

The Chairman gave Councillor Stott the right to reply, and she confirmed that a court case had already cost the council a considerable amount of money.

The Chairman asked Councillor Armstrong to continue.

The Chairman then requested that a vote take place on the motion.

The vote was taken by a show of hands.

The Chairman stated the outcome of the vote as being 26 votes against and 21 in favour, and declared the motion as not passed.

RESOLVED:

'that following a vote, the motion proposed by Councillor Armstrong and seconded by Councillor Jung was rejected'.

Attendance list

Councillors present

Megan Armstrong
Brian Bailey
Dean Barrow
Susie Bond
Colin Brown
Jenny Brown
Maddy Chapman
Iain Chubb
Matt Coppel
Alan Dent
Bruce de Saram
Paul Diviani
John Dyson
Jill Elson
Mark Evans-Martin
Peter Faithfull
Cathy Gardner
Steve Gazzard
Roger Giles

Pat Graham
Graham Godbeer
Simon Grundy
Ian Hall
Steve Hall
Mike Howe
Stuart Hughes
Douglas Hull
John Humphreys
Ben Ingham
Geoff Jung
David Key
Jim Knight
Dawn Manley
Andrew Moulding
Cherry Nicholas
Darryl Nicholas
John O'Leary
Helen Parr
Christopher Pepper
Geoff Pook
Val Ranger
Marianne Rixson
Eleanor Rylance
Pauline Stott
Brenda Taylor
Ian Thomas
Phil Twiss
Mark Williamson
Eileen Wragg
Tom Wright

Honorary Aldermen:

Stephanie Jones
Ann Liverton
David Scott
Tim Wood
Frances Newth

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Henry Gordon Lennox, Strategic Lead – Governance and Licensing
Susan Howl, Democratic Services Manager

Councillor apologies:

Mike Allen
David Barratt
Matthew Booth
Peter Burrows
Paul Carter
Marcus Hartnell

Rob Longhurst
Bill Nash
Philip Skinner

Honorary Aldermen apologies:

David Atkins
Ken Potter

Chairman Date