

Minutes of the Recreation & Tourism Committee held on Thursday 23 February 2023 **@ 6.00pm**

Present: Cllr Irven, Cllr Johnson, Cllr Murphy, Cllr Terrett (Chair), and Cllr Whetlor

In attendance: Jo Grellier, Deputy Clerk

23/84A **To invoke Standing order 4.C.v** - to replace ordinary members at the meeting if the ordinary members of the committee are unable to attend – *If required*
Cllr Terrett, as Chair proposed that **'Standing order 4.C.v is invoked to allow Cllr Irven and Cllr Murphy to attend the meeting to replace Councillors unable to attend'**. Seconded by Cllr Johnson. Carried.

23/85A **To Receive Apologies for Absence** (LGA 1972, section 85 (1))
Cllr Terrett proposed that **'apologies given by Cllrs Campbell, Summers and Richards are approved'**. Seconded by Cllr Johnson. Carried.

23/86A **To receive any Declaration of Interests** under Watchet Town Council's Code of Conduct (adopted on 9 July 2012) issued in accordance with the Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 Si No: 1464

Name	Minute no	Description of Interest	Personal & Prejudicial	Action
Cllr Whetlor	All	All items that may concern SW&T as a District Councillor	Personal	Cllr remained in the meeting and participated in the discussion and voting
Cllr Whetlor	23/89A (i) & (iii), 23/91A.(i)b, 23/92 (i) A, & C	Member of Homefront group, Watchet Phoenix, and WACET, and SW&T Street Licencing Committee	Personal	Cllr remained in the meeting and participated in the discussion and voting
Cllr Murphy & Cllr Irven	23/92A (i)B	Directors of WCCT	Personal	Cllr remained in the meeting and participated in the discussion and voting

23/87A **To confirm and sign the Minutes of the Committee meeting held on 19 January 2023** (LGA 1972, Sch 12 Para 41 (1) - *(circulated to members prior to the meeting via Appendix 1)*)
Cllr Whetlor proposed that **'the minutes of the Committee meeting held on 19 January 2023 are approved as a true and correct record'**. Seconded by Cllr Terrett. Carried with 2 abstentions.

23/88A **King's Coronation event:**

- (i) Kings Coronation Event Working group update report – recommendations to be approved by Full Council - *verbal update*
Cllr Whetlor gave a verbal update as follows:
 - The working group had not had a formal meeting to date due to illness
 - Many suggestions have been submitted by members and discussions are ongoing.
 - Commemorative pin badges were presented – Committee members looked favourable on them and liked the concept, but requested that a full report is generated including exact costs, before any recommendation can be made to Full Council.
- (ii) Request from Williton Parish Council for a collaborative gift purchase for Danesfield School pupils – recommendation to be approved by Full Council (*circulated to members prior to the meeting via Appendix 2*)
Correspondence from Williton Parish Council was discussed. A discussion ensued. Cllr Johnson proposed **that 'the recommended 50% share on the purchase of commemorative mugs for**

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Danesfield pupils with Williton Parish Council is approved'. Seconded by Cllr Terrett. Carried with 1 abstention.

23/89A **Watchet Wednesday Market/Esplanade events:**

- (i) SW&T/WTC Street Trading meeting update report and recommendation (*paperwork circulated prior to the meeting via Appendix 3*)
- Minutes of the meeting held on 1st February 2023 between Watchet Town Council and SW&T were discussed. Cllr Iven thanked the Deputy Clerk for the effort given to researching the information on behalf of the Committee. Recommended that an annual street licence is applied for by WTC for all community events. A long discussion ensued. Cllr Johnson proposed that **'The Deputy Clerk applies for a Street Trading Licence on behalf of Watchet Town Council to cover all non-profit Esplanade events. If a fee is imposed, this is paid from the profits of the Market'**. Seconded by Cllr Terrett. Carried with 1 abstention.

The Deputy Clerk tabled a further report regarding the options available in respect of a Premises Licence for the Esplanade which provided the following information:

- When researching the options for TENS Licences for the Esplanade to cover Entertainment, music for over 500 people and the sale of alcohol. There are stipulations involved with TENS licencing that we were previously unaware. SW&T are now cracking down on ensuring all procedures are above board before it becomes a Unitary Council, and as the Esplanade is owned by the SW&T it is important that we adhere to their procedures.

The main issues we now have are:

- The Esplanade itself is classed as one premises. One premises is only allowed 20 TENS per calendar year, up to a maximum of 26 days. This has to cover all community events where there may be entertainment, music for above 500 people and/or the sale of alcohol.
- If the Esplanade was classed as a 'Community Building' WTC could set up a 'Personal Licence management group' to hold a collective licence for the space, but it has been confirmed by SW&T that the Esplanade is classed as an 'open Community Space', which means Watchet Town Council will require one named person (DPS – Designated Premises Supervisor) to be responsible for the rules and regulations of the TENS, including the sale of alcohol (which would require an additional personal licence also), and this could carry a penalty, which could potentially range from a caution, fixed penalty, fine, temporary suspension or removal of the licence, up to imprisonment for serious repeat offences. A DPS could be held liable, but in conversation with SW&T Licensing Manager if a due diligence approach is taken showing a paper trail of 'Best practice' signed documentation from each trader selling alcohol or providing entertainment which could protect/lower their liability in the event of any prosecution of offenders, but would not completely exempt the individual, so this could be challenging to find a member who is willing to take on this responsibility, especially if alcohol is sold.
- It has been confirmed by SW&T Licencing Manager that if 'non-profit' events will not require a TENS for music and entertainment, if under 500 people attending and between the hours of 8am-11pm.
- If a premises licence (including alcohol) is sought by WTC there will be no need for separate TENS for each event where alcohol is sold.

Recommendations

If no Premises Licence is sought:

- Non-profit events under 500 in attendance held between 8am-11pm, providing entertainment and music can continue without the need for a TENS
- Any event involving the sale of alcohol will be required to obtain a TENS
- Wednesday Market no longer permit the sale of sealed alcohol due to the number of markets held each season. The Market Manager to inform those who have applied.
- Bookings requiring a TENS for the sale of alcohol, are limited to a maximum of 5 x TENS applications on the premises, and/or maximum of 5 days, per calendar year.
- The Esplanade booking form is updated to include a section regarding TENS requirements. If a TENS is required, details the TENS times/dates will need to be recorded.
- Current bookings are approved and organisers requiring a TENS informed that a TENS must be applied for directly 10 days in advance of their intended booking, and evidence given to WTC

If a Premises Licence (without alcohol) is sought to cover events for over 500 people with entertainment after 11pm-5am:

- A DPS (Designated Premises Supervisor) would be required to be responsible for each event, and a TENS would be required. It is recommended that this is not approved as events beyond 11pm with 500+ in attendance at one time are unlikely.
- Wednesday Market no longer permit the sale of sealed alcohol due to the number of markets held each season. The Market Manager to inform those who have applied.

- Commercial events can be held without the requirement of a TENS
- Bookings requiring a TENS for the sale of alcohol, are limited to a maximum of 5 x TENS applications on the premises, and/or maximum of 5 days, per calendar year.
- The Esplanade booking form is updated to include a section regarding TENS requirements. If a TENS is required, details the TENS times/dates will need to be recorded.
- Current bookings are approved and organisers requiring a TENS informed that a TENS must be applied for directly 10 days in advance of their intended booking, and evidence given to WTC

If a premises licence to include the sale of alcohol is sought:

- A DPS (Designated Premises Supervisor) would be required to be responsible for each event.
- Documentation is drafted to show due diligence has been taken to protect the DPS against personal liability. This system is used very successfully by SW&T's approved management partner operating the Castle Green open market
- There would be no restriction on the sale of alcohol at events held on the Esplanade, including the Wednesday Market
- No TENS would be required unless trading after 11pm with over 500 in attendance.
- The Esplanade booking form is updated to include a section regarding TENS requirements. If a TENS is required, details the TENS times/dates will need to be recorded.

A long discussion ensued. Cllr Johnson proposed that **'No Premises Licence is sought. The Watchet Wednesday Market will no longer be able to accept bookings from traders who wish to sell alcohol, and all other event organisers are informed that they need to apply for their own TENS licence for their event if alcohol is to be sold. The Esplanade booking forms are updated to include a TENS section to gain details and make aware that there is a limit to 20 TENS licences with a maximum of 26 days for the Esplanade, so there is no guarantee that it will be accepted. Proof of TENS must be provided to Watchet Town Council'**. Seconded by Cllr Irven. Carried.

- (ii) SW&T Assets surveyor correspondence – members to note correspondence regarding the current Esplanade Management agreement (*paperwork circulated prior to the meeting via Appendix 4*)
Members noted that confirmation had been given from SW&T that the Esplanade Management agreement will be extended and reviewed again in December 2025.
- (iii) To review SW&T Street Trading Policy July 2022 (1st draft) (*paperwork circulated prior to the meeting via Appendix 5*)
Members reviewed the SW&T draft Street Trading Policy. Members made no comments on the policy. Cllr Johnson proposed that **'There are no comments to add and accept the Street Trading policy'**. Seconded by Cllr Terrett. Carried with 1 abstention.

23/90A Floral troughs:

- (i) Relocation of existing WTC owned floral troughs – To approve recommendation (*paperwork circulated prior to the meeting Appendix 6*)
Cllr Johnson proposed that **'The committee approve the proposal to relocate the Cleeve Hill flower trough to the recommended location on the Doniford Road/Bay View entrance verge, ensuring the trough is sited without obstructing the view for motorists entering/exiting Bay View. The surplus WTC boat trough is utilised and relocated to the recommended location on Brendon Road/Entrance road to St Decumans Church verge ensuring the trough is sited without obstructing the view for motorists entering/exiting Brendon Road. The Deputy Clerk is delegated to seek approval from Somerset Highways for the suggested relocation sites'**. Seconded by Cllr Whetlor. Carried.
- (ii) Summer planting quotation for approval - (*paperwork circulated prior to the meeting Appendix 7*)
Cllr Johnson proposed that **'the quotation for the summer planting is approved'**. Seconded by Cllr Whetlor. Carried.

23/91A Councillor Monthly surgery items raised:

- (i) Cleeve Hill Road Closure:
 - a. Public participation from shop owner given at Full Council on 13 February 2023 following Councillor surgery enquiry and suggestions from Cllr Whetlor also presented to Full Council as Watchet & Williton Ward District Councillor. - (*report circulated to members prior to the meeting via Appendix 8*)
The presentation was discussed by all members. Cllr Murphy proposed that **'Appendix 8 is taken to the Road closure Task force meeting for further discussion'**. Seconded by Cllr Terrett. Carried.
 - b. WACET open meeting regarding road closure held on 15 February 2023 – Update report from Cllr Murphy as WTC rep and suggested action for way forward - (*report circulated to members prior to the meeting via Appendix 9*)

Cllr Murphy presented an update report following the WACET open meeting as the WTC rep to the committee along with the Minutes of the meeting provided by WACET Chair. Cllr Murphy proposed that **'as Watchet Town Council are the Local Authority, members adopt the recommendations provided in the WACET representative report and nominate Cllr Terrett as R&T representative and Cllr Johnson as deputy'**. Seconded by Cllr Irvén. Carried.

- c. Recommendation from Cllr Terrett on action for way forward - *(report circulated to members prior to the meeting via Appendix 10)*
Cllr Murphy proposed that **'Appendix 10 is taken to the Road closure Task force meeting for further discussion'**. Seconded by Cllr Terrett. Carried.

23/92A The Esplanade:

(i) Approval of bookings:

- A. Watchet 1940's Home Front Group - *paperwork circulated prior to the meeting*
Cllr Johnson proposed that **'the booking is approved on proviso that all relevant documentation is received before the booking, including a copy of the approved TENs if required'**. Seconded by Cllr Terrett. Carried.
- B. Watchet Street Fair Sub Committee WCCT - *paperwork circulated prior to the meeting*
Cllr Johnson proposed that **'the booking is approved on proviso that all relevant documentation is received before the booking, including a copy of the approved TENs if required'**. Seconded by Cllr Terrett. Carried with 2 abstentions.
- C. Watchet Phoenix - *paperwork circulated prior to the meeting*
Cllr Johnson proposed that **'the booking is approved on proviso that all relevant documentation is received before the booking, including a copy of the approved TENs if required'**. Seconded by Cllr Terrett. Carried.
- D. Watchet Summertime - *paperwork circulated prior to the meeting*
Cllr Johnson proposed that **'the booking is approved on proviso that all relevant documentation is received before the booking, including a copy of the approved TENs if required'**. Seconded by Cllr Terrett. Carried.
- E. Bridgwater Harley Owners Group - *paperwork circulated prior to the meeting*
Cllr Johnson proposed that **'the booking is approved on proviso that all relevant documentation is received before the booking, including a copy of the approved TENs if required'**. Seconded by Cllr Terrett. Carried.

23/93A Matters for the next meeting – verbal, no discussion

- Liaise with Deputy Clerk

The meeting closed at 6.46pm

Signed.....

Date.....