

## CHESHAM TOWN COUNCIL

### MINUTES of the meeting of the RECREATION AND ARTS COMMITTEE

held on 21 February 2005

**PRESENT** Councillor Mrs. P.R. Lindsley, Chairman (presiding)

Councillor	A.K. Bacon	Councillor	Mrs. S.M. McEwan
"	E.L. Bamford	"	Mrs M. Molesworth
"	M.Z. Bhatti	"	Mrs. A.M. Pirouet
"	D.J. Lacey	"	C.H. Spruytenburg

### **IN ATTENDANCE**

Councillors: Mrs. P.R. Wilkinson M.B.E. and P. Woodburn.

**Members of the Elgiva Board of Management:** Mr. M. Brand; Ms S. Nath and Mr A. Ogden.

Officer : Mr. W. Richards, Town Clerk

Apologies for absence were received from Councillors M. Fayyaz and P.J. Murphy.

### 73. **PRESENTATION BY THE ELGIVA BOARD OF MANAGEMENT**

Elgiva Board of Management representatives, Ms. Sian Nath and Mr Anthony Ogden, gave an update to the Members present on the current position of the Elgiva. They were pleased to report that, since the Board was set up two years ago, the facility's deficit had been reduced, 'dark days' virtually eliminated and the quality and quantity of live theatre increased. They paid tribute to the Elgiva Manager and his team for their efforts in achieving this. While working on the premise that its role was to help ensure there would be no increases in real terms on the facility's deficit, Ms Nath and Mr Ogden stated that the Board members felt that their responsibilities needed to be more clearly defined. They reiterated that they had no wish to undermine the officers, particularly on programming at the theatre.

The Committee was advised that the Board was actively looking at, increasing revenue by attracting sponsorship and applying for grants; possible capital developments, particularly the foyer and the covering of the outdoor patio area and increasing the diversity of audiences attending.

The Chairman thanked the Board representatives for attending and giving such an informative presentation and formally opened the meeting at 7.40p.m.

74. **DECLARATIONS OF INTEREST**

There were no declarations of interest that were brought to the Chairman's notice.

75. **MINUTES**

It was

**RESOLVED**

that the Minutes of the meeting of the Recreation and the Arts Committee held on 20 December 2004, be confirmed and signed by the Chairman as a true record.

76. **EXCLUSION OF THE PUBLIC AND THE PRESS**

In light of the fact that the Elgiva Board of Management representatives would be able to positively contribute to agenda item 14, it was agreed that this item be considered first. Accordingly, it was moved by the Chairman and

**RESOLVED**

that the public and the Press be excluded from the following two items in accordance with the Public Bodies (Access to Meetings) Act 1960, as matters which are considered to be confidential are about to be discussed and that the representatives of the Elgiva Board of Management be invited to stay for the first item only.

77. **CATERING CONTRACT FOR THE ELGIVA**

The Committee was asked to determine which of the two companies shortlisted by the Elgiva Board of Management should be awarded the three year catering contract for the Elgiva, due to commence from 1<sup>st</sup> April 2005. The representatives present advised Members that the Board had been unable to indicate a clear preference since both companies appeared to offer a high quality service but with markedly different styles and visions for the catering at the theatre.

Members considered the two bids, sought clarification from the Board representatives and the Town Clerk on particular queries arising from the tenders and, following a discussion, voted on their preference to operate the franchise.

It was

**RESOLVED**

that Gabriel's and Bridgecott Catering be offered a three year lease to operate the catering services at the Elgiva commencing from the 1<sup>st</sup> April 2005 following the signing of the appropriate contract.

*The representatives of the Elgiva Board of Management left the Chamber before the consideration of the next item.*

78. **LEGAL EASEMENTS – LYE GREEN**

The recommendations of the solicitors acting for the Council on this matter were considered by the Committee. Cognisant that the Council does not have a legal section to deal with such a complex matter, it was agreed by Members that they should be guided by the professional advice received. It was therefore

**RESOLVED**

that the Council's solicitors be instructed to grant Lye Green residents a legal easement upon request, subject to the applicant paying for the legal fees incurred in preparing the easement and upon agreement of paying an annual sum each year to be determined by the Council.

*The public and the Press were re-admitted to the meeting.*

79. **ALLOTMENTS GROUP**

Members received the Minutes of the Allotments Group held on 14 December 2004.

It was

**RESOLVED**

that the Minutes be noted.

Councillor Bamford highlighted that the Allotment Group's date for digging of unused plots had been set for 13 March and invited Members to join the Group on that day.

Councillor Spruytenburg conveyed the Allotment Group's appreciation to the Parks and Premises team for its prompt efforts in raising the height of the gates at Cameron Road to deter intruders.

80. **ELGIVA BOARD OF MANAGEMENT**

Members received the Minutes of the meetings of the Elgiva Board of Management held on 13 January and 11 February 2005. It was

**RESOLVED**

that the Minutes be noted.

81. **ELGIVA BOARD OF MANAGEMENT TERMS AND REFERENCES**

Arising out of Minute No. 7 of the meeting of the 11 February, Councillor Bacon proposed that a Working Party consisting of three Members and three representatives of the Elgiva Board of Management be set up to consider the terms and references for the Board. This was agreed and it was

**RESOLVED**

that Councillors Bacon, Bamford and Mrs Lindsley be approved as the Committee's representatives on the Working Party and be authorised to liaise with the Elgiva Manager and the Elgiva Board of Management to progress the matter further.

82. **WORKING PARTY REPORT ON FUTURE OF CEMETERY AND CHAPEL**

Members considered the report from the Cemetery Working party on the future of the cemetery and chapel. It was noted that to utilise Cameron Road allotments as a future site would need approval from the Secretary of State and the land abutting Nashleigh Hill Recreation Ground would almost certainly be unsuitable due to poor accessibility and location in an environmentally sensitive area. However it was accepted that the current burial ground is unlikely to reach capacity within the foreseeable future.

The Committee discussed the future of the chapel and whether it should continue to be operated by the Council. Little information on the history of the facility has been found and the Town Clerk was requested to approach the Diocese to ascertain whether it has ever been consecrated.

It was agreed that, if possible, the Chapel should remain open and continued to be offered to the bereaved as a place to hold a funeral service. However it was further agreed that before any repairs and renewals be undertaken, a survey should be commissioned to determine the structural state of the building and the costs of any remedial works required thereof.

It was

**RESOLVED**

that officers be instructed to utilise some of the monies earmarked for the chapel's internal renovation to commission a structural survey of the building and report back with its findings to a future meeting.

83. **MICROPHONE SYSTEM FOR TOWN HALL**

Members welcomed the news that the Council had received a grant towards installing a microphone and sound system at the Town Hall following its gaining of Quality Town Status but were advised that it was only half the cost of the

equipment. It was noted that, while a proportion of the balance could be found from savings accrued on the residents' survey; the remainder would need to be taken from the reserves if the Committee wished to proceed with the purchase and installation.

A debate took place on whether the system justified being partially funded through the reserves even though it was accepted that it would play an important part in ensuring compliance with the Disability Discrimination Act by allowing those with hearing difficulties to participate in, and listen to, Council business and public meetings in the Town Hall.

It was proposed by Councillor Bacon and seconded by Councillor Spruytenburg that *'the Council proceed with the purchase and installation of the microphone and sound system for the Town Hall'*

This motion was **CARRIED** by 7 votes to 1. In accordance with standing orders, Councillor Bamford requested that this matter be determined at full Council and it was therefore

#### **RESOLVED TO RECOMMEND**

that the Council proceed with the purchase and installation of the microphone and sound system for the Town Hall.

#### 84. **SCHOOLS OF CHESHAM CARNIVAL**

The Committee considered the request from Schools of Chesham Carnival to use Lowndes Park for the event in 2005. A brief discussion took place on whether portable toilets should be provided by the Council for the event. It was agreed that, even if the new public conveniences have been built and are operational by June, they would be insufficient to cope with the numbers attending and therefore portable toilets should continue to be hired by the Council for the Carnival.

It was

#### **RESOLVED**

that use of Lowndes Park for the 2005 Schools of Chesham Carnival be approved and future requests be delegated to the Town Clerk and Chairman of the Recreation and the Arts Committee for approval.

#### 85. **LICENSING OF COUNCIL LANDS**

The Committee was advised that officers have been liaising with the licensing officers from Chiltern District Council in regard to licensing open spaces if required. It has been highlighted that the Licensing Act 2003 requires certain activities to be licensed by the principal authority by means of the granting of a Premises Licence. These activities include 'the provision of regulated entertainment in the presence of an audience and include the performance of a play; film exhibitions; indoor sporting events; boxing or wrestling events; performing live music and playing recorded

music (except incidental music); dance performances and entertainment of similar descriptions'. Moreover the implications of the Act are that art and pop festivals, carnivals and circuses, street entertainers and similar activities, would need to apply for a premises licence if they are to be held for more than 96 hours and/or attract more than 500 people at any one time.

The Committee was further advised that in order to obtain a Premises Licence for its open spaces, the Council would have to show adherence to the Act's four principal 'licensing objectives' (prevention of crime and disorder; prevention of public nuisance; promotion of public safety and protection of children from harm), pay a fee of £100 per open space and place a notice in the local paper and display notices in the areas themselves advertising its intentions. The annual fees thereon will be around £50.

Following consideration of the advice received, it was

**RESOLVED**

that the Council apply for a Premises Licence for Lowndes Park, Nashleigh Hill Recreation Ground and Codmore Field.

86. **MARSTON FIELD MULTI-GAMES AREA**

It was noted that Chiltern District Council had obtained funds to install a side-wall at the Marston Field Multi-Games area and it had requested that the Council agree to approve this and thereafter take ownership of the wall as it had done with the rest of the facility.

Members were advised that this had been particularly requested by the young people themselves and it was

**RESOLVED**

that the Council gives permission for the side wall to be erected and assumes responsibility for it, including maintenance subject to the principal authority's Environmental Health Officer confirming there would be no possible noise nuisance resulting from this addition.

87. **FOLDING DOORS IN COMMUNITY HALL, TOWN HALL**

The Committee discussed the folding doors and matter of storage within the Community Hall at the Town Hall. It was accepted that, to effect the necessary flooring repairs it was economically prudent to remove the folding doors, particularly since estimates to repair them appeared excessive. However the consensus of the Committee was that some enclosed storage area for the table and chairs was desirable if possible and the Clerk was requested to investigate whether the erection of a purpose built storage cupboard was practicable.

It was

**RESOLVED**

that the folding doors be removed and not replaced and any necessary floor repairs be carried out.

88. **INFORMATION ITEMS**

The items presented on Information Sheet No. 24 were received and noted.

89. **CLOSE OF MEETING**

The meeting closed at 9.00 pm.

CHAIRMAN

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