

EAST DEVON DISTRICT COUNCIL

Report of a Meeting of the Beach Concessions Task and Finish Forum held at Knowle, Sidmouth on Tuesday, 4 December 2007

Present: Councillors:
D R A Key (Chairman)
C Gibbings
Mrs P A Graham
B O Ingham
R C Peachey
T J R Wood

Also present Councillors:

M J L Green
D Chapman
G Godbeer

Diccon Pearse (Corporate Director)
Mark Reilly (Head of Streetscene)
Derek Smith (Legal Executive)
Chris Lane (Democratic Services Officer)

Apologies Councillors:

Miss V Ash
D G Atkins
R Boote
G K Liverton

The meeting started at 6.30pm and finished at 8.15pm.

*14 **Report of the last meeting**

The report of the meeting held on 21 November 2007, was noted.

*15 **Terms of reference**

The Forum noted the terms of reference for the TaFF which were:

“To consider Beach concessions in three broad areas, namely:

1. Office practices and procedures associated with the granting of beach concessions;
2. Their terms and conditions attached to beach concessions, including the level of fees charges;
3. The arrangements for monitoring adherence to the terms and conditions of beach concessions granted.”

16

Procedures for dealing with applications for Beach concessions – commercial boats

A) Office procedures

Members noted the revisions made resulting from discussions at the meeting on 21 November 2007. The TaFF and Legal representative confirmed that they were confident that the changes made would prevent any person who was not fit and proper from obtaining a boat concession licence. The Head of Streetscene advised that if the beach lifeguard service was provided through a third party more beach safety monitoring could be undertaken by the Beach Safety Officer.

RECOMMENDED that the procedure presented be approved.

B) Application form

The Task and Finish Forum considered the application form for a boat concession on Council beaches which had been revised following comments made at the meeting on 21 November 2007.

RECOMMENDED that subject to the following comments the application form be approved:

- a) that section 9 include a requirement for a medical certificate and also for the originals of documents to be produced;
- b) that section 10 should include the words “or such greater sum as the MCA shall require”;
- c) Add another question in the application form relating to whether an applicant for a concession had been previously refused by another Local Authority.

C) Guidance to applicants – concessions for boats & winches

Members received details of the guidance to applicants for concessions for boats and winches, which had been revised following comments made at the meeting on 21 November 2007.

RECOMMENDED that subject to the following comments the guidance be approved:

- a) that the bullet points in section 5 be numbered a) to f);
- b) that paragraph a) be altered to read “ The Council considers the concession is inappropriate as it does not meet the Council’s policy;
- c) that paragraph f) be altered to read “ If a particular concession is not considered appropriate on advice from consultees”;
- d) that the word “shall” be removed from paragraph 2 of section 7;
- e) that an attempt be made to make the Guidance fit in

better with the principles of Plain English.

D) Licence Agreement

The TaFF noted the Licence Agreement compiled by the Legal Executive, which had been revised following comments made at the meeting on 21 November 2007.

RECOMMENDED that subject to the following comments the Licence Agreement be approved:

- a) that clause 2.4 line 2 be changed to read "This will include" and also to include reference to having all ancillary equipment clearly marked with the identity of its concessionaire;
- b) that the word "season" be removed from clause 8.4.

17 **Procedures for dealing with applications for Beach concessions – non commercial boats**

A) Office procedures

The TaFF noted a written procedure for dealing with applications for private boats and winch licences which had been revised following comments made at the meeting on 21 November 2007. Members noted that most licences had only two years of their term left to run.

RECOMMENDED 1) that the procedure be approved;

2) that at annual renewal, all concessionaires be advised that their public liability insurance should be increased from £2,000,000 to £5,000,000.

B) Application form and conditions to site winches/capstans

Members considered the application form to site winches/capstans on East Devon beaches which had been revised following comments made at the meeting on 21 November 2007. Councillor Mike Green was concerned that winches should not be too noisy. This was seen as a matter that would be covered under the requirement for the winch operator to maintain the winch so that it would meet Health & Safety standards.

RECOMMENDED that subject to the following comment, the application form and conditions be approved:

that the typographical error in the numbering of paragraphs be corrected.

C) Application form to keep a boat on a Council beach

Members considered the application form to keep a boat on a Council beach which had been revised following comments made at the meeting on 21 November 2007.

RECOMMENDED that the application form and conditions be approved:

Members were advised that following the agreement of the above forms and procedures the majority of the requirements of the Ombudsman had now been met.

***18 Seaton Risk Assessment**

The Head of Streetscene introduced the risk assessment prepared for Seaton Beach. This indicated that water based concessions should not be operated on this beach. No passenger concessions were recommended to be allowed due to the size of landing stage required. There was a natural risk on Seaton beach, not a man made one and therefore the risk was not easy to overcome.

Members noted that Seaton Town Council had seen Seaton beach as an underused resource and wished to see greater use of it made by concessionaires. The Risk Assessment prepared for Seaton Beach would now go for wider consultation with interested parties. The Head of Streetscene advised that there was a need to undertake a Risk Assessment on other beaches within East Devon.

RESOLVED

- 1) that the Risk Assessment prepared for Seaton Beach go out for consultation with interested parties;
- 2) that the Head of Streetscene consult the MCA on the possible swamping of inflatable boats at Seaton beach, due to wave action;
- 3) that consideration be given to Risk Assessments being undertaken on other beaches in East Devon under the Council's control.

***19 Overview of use of beaches**

The Chairman welcomed those Members of the Environment Think Tank who had attended the meeting. They had also discussed issues relating to beaches at their meetings and the Chairman agreed that it was important for the two groups to work together and share ideas and thinking. A common work programme would be discussed at the next meeting of the TaFF.

RESOLVED

that all members of the Environment Think Tank should be invited to future meetings of the Beach Concessions TaFF.

***20 Items for next meeting**

- 1) Fees and charges;
- 2) Zoning and use of beaches.

***21 Date of next meeting**

RESOLVED

that the next meeting be held on Thursday 31 January 2008 at 6.30pm in the Committee Room.

Chairman Date.....