

CABINET

4 NOVEMBER 2022

REFERENCE REPORT FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE

A.2 SCRUTINY OF THE DECISION TO GIVE CONSENT FOR AN EVENT BY FRINTON SUMMER THEATRE

(Report prepared by Keith Durran and Keith Simmons)

BACKGROUND

It accordance with the decision of Council on 12 July 2022 (Minute 29 refers) the Resources and Services Overview & Scrutiny Committee ('the Committee') undertook an enquiry at its meeting on 17 October 2022 of the following decision by the Portfolio Holder for Environment and Public Space of 1 April 2022:

- "a) To give consent for the use of the section of Frinton Greensward identified between 14 August 2022 and 5 September 2022 by the Frinton Summer Theatre subject to any necessary licences being obtained and conditions being adhered to; and*
- b) That the details of any consents given make it clear that consent is given for this event only and that future events will be evaluated on their merits at the time."*

The Assistant Director of Building and Public Realm submitted a report to support the enquiry. It attached the full decision, the supporting report prepared by Officers for the Portfolio Holder, the revised application for the use of the Greensward submitted by Frinton Summer Theatre and representations received and considered by the Portfolio Holder on the proposed use.

The Members of the Committee were advised that:

The Council was the freehold owner of The Greensward at Frinton. That Frinton Summer Theatre, Registered Charity No: 1170429, applied to erect a temporary tent on the Greensward in order to put on a main summer production, a secondary production and community outreach activities. An initial application from the Theatre had been refused by Officers and the detail provided by the Theatre was limited at that stage. Ward Councillors had been consulted on the proposal. The applicant then submitted a revised application with greater detail. Officers had the delegation to make a decision on the revised application. However, in consultation with the Portfolio Holder, he agreed to make the decision.

Consultation with the Ward Councillors indicated that they remained opposed to the revised application. The evidence in the report to the Committee, and as outlined orally by the Portfolio Holder during the meeting, indicated that there were a number of Town Councillors and businesses in Frinton who were in support of the revised application. So were relevant Portfolio Holders at Essex County Council and the Leisure & Tourism Portfolio Holder at the District Council.

The Portfolio Holder outlined the extent to which he considered matters around the revised application and determined that the use of the Greensward was appropriate in this case. The decision is set out above.

Upon payment of all charges by the Theatre Company, there would be no residual cost to this Council arising from the authorised use of the Greensward by the Theatre Company as a consequence of the decision by the Portfolio Holder.

The Committee was also made aware that there was no policy in place that managed the authorisation of usage of the District Council's public spaces for events.

The Portfolio Holder assisted the Committee with its enquiry and answered an extensive range of questions from the Committee's Members. During the discussion, the Committee's Chairman, and a number of other Councillors indicated that the evidence presented identified to them that the Portfolio Holder had considered the relevant facts and the decision reached appeared to be appropriate.

RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE'S RECOMMENDATION(S) TO CABINET

That Cabinet -

- (a) notes that the Committee supports the intended development of the proposal for a policy in respect of authorising use of Council owned Open Spaces (including criteria and charging), and**
- (b) gives serious consideration to any future requests of proposed events, which are to be held on the Frinton Greensward, as this event has had a serious and detrimental effect to Frinton's residents, its infrastructure, and its businesses.**

[Note: (a) above was approved unanimously and (b) above was approved by 2 votes for, 0 votes against and with 6 abstentions]

PORTFOLIO HOLDER COMMENT(S) AND RECOMMENDATION(S) TO CABINET

Environment and Public Space Portfolio Holder's Comments

That the enquiry by the Resources and Services Overview and Scrutiny Committee into my decision be welcomed. Having considered the outcome of that enquiry by the Committee, I ask Cabinet to:

- (a) note that the Committee supports the intended development of the proposal for a policy in respect of authorising use of Council owned Open Spaces (including criteria and charging), and
- (b) record that consideration to any future requests for proposed events which are to be held on the Frinton Greensward will be given."

RECOMMENDATIONS TO CABINET:

That the recommendations made by the Resources and Services Overview & Scrutiny Committee be considered and that the response of the Environment and Public Space Portfolio Holder thereto be endorsed.