

PADSTOW TOWN COUNCIL
LEISURE, TOURISM AND OPEN SPACES COMMITTEE: 17 JANUARY 2023
AGENDA ITEM 7: BANDSTAND

1. Bandstand Maintenance/Management

- 1.1 As it stands at the moment the bandstand is regularly cleaned by PTC this includes the bandstand flooring, railings and benches. Any issues that require attention are addressed by the Town Council, of course anything more substantial with the structure would be referred to PHC. The Town Council pay for the bandstand lighting as well as the electrical power point to the bandstand. This also forms part of the electrical checks that are undertaken by Council.
- 1.2 The Town Council also manages the bandstand's use. This includes ad hoc requests which we have seen grow in recent years, as well as managing the summer schedule of band performances. The latter involving the application for a road closure and manning thereof.

2. Bandstand Ownership

- 2.1 Back in 2016/17 the former Harbour Master made initial contact with the Town Clerk in respect of looking to better formalise the current arrangement with regards to the bandstand. It was outlined at that time, that the area of land is registered to Padstow Harbour Commissioners (PHC) title as part of Padstow Harbour. At the time it was also outlined as PHC owned the freehold, the suggestion was the fabric walls etc would be down to PHC but maintenance of fixtures (i.e. benches etc) would be down to PTC.
- 2.2 When looking back on past documentation it was noted a letter of agreement in 1972 and then in 1992 a "privity of estate" for a period of 21 years – which clearly would have expired anyway. The former was for a peppercorn rent of £1 per annum. The RFO has confirmed that as far as she can recall since working here no invoices have been sent or rental paid. Whilst this initial contact was made, no formal request was ever forthcoming instead the status quo has remained.

3. Issues

- 3.1 Over the years we have had to deal with unauthorised use of the space which has involved aggressive behaviour to our staff. It is understood that the bandstand falls within PHC's own bylaws and so its unauthorised use would likely be better managed by them using these existing bylaws.
- 3.2 We have also over the past few years dealt with shared users for events which the Council is not affiliated with. We are then required to deal with ongoing issues with people/organisations not providing information to comply with the Council's H&S advisors and insurers. The chasing of this information is incredibly time consuming and can be perceived as obstructive or fussy, particularly as we have no other involvement however, these are required.
- 3.3 Whilst undertaking requirements as outlined in 3.2 above, there is the potential for any issues to "fall between two stools" as over the years an "informal" agreement has been followed. It should be noted that there has never been an issue with PHC with in this regard.

4. Matters of Consideration

- 4.1 The Town Council has several of its own assets, as well as SLA's with CC and management of the Churchyard. It also recently acquired a further asset in the Core Building, the future use of which will require work by our office team, with them already making headway and key contacts, for instance with the food bank and NHS prescribers. This work will only increase with smaller organisations expected to want to book the space. The space will also require regular maintenance and cleaning.
- 4.2 As members will know, the Council is also increasing and improving its outdoor facilities through the refurbishment of its play area and the development of a new MUGA and thought will need to be given to the future management of these spaces.
- 4.3 Council has also indicated a wish to do more for its community with plans already afoot for the King's Coronation and the Goresdh in 2023 being a snippet of workload being taken forward. Therefore, when considered alongside the issues raised in this report, it may be prudent to consider the extent of the Council's involvement in another organisation's asset.
- 4.4 As it stands at the moment, particularly with the ad hoc requests and the regular users of the bandstand the Town Council is in effect a "third wheel". Going forward, perhaps these requests would be better managed between the owner and requester. However, in terms of the scheduled band performances each season, as these are more coordinated and are performances invited by the Council it is suggested that, provided PHC have no issue, the Council continue to arrange these in an "event management role". The Town Council would follow its current procedure but apply for a temporary entertainment licence each year.

5. Committee Considerations

- 5.1 Due to the points raised within this report the Town Clerk welcome's Committee's thoughts on the suggestion that the Town Council may wish to revert the maintenance and management of the bandstand back to PHC for the reasons outlined in this report.
- 5.2 A suggestion could be that the Town Council continue with the arrangement as is but outline that any requests for usage from October 2023 onwards are referred to PHC together with the maintenance of the same. It may take time to transfer over the electrical provider so this could be passed over as soon as practicable after October. In respect of the benches, provided PHC were happy they remain, the Town Council could continue with their ongoing maintenance, repair and insurance.
- 5.3 With the recent change to more community focused works and with Council generally increasing its offerings, that this would be sensible not only from a management perspective but also from one of liability.
- 5.4 Its known how much the Town Council has in the past enjoyed providing the band performances over the summer months, the Town Clerk feels this is something that could continue, provided PHC have no issue with it.
- 5.5 In relation to the summer bandstand performance this year, 2023. Council Support Officer has started pulling together the summer schedule, working as

per approach last year with performances taking place on Sundays in July and August. She will also liaise with the 4x4 responders service to manage road closures, as this worked incredibly well last year. The process in offering slots was improved last year by bands completing an "expression of interest" form outlining a band's preferred date from a list of available sessions. Those on the bandstand mailing list are sent an email advising them when the expression of interest forms become available.

5.6 The RNLi has also provided dates they are seeking usage of the bandstand, as in previous years, these do not require a road closure as they manage the events with marshals themselves. These dates are:-

- Wednesday 28th June Harbour Day
- Sunday 30th July Lifeboat Day
- Sunday 10th September Harbour Day

- Sunday 13th August is also the provisional date for the Sea Sunday Service, which is organised by Padstow Church, with the Lifeboat in attendance and as in previous years Padstow Town Council has provided the road closure.

6. Committee's Recommendations:

- i) Does Committee wish to recommend to Council as per 5.1 and 5.2 above?
- ii) Is Committee happy to offer the dates as above in 5.6 and continue with the bandstand programme for 2023.