

# TONBRIDGE & MALLING BOROUGH COUNCIL

## COMMUNITY AND ENVIRONMENT SCRUTINY SELECT COMMITTEE

19 October 2022

### Report of the Director of Street Scene, Leisure & Technical Services

#### Part 1- Public

#### Matters for Recommendation to Cabinet - Non-Key Decision

## 1 USE OF THE COUNCIL'S PUBLIC OPEN SPACES

### Summary

This report reviews the new policy and fees and charges for the use of Council owned open space introduced in January of this year.

### 1.1 Introduction

1.1.1 At the May 2021 meeting of the Communities & Housing Advisory Board, Members recommended to Cabinet and Full Council:-

- a policy for the use of Council owned public open spaces;
- admin fees and charges as detailed in the policy;
- delegated authority to the Cabinet Members for Finance & Community Services to consider and determine appeals and fees & charges in exceptional circumstances.

1.1.2 The recommendations were approved by Council and the new policy and charges were introduced on 1<sup>st</sup> January 2022 in advance of the annual events programme. It was also agreed that a first year review would be presented to Members.

### 1.2 Policy

1.2.1 A copy of the policy including the approved fees and charges is attached at **ANNEX 1**. The policy sets out criteria against which each request for an event is assessed, establishing a fair and transparent system. The policy states that it should be reviewed every four years with the charges being reviewed annually.

### 1.3 Review

1.3.1 Attached at **ANNEX 2** is a spreadsheet showing events in 2022 including the nature of events (commercial/community).

- 1.3.2 As a result of the new policy and charges, there has been no detrimental impact on the number of events taking place, and in fact the number has increased from 71 in 2021 to 94 in 2022 (a 32% increase).
- 1.3.3 Income generated from the new admin fee for the events is £4,550 and income from the new event charges in 2022 is £41,361.
- 1.3.4 Only one complaint has been made to Officers from one of the band concert organisers, although it is worthy of note that the number of requests from bands to play on the lawn increased in 2022. 4 appeals have been made to and determined by the Cabinet Members as highlighted below.
- **Ukraine prayer vigil** 23 March 2022 – was decided not to charge;
  - **Sussex Road Easter Egg hunt** – Reviewed and full charges given - (£25 admin fee + £100 land hire);
  - **North Downs Way 100** (water station) running event 6-7 August 2022- Reduced charge to 50% given it was 1 gazebo in corner of car park and post pandemic situations;
  - **Christmas in Snodland** 26 Nov 2022 - Reviewed and full charges given - (£50 admin fee + £100 land hire).

#### 1.4 Financial and Value for Money Considerations

- 1.4.1 The 2021/22 operational revenue budget for events shows the following:-
- Expenditure - £22,000
  - Income - £45,000
- 1.4.2 It is worthy of note that of the entire budget of £67,550 (including staffing and central, departmental and technical support services), £48,517 is allocated through Special Expenses.
- 1.4.3 In addition to the direct income generated from the events there is also significant indirect income generated from Parking, Tonbridge Castle secondary spend, economic investment and promotion of our own facilities and to the businesses in the local area.
- 1.4.4 Funds raised indirectly for local charities each year, is estimated to be over £12,000.
- 1.4.5 A continued emphasis will be on income generation particularly through marketing and promotion and seeking new events.
- 1.4.6 It is proposed that the income budget for 2023/24 is increased from £35,000.00 in 2022/23 to £45,000.00.

## **1.5 Legal Implications**

1.5.1 Whilst this is a discretionary service there is a legislative requirement for the Council to approve events taking place on Council owned land. The events programme contributes significantly to the emerging vision and corporate priorities, in particular economic regeneration. Income generated and reduced expenditure has fundamentally changed the cost implications to the Council and additional income is proposed in the revenue budget for 2023/24.

## **1.6 Charges**

1.6.1 The existing charges, included in section 6 of the policy have not had a negative impact on the number of events taking place and in line with corporate guidance it is suggested that the prices be increased in line with inflation and reported to Cabinet.

## **1.7 Summary**

1.7.1 In summary, the review shows that:-

- the existing policy has worked well to date;
- the new admin fee and charges have had no negative impact on the number of events, with demand for events increasing;
- there has only been one complaint from event organisers regarding the new policy;
- additional income of £10,911 above the budgeted income has been generated from the new charging policy, contributing to the Council's savings target;
- an inflationary increase to the charges is suggested.

## **1.8 Risk Assessment**

1.8.1 All applicants for use of Council owned land are required to provide safety plans, risk assessments and insurance as detailed in the Policy.

## **1.9 Equality Impact Assessment**

1.9.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

## **1.10 Policy Considerations**

1.10.1 Community

## **1.11 Recommendations**

1.11.1 Members of the Scrutiny Select Committee are requested to consider and make recommendations to Cabinet on the outcome of the review, identify any improvements they may wish to see to the policy and consider the suggested inflationary increase in charges for 2023/24.

Background papers:

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Nil

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