

**TONBRIDGE & MALLING BOROUGH COUNCIL**

**LEISURE and ARTS ADVISORY BOARD**

**9 December 2013**

**Report of the Director of Street Scene and Leisure and the  
Cabinet Member for Leisure, Youth and Arts**

**Part 1- Public**

**Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken  
by the Cabinet Member)**

**1 LEYBOURNE LAKES COUNTRY PARK – LICENCE ARRANGEMENTS**

**Summary**

**This report brings forward proposed terms and conditions for the Catering Concession and fishing rights at Leybourne Lakes Country Park for Member consideration and approval.**

**1.1 Leybourne Lakes Catering Concession**

- 1.1.1 This contract allows for the provision of a Mobile Catering Unit located within the Park. The current vendor has given notice and ceased trading in November 2013 due to personal reasons. This contractor had served at the Park for the past nine years.
- 1.1.2 It is proposed that competitive quotations be sought for a three year licence from 1 April 2014 to 31 March 2017. This is similar to the arrangement at Haysden Country Park and will hopefully be more appealing to prospective operators than offering a single year. The current annual income received from the licence is £7,000.
- 1.1.3 In liaison with the Council's Estates Services Manager it is proposed that a licence be granted to the successful operator on the following terms and conditions:
- Term: 3 years
  - Licence Fee: To be agreed following the receipt of competitive quotes
  - Operator to be responsible for all outgoings arising from the service provision
  - All other terms and conditions are as standard commercial licence
  - The Licensee to contribute £200 towards the Council's Legal and Surveyor costs associated with the preparation of the licence.

- The Council's Director of Central Services and Monitoring Officer shall be granted delegated authority to agree the level of the licence fee referred to above in consultation with the Director of Street Scene and Leisure following receipt of the competitive quotes.

1.1.4 Approval of the above will be sought at the Finance, Innovation and Property Advisory Board on 7 January 2014.

## **1.2 Leybourne Lakes Country Park Fishing Rights**

1.2.1 A licence is currently granted to Mid Kent Fisheries for the fishing rights to the Lakes within the Park and is due to expire on 31 March 2014.

1.2.2 It is proposed that competitive quotations be sought for a five year licence from 1 April 2014 to 31 March 2019. A five year term is proposed in order to give the successful contractor sufficient time to adequately stock and manage the fishing operations. The current annual income received from the licence is £14,000.

1.2.3 In liaison with the Council's Estates Services Manager it is proposed that a licence be granted to the successful operator on the following terms and conditions:

- Term: 5 Years
- Licence Fee: To be agreed following the receipt of competitive quotes
- Operator to be responsible for all outgoings arising from the permitted use
- All other terms and conditions are as standard commercial licence
- Licensee to contribute £200 towards the Council's legal and surveyor costs associated with preparing the licence documentation.
- The Council's Estates Services Manager shall be granted delegated authority to agree the level of the licence fee referred to above in consultation with the Director of Street Scene and Leisure following receipt of the competitive quotes.

1.2.4 Approval of the above will be sought at the Finance, Innovation and Property Advisory Board on 7 January 2014.

## **1.3 Legal Implications**

1.3.1 The Council's Legal Services has been consulted to ensure all legal obligations are met in accordance with the Council's Constitution.

## **1.4 Financial and Value for Money Considerations**

1.4.1 The current agreements provide the Council with a combined annual income of £21,000.

## 1.5 Risk Assessment

1.5.1 Appropriate risk assessments, insurances and professional qualifications will be sought in regard to all agreements and will be a principal consideration in the evaluation of the quotations received.

## 1.6 Equality Impact Assessment

1.6.1 See 'Screening for equality impacts' table at end of report.

## 1.7 Policy Considerations

1.7.1 Asset Management, Procurement.

## 1.8 Recommendations

1.8.1 It is **RECOMMENDED TO CABINET** that:

- 1) the proposed terms and conditions for the Mobile Catering Concession and Fishing Rights at Leybourne Lakes Country Park as outlined be noted, and be reported for approval to the Finance, Innovation and Property Advisory Board on 7 January 2014; and
- 2) the outcome of the competitive quotes be reported to the Leisure & Arts Advisory Board in February 2014.

The Director of Street Scene and Leisure confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers: Nil

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Director of Street Scene and Leisure

Maria Heslop  
Cabinet Member for Leisure, Youth & Arts

Screening for equality impacts:		
Question	Answer	Explanation of impacts
a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	The above recommendation will ensure that current levels of service provision are maintained.

Screening for equality impacts:		
Question	Answer	Explanation of impacts
b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	Yes	The above recommendation will ensure that current levels of service provision are maintained.
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?		

*In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above.*