

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Alice Park Trust Sub Committee	
MEETING/ DECISION DATE:	5 February 2018	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	FEES & CHARGES UPDATE	
WARD:	Lambridge	
AN OPEN PUBLIC ITEM		
List of attachments to this report:		
Appendix A – B&NES events rate card 2017-18 & 2018-19		

1 THE ISSUE

- 1.1 There is a need for the Trust to agree the charging policy and rates for events in Alice Park for 2018/19 to ensure consistency of approach, that income to the trust is maximised and that the Council charges for its time and administrative support to the Trust appropriately.
- 1.2 Currently there are a variety of different charging mechanisms for events and sports in Alice Park. This report recommends standardising by adopting the Council's rate card and procedures.

2 RECOMMENDATION

- 2.1 That Alice Park Trust adopts the B&NES rate card in 2018/19 and agrees for B&NES to administer the events as currently.
- 2.2 That discretionary amendments to hire charges may be agreed between the Alice Park Trust chairman and the Parks Manager from time to time.
- 2.3 That Alice Park Trust agrees the basic principle of applying charges to anyone making financial gain from goods and services provided within Alice Park with the exception of nurseries and schools.
- 2.4 That the Alice Park Trust is happy to proceed with football, rugby, fitness hire charges as detailed in Section 3.1 below.

2.5 That Alice Park tennis income continues to be collected by the Café concession whilst an alternative proposal is worked up to link with investment in improving the facilities.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

3.1 Larkhall Athletic Football Club has agreed a series of rates that reflect the duration of its use. These are:

Day/time	Unit cost	No.	Total cost
Sat mornings 9.30 – 11am	£20	32	£640
Weekday school football – up to 1 hr	£10	16	£160
			£800

Payments to be made as:-

£267 for usage between 1st February 2018 until 31st May 2018

£267 for usage between 1st June 2018 until 30th September 2018

£267 for usage between 1st October until 31st January 2019

3.2 Rugbysots have agreed to train on Saturday afternoons for a set no. of dates.

Day/time	Unit cost	No.	Total cost
Saturday afternoon 1.30 – 3.15	£30	46	£1380

Payments to be made per term - *please note there are no retrospective charges.

3.3 A weekly fitness training/class is charged at £25 per month or £100 per annum. Example - three classes per week would therefore equate to either £75 per month or £300 per year and B&NES will deduct a £75 + vat admin fee.

3.4 Tennis income for April 2017- December 2017 is £295 (+ £50 payment for Christmas Market use).

3.5 That the Alice Park Committee agrees to pay the Parks section a nominal fee of £75 + vat per agreement as acknowledgement for each separate arrangement.

3.6 That the community garden remains free to use for community gardening purposes but the production of a formal licence agreement to detail this use is prioritised by the Trust.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

- 4.1 The Council is sole corporate trustee of the Alice Park Trust. The Alice Park Trust Sub-Committee's terms of reference are to undertake the operational management functions in respect of the Alice Park site and its resources, in accordance with Trust's objects and the duties it owes pursuant to the Charities legislation.
- 4.2 Members in their capacity as Trustee must administer the Trust in good faith, abiding strictly to the objects of the Trust and administering the Trust for the benefit of the public which may at times conflict with the interests of the Council.
- 4.3 The objects of the trust require the land bequeathed to be used as a public park and children's recreation ground. The Sub-Committee must consider whether the trust's objectives are enhanced by hosting events and organised sports uses and whether charging for use is acceptable under the terms of the trust deed.4.4.

5 THE REPORT

- 5.1 B&NES Parks Department sets an annual event pricing rate card and procedures for public events in Alice Park. A copy of the rate cards is attached which includes a £75 (+ vat) admin charge per event. This admin fee is a contribution to the time required in carrying out safety checks such as scrutinizing risk assessments and event management plans, ensuring items are licenced/fit for purpose, insured and payments processed.
- 5.2 There is an existing informal tennis agreement whereby the Café lessee hires the courts out to tennis players and 50% of the proceeds comes into the Council. This is passed onto the Trust.
- 5.3 Recent agreement was given at the Alice Park Trust Sub-Committee on 30/10/17 to formalize children's football/rugby training and to negotiate suitable fees. The rationale logically extends to fitness clubs/personal trainers using the park for sports derived incomes.
- 5.4 In order to avoid inconsistency and challenge it would be beneficial for the Trust to agree a basic principle regarding charging as other paid entities use the park such as the adjacent nursery.
- 5.5 The Parks Department would like to agree a similar levy for the time spent in arranging Alice Park incomes and would like to charge fees of £75 + vat per agreement consistent with the event admin fees.

6 RATIONALE

- 6.1 Events and sports uses attract vibrancy and investment into the site and fulfil the aims of public recreation generally. The principle of taking an income from those charging for services upon the site ensures the income can be used to provide improved facilities (e.g. a better grass sward).
- 6.2 The management process surrounding an event agreement considers potential issues (noise nuisance, damage to land etc) and any event that may cause concern shall be notified to the Chairman, and mitigations explained and agreed prior to confirming the booking.

7 OTHER OPTIONS CONSIDERED

7.1 Don't agree sports/events uses.

7.2 Don't charge for sports/events uses.

Both options were dismissed as not being in the best interests of the Trust.

8 CONSULTATION

8.1 The Council's Section 151 Officer (Divisional Director - Finance) has had the opportunity to input to this report and have cleared it for publication.

9 RISK MANAGEMENT

9.1 Events are great attractions that can bring the community together; events also have variable risks that require management (a harmless bouncy castle blew away in 2015 causing a fatality). The use of the Council's event management processes will be a prudent action and will ensure safety and site risks are prevented/mitigated.

9.2 To ensure each user is insured for their own personal risks (e.g. a rugby incident).

9.3 To ensure the licence agreement places a responsibility upon the users to inspect the playing surface for dog faeces residues, divots and other harmful items.

9.4 That the playing surface will be re-seeded in April 2018 and that users will train on a separate area within the park ensuring their use and the income is maintained.

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Background papers	<i>None</i>
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