

Commercial Activities in Alice Park

Introduction

Councillor Appleyard has recently introduced a system for charging commercial users for using the park to carry on their activities. Whilst any form of revenue raising relating to the use of the park is very welcome, it has yet to be formally approved by the sub-committee.

Concerns

The situation needs to be regularized and the details of the system approved by the sub-committee.

An important consideration relates to information relating to the granting of permission. Since the passing of the Data Protection Act 2018, which places strict requirements on the acquiring and storage of data. To this end the sub-committee should be able to demonstrate that the information required meets the following criteria:

1. That the information is only given to those in the Trust who are required to deal with it,
2. The information gathered is limited to that necessary to grant a permission,
3. The information is properly stored, and
4. It is monitored for relevance and accuracy.

How is this to be achieved?

The second consideration relates to the process.

The sub-committee will need to be satisfied on the following:

1. How are commercial undertakings using the park identified? To be fair all such users need to be identified.
2. Who receives the information? If this to be delegated to whom will it be delegated?
3. What information is required of intending applicants?
4. What information is required in order that the application can be determined?
5. Who determines whether permission is to be granted /refused? (see below for comments on this.)
6. The fee structure to be charged. (see below.)
7. The recording by both the Trust and the person granted the permission that permission has been granted.
8. What appeal options are available to persons who feel they have been unreasonably refused permission?

Relevant Information

When granting permissions, the Trust will need to be satisfied of the following:

1. The identity of the applicant.
2. The nature of the business. e.g. fitness group, education, training.
3. Demonstration of competency to carry on those activities e.g. Registration with a competency granted organization, professional body.
4. Proper professional and public liability insurance.
5. Details of how the business operates in the park. Number of sessions, number of people involved, duration of sessions.
6. If the activity involves unsupervised supervision of children, the appropriate detailed authorisation that all involved in the running of the activity have the appropriate clearance from the debarring authorities.

The committee needs to determine the charging structure.

1. Are we issuing a permit to operate? i.e. a one- off payment of indeterminate length,
2. Are the Trust granting a licence? If so:
 - a. For how long?
 - b. Conditions to be observed
 - c. Process for renewing or withdrawing licence.
3. What is the amount of fee to be charged?
4. Are there going to be different fee levels for different types of activity?

How do recipients of licences/permits demonstrate they are allowed to operate?

Graham Page - Independent Member.