



REPORT of DIRECTOR OF SERVICE DELIVERY

**to
COUNCIL
13 SEPTEMBER 2018**

FEES AND CHARGES RELATING TO PROMENADE PARK

1. PURPOSE OF THE REPORT

- 1.1 To seek Member's approval to allow officers to negotiate realistic income arising from the use of Promenade Park by third parties based upon the existing fees and charges structure approved by Members as part of the annual budget setting process.

2. RECOMMENDATIONS

- (i) that Members approve the insertion of the word 'minimum' before any fee and charge relating to use of land and equipment at Promenade Park (excluding car parking, sports pitches, memorial benches, Splash Park single use tickets and Beach Hut daily charges);
- (ii) that the Director of Service Delivery is given authority to negotiate an improved financial position whenever possible from users of facilities arising from a fee or charge;
- (iii) that the charitable concession 'free' status be deleted from existing fees and charges and all concessions including charity and community groups be charged accordingly;
- (iv) that where a Charity Commission registered charity with their registered address within the District Boundary requests to hold an event with less than 100 attendees the Director of Service Delivery in conjunction with the Chairman of Community Services Committee be authorised to negotiate a discount for use. Any discount given must ensure that full cost recovery remains for any staff time required for preparation, delivery and remediation of any event.

3. SUMMARY OF KEY ISSUES

3.1 Background

- 3.1.1 As part of the annual budget setting process both the policy relating to fees and charges for Council services, land and assets, together with the amount of charge are set. It has become apparent that these fees and charges are not flexible enough to

cover the type and scale of events held on the Council's land at Promenade Park and as a result the Council is not receiving appropriate remuneration for its use.

- 3.1.2 Promenade Park has increasingly seen a number of popular and diverse events being held during the course of a year. Some of the events attract large public attendance including (but not exclusively) the Maldon Mud Race, fun fairs and circuses, the Maldon Motor Show and the recent Smoke and Fire Food Festival.
- 3.1.3 For events of this nature (excluding funfairs and circuses) the minimum charge the Council can levy is £222 as set within the agreed fees and charges as detailed at **APPENDIX 1** to this report. Clearly this specific charge as an example does not reflect the commercial income operators are generating through the use of the Council's land and the Council is not receiving a proportionate amount from the hirer.
- 3.1.4 The proposal is for all published fees and charges relating to land and equipment used at Promenade Park are to set as a minimum starting position. During negotiations, Officers will take account of the commercial nature of the event (clearly some events are of a charitable status and small in scale and this point is covered within the recommendations within this report) but the principle should be one of a fair income and cost recovery. Many charitable events for example require considerable staff time in facilitating or checking activities which is now non-recoverable. Setting an appropriate land hire rate for all users will redress this situation.
- 3.1.5 Recommendations within this report specifically relate to land and equipment however all fees and charges will be subject to the normal annual process of setting fees and charges for 2019 / 20 which may see an increase or change to the 'minimum' figures.
- 3.1.6 The reason for bringing the proposed changes to Council ahead of the annual budget process is to allow Officers to commence negotiations with potential users relating to events scheduled in 2019 at an early stage.

4. CONCLUSIONS

- 4.1 Members are asked to allow officers to negotiate a more realistic level of income for the use of Council land and assets at Promenade Park.
- 4.2 A key element of the Future Model is to increase commercial activity in all of the Council's activities. For those wishing to use the park for commercial activity they will be asked to pay a realistic charge for its use, proportionate to the nature and scale of the event. The current fees and charges should in future be seen as the minimum charge upon which negotiations will commence.

5. IMPACT ON CORPORATE GOALS

- 5.1 Achieving appropriate levels of income for the use of Council land and buildings helps to support the corporate goal of delivering good quality, cost effective and valued services.

6. IMPLICATIONS

- (i) **Impact on Customers** – The provision of varied events for the community to enjoy is an important activity, the benefits to the wider community include greater footfall to the Town and District supporting indirectly the local economy. Event organisers will be asked to make appropriate remuneration to the Council for use of its land in delivering activities.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – None identified
- (iv) **Impact on Resources (financial)** – The proposed alteration to fees and charges will see an increase of income related to commercial activities through negotiation.
- (v) **Impact on Resources (human)** — None identified.
- (vi) **Impact on the Environment** – None identified.

Background Papers: None.

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