



**REPORT TO: ECONOMIC DEVELOPMENT AND INFRASTRUCTURE
SERVICES COMMITTEE ON 7 DECEMBER 2021**

SUBJECT: EVENTS CHARGING AND MANAGEMENT - OPEN SPACES

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, FINANCE AND
ENVIRONMENT)**

1. REASON FOR REPORT

- 1.1 The Committee is invited to consider the opportunity to introduce charges for commercial and other specified events held in open spaces, and to improve the application procedure and guidance provided to event organisers staging events in open spaces.
- 1.2 This report is submitted to the Committee in terms of Section III (F) (11) of the Scheme of Administration in relation to exercising the functions in relation to Parks, Open Spaces and Tree/Woodland management and maintenance.

2. RECOMMENDATION

2.1 It is recommended that the Committee agrees to:

- (i) the introduction of charges for specified events and activities held in open space with effect from 1 April 2022.**
- (ii) approve the draft event guidance and event charging structure in APPENDIX 2 and the charging structure outlined in Table 1 of this report.**
- (iii) note that Officers are in the process of improving the information on the Council website to enhance the customer experience and improve the customers' ability to self-serve.**

3. BACKGROUND

- 3.1 Prior to the Coronavirus pandemic the former Commercial Officer commenced a project to research the opportunities for park sponsorship as a way to generate income. This work stream identified that the Council does not currently charge for events held in parks, with the exception of hire charges for fairground and circus events, as outlined in the Council's approved fees and charges (charges G3b and G3c refers [here](#)).

- 3.2 Charging for events in open spaces is an income generation stream widely used by local authorities across the UK. **APPENDIX 1** outlines some examples and comparisons gathered from local authorities in Scotland and England. Whilst there is no consistency of approach across Councils, many do levy a charge for hiring a park or green space for an event, including an administration fee and refundable deposit (to manage costs associated with any damage or services required in the park following the event, e.g. ground repairs and removal of litter).
- 3.3 Despite the interest from commercial, private and other events the Council currently has no consistent charging structure or events policy in place beyond the statutory licensing fees required for some events (e.g. public entertainment licence, liquor licence).
- 3.4 Whilst smaller sized events are likely to generate only low levels of income there is an opportunity for more significant income to be generated from larger commercial events. For example, a small private event could generate £350 per day and a large ticketed music event in a park could generate £500 - £600 per day. Whilst applications for commercial events are low in number there is scope to apply fees to those events that benefit financially when operating in the Council's open spaces.
- 3.5 A public consultation was carried out between 28 September and 26 October 2021 to seek the opinion from a broad range of stakeholder groups on the potential development of charges for various types of events. Other event related questions regarding how user friendly the current booking procedures are and other ways that we can improve the customer experience and improve the customers' ability to self-serve was also included. From the 65 responses received, 76% of respondents believe that the Council should recover costs associated with events. However, there was little support amongst respondents to charge schools, community events with no entry charges or charities. Registered charities, not for profit, and community events add so much value to our communities beyond the financial aspect such as community cohesion, mental health (especially important in our current Covid circumstances) and we have therefore grouped them together. Nonetheless, nearly 39% of respondents believed that a charge should be considered for community events with an entry charge. The full results of the consultation are provided at **APPENDIX 3**.

4. EVENTS CHARGING AND GUIDANCE

- 4.1 A draft event charging and guidance document for events in open spaces has been prepared for the Committee's consideration and is provided in **APPENDIX 2**. The aim of this information is to assist staff in setting appropriate fees for events and activities in parks and open spaces, and ensure that hire charges are applied consistently.
- 4.2 The draft document categorises events depending on their size, type and purpose, and proposes a charging structure informed by comparisons with other local authorities. A summary of the proposed charging structure is summarised in **Table 1** below, with greater detail proposed on how events are

categorised contained within the draft guidance. This includes charges for events such as fairgrounds that have already been set by the Council. In addition, there are currently agreed charges for events in the Council's six harbours. The introduction of charges outlined in this report would ensure a consistent approach to charges.

- 4.3 It is not recommended to introduce hire charges for community events unless an admission fee is levied for attendees or participants. In these cases (e.g. highland games, raft race, running event), a reduced fee (50% of the full commercial rate) is recommended for medium, large and major sized community, charity and not-for-profit events but only where an admission/participant fee is levied by the event organiser.
- 4.4 Where income is generated from a site held on a Common Good account/owned by a Trust, then this income would be accrued to the relevant Common Good fund / Trust excluding any administrative or other direct cost as appropriate.

Table 1: Summary of Charging Structure (Full details in APPENDIX 2)

Type of Event	Size	Deposit	Admin Fee	Daily Fee	Note
Commercial Events					
Commercial	Small	£500	£50	£300	Full fee
Commercial	Medium	£1000	£50	£350	Full fee
Commercial	Large	£2500	£100	£400	Full fee
Commercial	Major	£5000	£100	£500	Full fee
Circus Events					
Circus	Small	£500	£50	£341.70	Fee already set. (refer to approved 2021/21 charges here)
Circus	Large	£500	£100	£454.92	Fee already set. (refer to approved 2021/21 charges here)
Fairground Events					
Fairgrounds					Fee already set. (refer to approved 2021/21 charges here)
Community, Charity & Not-for-Profit Events					
Community /Charity	Small	TBC	No Charge	No Charge	No Charge
Community /Charity	Medium	TBC	No Charge	£175*	50% of full fee*
Community /Charity	Large	TBC	No Charge	£200*	50% of full fee*
Community	Major	TBC	No Charge	£250*	50% of full fee*

/Charity					
Photography / Filming					
Photography Shoot (Commercial)	Full day	TBC	£50	£150	-
Filming (Commercial)	-	TBC	POA	POA	Price on Application
Personal Training Activities					
Personal Trainer / Bootcamp	Commercial	TBC	£0	£16 per hour	-

Notes:

*Rates applied if an admission/participant fee is levied by the event organiser

TBC – To be confirmed on application subject to potential risk of ground damage

POA – Price on application

- 4.5 To ensure a fair and consistent assessment of each event application, including terms and conditions used to formalise arrangements when applications are approved, event organisers will be required to apply to the Council's Licensing Service in the first instance. The Open Space team will act as a consultee in this process to advise on the use of a park or open space. Typical advice relates to practical requirements including: ground protection; access routes; infrastructure, landscaping and habitat protection; event layout and ground reinstatement. Existing processes and procedures operated by the Licensing Service will be used to guide event organisers in ensuring that events and activities are well organised, safe, compliant and successful.
- 4.6 Further guidance on the charging structure is provided in **APPENDIX 2**. The Council's website content will be reviewed and updated by Licensing, Open Space and the Council's Customer Services team to guide applicants on planning and staging a safe event and direct them on the application process.
- 4.7 The introduction and promotion of the events guidance will provide the Open Space team with a framework for assessing event applications and applying charges consistently.
- 4.8 Through the proposed work to review and update the Council's website there will be an opportunity to promote the range of attractive open spaces available to accommodate events, help to attract more event organisers and businesses with an interest in staging events in Moray, and provide attractions and interest for visitors to our open space estate.

5 SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Corporate Plan 2019-24

Our Approach – Enterprising – consider new approaches to the way we do our business to increase our income and make services more sustainable for the future.

Commercialisation and Alternative Delivery Options - consider new options and management methods / consider options to increase council income and the potential for more commercial approaches to how we deliver services.

(b) Policy and Legal

Terms & Conditions will be used to formalise agreements with event organisers through a site licence. These, along with monitoring of sites by staff working in open spaces, will ensure that event organisers secure the appropriate consents (e.g. public entertainment licence, liquor licence) and comply with conditions of use required by the Council.

(c) Financial implications

The introduction of a charging policy will provide a consistent approach to the application of charges for events where currently charges are only set for funfairs and circuses. Whilst the type and number of event applications will vary from year to year it is anticipated that income generated from events could increase by circa £2,200 per year through this new charging structure. It should be noted that at present most parks and properties within parks are not assessed nor pay Non Domestic Rates, however new legislation provides that from 1 April 2023 Non Domestic Rates will be applicable where parks or parts of them are not in the occupation of the local authority. There is no clear guidance at this stage on what events may fall within the scope of these new provisions, but it will be taken into consideration when further guidance is available and reflected in the relevant terms and conditions agreed with event organisers.

(d) Risk Implications

There is a risk of non-payment of charges due to commercial and private event organisers not being charged previously for holding events, and from event organisers choosing not to stage an event in Moray parks and open spaces due to the introduction of new charges. These risks can be mitigated by the inclusion of a deposit and the annual review of Charges for Services. In addition, event organisers who fail to make payment for charges could be refused access in future.

At this stage it is unclear that if an event falls within the scope of the new Non Domestic Rates legislation whether there will be an ongoing empty property rates liability after the event has finished. If a charge is introduced that has an impact on events, it is likely that our approach will have to be reviewed.

(e) Staffing Implications

The proposals can be managed within existing staffing resource.

(f) Property

At present most parks and properties within parks are not assessed nor pay Non Domestic Rates, however legislation from 1 April 2023 provides for Non Domestic Rates to be applicable where parks or parts of them are not in the occupation of the local authority. Proposals seek to protect

open spaces from damage and make the best use of our open space resources.

(g) Equalities/Socio Economic Impact

There are no equalities implications arising from this report.

(h) Consultations

This report has been prepared in consultation with the Depute Chief Executive (Economy, Finance & Environment), Head of Environmental & Commercial Services, Environmental Protection Manager, Community Learning and Engagement Manager, Legal Services Manager, Principal Accountant, Equal Opportunities Officer, Committee Services Officer, Environmental Health & Trading Standards Manager, Economic Growth and Regeneration Manager, Estates Manager, Sport and Culture Service Manager and Customer Services Development Manager have been consulted and comments received incorporated into this report.

The outcome of the public consultation on event management is included in **APPENDIX 3**.

6 CONCLUSIONS

- 6.1 Charging for events in open spaces is an income generation scheme widely used by local authorities across the U.K.**
- 6.2 Despite the interest for commercial, private and other events the Council currently has no consistent charging structure in place beyond the statutory licensing fees required for some events. This report has been prepared to allow the Committee to consider and decide on the introduction of an events charging structure and guidance document.**
- 6.3 The aim of the proposed approach is to assist staff in setting appropriate fees for events and activities in parks and open spaces, ensuring that hire charges are applied consistently.**
- 6.4 The proposed approach will also help to protect our open spaces from inappropriate use and damage.**

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Background Papers: None
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