

Committee(s)	Dated:
Epping Forest and Commons Committee	17 Jan 2022
Subject: The Commons - Licences, sports, wayleaves and produce fees and charges	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	4,5,12
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	N/A
Report of: Juliemma McLoughlin, Executive Director, Environment Department	For Decision
Report author: Hadyn Robson	

Summary

This report updates your Committee on the performance of charges levied for licensed activities, events, produce sales, and formal sports in the last full financial year 2020/21.

Proposals are also presented for a price increase of 4.9%, RPI as of October 2021. Benchmarking exercises have also been carried out with neighbouring service/facility providers.

Recommendation(s)

Members are asked to:

- Approve the proposed charges for 2022/23 as itemised in Appendix A.

Main Report

Background

1. This report encompasses several different activities on the portfolio of sites across The Commons for which a charge is levied. The charges are made to record the use and generally seek to reflect the costs incurred by the City of London in administering and enabling the activity and for reinvestment into the management of The Commons in accordance with the City Corporation financial regulations. These charges are separate to income received from donations.
2. The use of The Commons for siting of equipment or for certain activities requires a licence. Licences are administered through a small steering group of officers and in some circumstances, staff are consulted before a decision is made to ensure there is an equitable and transparent decision-making process.
3. All activities are regulated with due regard to the Open Spaces Acts of 1878 and 2018 and any other relevant statutory provisions.

Current Position

4. Below is listed the income raised from the various chargeable activities at The Commons, excluding car parking in 2020/21.
 - **Licensing activity** -£ 1359.70
 - **Produce sales** - £ 1982.17
 - **Event charges** - £ 0 (Covid affected)
 - **Filming** - £ 4551.00 (Covid affected)
 - **Sports (Junior football) –** - season pitch hire - Coulsdon Common - £379.00
 - **Wayleaves –** £36473.12
 - **Room Hire –** £0 (Covid affected)
 - **Utilities licensing –** £ 9510.03
5. All the licencing information, pricing, terms, and conditions are publicly available, and this process ensures appropriate licences and charges are administered in a fair and transparent manner.
6. Wayleaves are currently charged for private motorgate, handgate and commercial premises access across The Commons.

Proposals

7. Officers have considered the following before making their fees and charges proposals to this Committee:
 - The RPI rate on a specified and consistent release date (4.9% @ October 2021).
 - Benchmarked the charges and quality of provision with those of neighbouring and/or competing facilities. In some instances, we will, therefore, not benchmark against our own properties.
8. Officers are of the view that a proposed total increase in fees and charges of 4.9% is fair and reasonable and should not have a negative impact on users' uptake of chargeable activities or users' ability to pay.

Options

9. Three options are outlined for your committee's consideration:
 - a. Option 1 – To increase fee charges at 4.9%. These increases are reported in Appendix A. **This is recommended.**
 - b. Option 2 - To keep charges as they are. This would be in effect a price cut whilst inflationary increases would still apply to our own expenses. **This is not recommended.**
 - c. Option 3 – To increase fee charges above 4.9%. This could potentially risk reputation – **This is not recommended.**

Corporate & Strategic implications

10. These charges support the Corporate Plan, 2018-2023
 - a. Contribute to a flourishing society
 - b. Support a thriving economy
 - c. Shape outstanding environments

Financial

11. If fees are not raised by the proposed 4.9%, additional savings in expenditure will have to be made that will negatively impact upon front line services and the general management of The Commons.
12. City Corporation Financial regulations provide that 'When determining fees and charges to persons or external organisations, all departments should recover full costs, or submit reasons to the appropriate service Committee when that objective is not met.'

Property

13. Licensing various third-party temporary activities that the City Corporation is willing to permit across The Commons should ensure that the City Corporation retains full and proper control of the sites and able to prevent misuse or damage.

Charity

14. Ashtead Common, Burnham Beeches & Stoke Common and West Wickham & Spring Park and Coulsdon Commons are registered charities (numbers 1011510, 232987,232988 and 232989). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.

Resource implications

15. Fees and charges mostly reflect the whole cost to the charity and seek to, as a minimum, assure whole cost recovery.

Risk implications

16. Raising fees by the proposed 4.9% may attract negative publicity for the City of London Corporation.

Equalities implications

17. Charitable and not for profit organisations receive a 50% discount on most fees and charges. This allows smaller and large charitable organisations and community groups to use The Commons at a lower cost whilst still meeting the core costs to the charities.

Climate implications

18. Licences seek to control the number, location, and suitability of activities across The Commons to protect its environment. Sustainability criteria is included in Heads of Terms for larger events as prescribed in the Open Spaces Events Policy.

Security implications

19. Licences ensure that activities held across The Commons comply with all health and safety and other relevant legislation and enables basic due diligence to be undertaken on the licensee.

Conclusion

20. The Commons Division continues to provide excellent value for money for recreational and commercial opportunities. The charging proposals ensure that as a charity our expenses incurred due to third party use of our land are recouped and reinvested into the maintenance of the open spaces and activities can be audited to ensure relevant safety and legislative measures are met.

Appendices

- Appendix A – Current and proposed licence charges
- Appendix B – Benchmarking data

Background reports

- Director of Open Spaces Department, Epping Forest and Commons Committee - The Commons - Licences, sports, wayleaves and produce fees and charges, 18 January 2021.
- Director of Open Spaces Department, Epping Forest and Commons Committee – The Commons Events Policy (Part 2)- proposed amendments, 13 September 2021.

Hadyn Robson

Business Manager

T : 01372 279083

E : hadyn.robson@cityoflondon.gov.uk