



CITY OF  
*Lincoln*  
COUNCIL

# A policy for financial income generation in support of parks and open spaces.

## Document control

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## **Background**

The parks and open spaces of Lincoln are beautiful places. Operating as both environmental havens and 'leisure centres without roofs', they either underpin or directly contribute to fulfilling many of the main objectives of the Council.

The Council's funding for open spaces maintains the sites at a good or Green Flag standard, but due to the almost limitless opportunities that parks and open spaces present, it will never be able to finance every desirable idea or aspiration.

As such it is vital that ways are found to fund them so that they are not only well maintained, but that investment is maximised so we can find ways to get nearer to releasing their full potential.

## **Purpose of the policy**

Although the council has run events and activities in parks for some years, it has never had a fully developed income generation policy that set a framework for staff and important stakeholders, such as the Park Advisory Groups, or those with licenses and leases, to work within.

This document seeks to identify the main potential income streams, and to provide guidance as to how these might be developed so as to have transparency and consistency in such a diverse and variable area.

## **Scope**

This policy applies to the following: City of Lincoln Council (CLC), Park Advisory Groups (PAGs), and those with licenses to operate in parks.

It sets out how these groups will apply charges when they have to set/agree rates applicable to others.

It also applies to clubs and groups granted short term agreements for the use of sites for specific events/activities.

Those who may wish to lead on an initiative to generate income (on behalf of a park/open space) may only do so, subject to prior agreement of the City Council as land owners.

Third parties may only proceed in any income generation project under the auspices of the official recognised PAG for the site or outside of that with specific agreement of CLC under a separate agreement.

This document does **not** cover or include for leases/licenses or other forms of agreement for buildings/services/land etc. which are managed by the Council's Property Services section. This includes for the leasing of open space, with note that

a lease can, in law, be termed a 'disposal' with all the associated legal requirements, such as the need to advertise.

Where an area is to be let/leased to a third party this will always be by following the relevant procurement policies/legislation and/or property leasing arrangement policies subject to Council policies on procurement.

Type of Contribution: This policy relates to financial support only. It is not intended to cover donations of specific items or offers of in-kind assistance. This is covered by individual donation policies for parks at the time of drafting this document, although it is hoped to align these policies into one consistent policy that can be appended to this policy to create one comprehensive policy at some point.

Sources of income: External grant bodies, corporate sponsors, CLC lotteries, advertising, direct income generation (sales/events/activities/concessions), donations, bequests.

### **General conditions / Guiding principles.**

The policy is intended to provide guidance on how income may safely be generated to further the aims and objectives of parks and open spaces development and promotion.

All aspects of income generation under the auspices of this policy are for that purpose only.

To ensure the protection of the reputations of individuals, groups, and the spaces concerned it is vital that there is total transparency of all actions, at all times, in relation to how funds are requested and received. The rules expressed in this policy are to protect that principle of integrity.

The above is especially relevant in respect of Subsidy Control, and the Council will be diligent in ensuring that no funding attained by way of such as a grant, will unfairly benefit a supplier or bring about a competitive advantage.

No request or receipt of funding for a park may be made or accepted without the express agreement of the City Council as landowner.

Applications for funding should always be discussed with the City Council BEFORE any bid/request is made.

All requests and applications for funding must be subject to rigorous challenge on the purpose, outcomes, risk and transparency of administration.

Where applicable for scale, the Council's corporate approach to project management must be adopted.

Legal and procurement requirements must always be considered.

### **Engagement matrix**

The following shows who may lead on a funding income stream (applicable subject to the above clauses).

	CLC	PAGs
External grant bodies	✓	✓
corporate sponsors	✓	
CLC lotteries		✓
Advertising	✓	
Sale of items/services/space	✓	✓ (Not applicable for sale of space)
Events	✓	✓
Activities	✓	✓
Concessions	✓	
Donations	✓	✓
Bequests	✓	✓

### **Income opportunities.**

This section sets out simply where income might be derived. It does not mean that it will be, and reference should be made to the section on pricing to see where discretion applies to permit reduced or removed charges.

### **A) External grant bodies.**

These bodies are usually responsible for giving larger sums, and as such are set up to manage detailed bids and evaluate required outcomes. Grants always have specified requirements, and these can be significant and onerous, often with penalties attached for failure.

As each grant funding body has separate requirements it is vital that before any bid is developed, it is discussed in detail and challenged as set out in the general guidance.

Those proposing such a route must be clearly aware of the extent of the resources/expertise required, and the risks.

Given the complexities of drafting bids it is recognised that bid writers may be used at times. Care must be taken in the procurement of such specialists, and any percentage charges they make must be clearly accounted for before their engagement on the drafting of any bids.

### **B) Corporate sponsors.**

The Council is keen to encourage corporate groups to engage and support issues associated with community development and protecting our natural spaces.

However, to make sure that the highest standards of probity are maintained it is important that transparency applies to all aspects of sponsorship. For these reasons corporate sponsorship must always be managed by the City Council directly through open and transparent partnership agreements, where applicable.

The Council reserves the right to refuse sponsorship offers.

### **C) Lincoln Community Lottery**

Lincoln Community Lottery is a weekly lottery that raises money to support the work of good causes in and around Lincoln. Tickets for the lottery cost £1 per week, with a top prize of £25,000. Of each £1 ticket sold, 60% goes directly to local good causes - 50% to the ticket buyer's chosen good cause (which can be a park/open space) and 10% to a central fund - the central fund is awarded annually via an application and selection process (and can receive bids from PAGs).

The funds raised by each cause are paid directly into the cause's bank account each month. There are no set up costs or admin fees for good causes joining the lottery and all good causes are provided with their own customisable lottery page, together with regular marketing materials to help promote their lottery.

In addition, lottery good causes receive weekly email updates and can also log in and view ticket and supporter data in real time. To be accepted onto and benefit from Lincoln Community Lottery, all good causes must meet set criteria, which ensures the lottery is fair for all good causes and supporters taking part. Further information on

how the lottery works is available via the good cause information page on the community lottery website.

This is a venture that individual parks can promote, or they can work together to achieve (but it requires a mechanism to be agreed in advance for splitting the funding received).

#### **D) Advertising**

The Council is open to income generation from advertising but, as for corporate sponsorship, is mindful for the potential for claims of inappropriate advertising or corruption. It is therefore critical that any advertising income achieved is done so in an open and transparent way.

The Council is mindful that advertising is designed to be influential, and as such the Council has a duty to ensure that all adverts are suitable. As such, all advertising must be in compliance with the council's policy on advertising.

#### **E) Sale of items/services/space**

The Council and PAGs may sell items they have made or bought, and that are without challenge rightfully in their ownership. This does not include for food/drink items unless covered by the appropriate food hygiene approvals.

It is the Council's ethos that parks and open spaces are family spaces, and as such alcohol sales are not usually considered appropriate or necessary for the hosting of a successful event or activity. The sale of alcohol is not forbidden, but must be subject to specific agreement and control. Applications for alcohol to be a part of any event/activity are not encouraged, but will be considered on a case by case basis, and subject to the usual legal restrictions.

The Council will use the Parks and Open Spaces Retail Policy (attached) to guide pricing for items. This is based on the established policy for the Tourism Visitor Information Centre. Items that might not be eligible for pricing against the policy are items that are individual purchases for a specific reason, that vary year to year, or that have unpredictable costs. E.g. Benches. Items that might be included would be items regularly sold as part of visitor facilities, such as merchandise.

PAGs will be able to set their own prices for items they provide/sell by agreement of the PAG.

The Council and PAG members may also sell services that involve the giving of time /skills where these are directly related to the park/open space ( for example guided walks, talks etc). Tasks without that direct connection may be permitted, but only with the agreement of the Council in advance ( e.g. car washing ).

Services provided, which require the input of external providers, such as boating, will have prices set mindful of the marketplace, services offered, and costs. These will be

discussed and agreed with the Portfolio Holder in advance in cases of emergency, but should always be added to the Council's list of fees and Charges at the earliest opportunity via the usual processes, including the annual report to Council. The procurement of any external provider will be subject to Council policies and thresholds relating to such, and must be procured in accordance with the relevant procurement legislation.

Space in parks and open spaces can be available for rent with Council permission. See section on Setting Charges for guidance.

## **F) Events**

The Council encourages the use of parks and open spaces for suitable events. All events must have the approval of the council as suitable for the proposed space, and be scheduled to avoid diary conflicts.

The Council's staff and corporate events team may organise activities and events and will set charges in accordance with this policy. The Council's corporate events team advise third parties on events so as to ensure they are safe. They will also advise on the appropriate use of any existing corporate events contract provision.

The events team must be contacted in advance to permit for consultation/feedback, and formal review by the multidisciplinary events Safety Advisory Group's required.

Event organisers who have a collection of stalls as part of their offer may be required to pay a fee under the terms of the Council's Markets Policy. This policy is prescribed in law, and so this policy is subservient to, and not in conflict with, that policy. The market rights policy can be accessed at <https://democratic.lincoln.gov.uk/documents/s14985/Markets%20Policy.pdf>

## **G) Activities**

Aligned to provision of services, this applies where a 'class' is provided and booked. This may be for educational or recreational purposes, but should be aligned with the purposes of the park/open space. Activities must have the agreement of the Council in advance, and some that are not directly aligned with the purpose of the site may be agreed provided a wider benefit can be evidenced.

## **H) Concessions**

The Council may choose from time to time, to let concessions at specific sites (e.g. ice cream sale concession). These will not be in conflict with other leases, and will be contracts let in accordance with the prevailing procurement legislation.

In instances where a conflict exists with an existing lease, for example a food vendor in a park where a lease for a café has been let with exclusive rights, then the lease holder will be approached to gain agreement for a suitable concession. Where the



lease is not exclusive, but may be in conflict, the Council may progress a concession and take account of the lease holder at its discretion.

It should be noted that it is most likely that any concession maybe let as a property lease and not via a procurement exercise.

### **I) Donations**

The Council or the PAGs may receive financial donations at any time. Any donations must be used for any purposes for which they may have been specifically given, and they will be acknowledged having regards to any clauses attached to the donation.

The Council or PAG reserves the right to reject a donation if it is felt to be from an inappropriate person or body, or if there is any concern that the integrity of the Council, the PAG, or the park may be compromised in any way by acceptance.

Conditions may be attached to an acceptance if that is a mutually agreeable way to mitigate any such risks.

Where a PAG has a current Donations Policy in place this will be used as the basis for handling all donations for that site, and it is expected that the donations policy will be compatible with this policy as an overarching policy (or adjusted to be so) and additionally cover gifted items outside of the scope of this policy. E.g. benches.

The advent of electronic payments has led to a proliferation of gift stations, where individuals may tap phones/watches/cards to make cash instant donations. These will only be permitted with the express permission of the Council in advance, and ideally any such stations will make clear the purpose of the donations given in as much detail as possible. Income will be assessed on a project basis.

### **J) Bequests**

The Council or the PAGs may receive a bequest at any time. Any bequest must be used for any purposes for which it may have been specifically given, and it will be acknowledged having regards to any clauses attached to the bequest and/or the wishes of the executor/s.

The Council or PAG reserves the right to reject a bequest if it is felt to be from an inappropriate person or body, or if there is any concern that the integrity of the Council, the PAG, or the park may be compromised in any way by acceptance.

Conditions may be attached to an acceptance if that is a mutually agreeable way to mitigate any such risks.

### **Setting Charges**

The Council has a table of fixed Fees and Charges that cover all areas where public charges are made. These are approved annually by members and provide a transparent and an easy-to-read reference point.

By its nature this is a fixed process, so gives little opportunity, outside of the annual review, to add or remove charges, where that might be advantageous or appropriate for exceptional short-term reasons. It is noted that there is some flexibility of stated rates permitted through the corporate Financial Procedure Rules.

Several of the areas of potential income generation are completely new, and subject to a very wide range of potential variances depending on what is being purchased (e.g. item, service, space), when it is required (e.g. space in summer might be more in demand than in the winter), and why it is being requested (some may be commercial and others may be altruistic for the benefit of the local community). For these reasons it is not possible to identify a clear charging policy for all areas of new potential income generation that will cover every eventuality. Any attempt would likely be extremely complex and thereby counterproductive in terms of encouraging income opportunities to develop. It is recognised that the flexibility required has the potential to be in conflict with the aspiration of the council to set clear and transparent policies. However, not all areas of potential income generation are connected with making a charge, so it is possible to narrow the areas of focus making the issue easier to address. The table below sets out which of the main areas of income require fees and charges setting for them.

	Yes	No
External grant bodies		✓
corporate sponsors		✓
CLC lotteries		✓
Advertising		✓
Sale of items/services/space	✓	
Events	✓	
Activities	✓	
Concessions		✓
Donations		✓
Bequests		✓

From the above it can be seen that the only areas of greater complexity in terms of fee setting, are those associated with sales of items/services/space, and bookings for events and activities.

The Council's fees and charges are currently aligned with the requirements of the bookings undertaken by the council's ranger service at Hartsholme Country Park. These are:

- Activity/Visit (tier 1) Per Person and Group of 30
- Activity/Visit (tier 2) per person activity undertaken
- Hire of Activity Box
- Wreath Making
- Willow Weaving
- Meeting Room hire.

There is therefore a requirement to review this to ensure that all of the income generating opportunities identified have a clear way to charge.

### **Sale of items/services**

For this element, purchase price shall be deemed to mean the cost of buying the item, **or** providing the service (including any/all on-cost).

It is suggested that a simple model be used for this based on full cost of purchase, with discretion for a maximum 100% mark-up, as would be consistent with such as a retail garden centre. Discretion to price at under 100% would rest with the budget holder responsible for buying the items or providing the service.

Nobody should be permitted to price at more than double the purchase price without the agreement of the Portfolio Holder for Remarkable Place. Failure to adhere to this, including PAGs, could lead to withdrawal of permissions to sell.

Nobody should sell at less than the purchase price without the agreement in writing of the original purchase budget holder.

### **Pricing for Event/Activity/Space**

The Council is required to authorise use of any park/open space for use by a third party as a part of its responsibilities as landowner. There are numerous occasions when it might choose to do this for free, for example to charitable organisations like Parkrun, community development groups, or groups who seek to invest in the open space itself.

However, there are other opportunities for income generation by charging for use of space by third parties who would wish to use sites for personal or business reasons (for example car dealers displaying cars, a bouncy castle operator wishing to hire space, a dog trainer or boot-camp operator wanting to run a class). Given

the range of complexity of potential activities, and the similar range of reasons as to why these may be taking place, significant discretion is required in how charges are applied to ensure activities/events are not deterred from taking place unreasonably, and that activities/events that are supportive of the Council's main aims are encouraged accordingly.

It is recognised that some sites have bylaws that impact commercial activities, and this would be taken into account in taking any bookings, as would the suitability of a request be judged against the Council's advertising policy and corporate moral compass.

The table below is a simple proposal for a scale of charges that would apply to all events and activities. Where specific areas are to be used, these would be marked on a plan provided to the event/promotion organiser, and also marked off on the site itself by appropriate means e.g. Posts/tape or degradable spray paint into the grass/surface. Notices would also be affixed suitably to notify the public of the hirer's use.

The term 'charity' can be related to any constituted body.

A 'private' use, will usually refer to anyone, or any group, that does not fall into the other categories available. Anyone can request use of a part of a site for an activity- it is for the Council to use discretion as to the suitability of the request for the setting, mindful of relevant Council policies (e.g. Advertising).

	Season	
	High (March- October inc.)	Low (Nov- Feb inc.)
Council run activity	<p>To be at rate in the Fees and Charges currently set for events for the council.</p> <p><i>Namely:</i>  <i>Activity/Visit (tier 1)</i>  <i>Per Person and</i>  <i>Group of 30</i></p> <p><i>Activity/Visit (tier 2)</i>  <i>per person activity undertaken</i></p> <p><i>Hire of Activity Box</i></p> <p><i>Wreath Making</i></p> <p><i>Willow Weaving</i></p>	As for High season.

	<p><i>Meeting Room hire.</i></p> <p>Where a new activity is to be tried, the ADCSS in consultation with the Portfolio Holder may set the charges, which will be reported to Executive, at the next opportunity. They will be added to the corporate table of fees and charges, and agreed at full council.</p> <p>Where it becomes clear that a charge is not adequate to prevent costs being incurred, the ADCSS has discretion to vary fees by +/- 50% within existing Financial Procedure Regulations. This will be exercised to set a price per person, after consultation with the Portfolio Holder, having reference to:</p> <ul style="list-style-type: none"> <li>Cost of materials</li> <li>Staff time</li> <li>Cost of facilities</li> </ul> <p>Activities can be FOC if considered appropriate (e.g. externally funded)</p>	
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<p>Use of site for business/commercial activity. (This might be a short term use, for a day or days, or longer term -which would be subject to full formal lease/agreement as provided via Property services/legal services). e.g. Use of site for bouncy castle, sales /promotion of a suitable product, dog training classes, boot camps (NB IF requested reductions/discounts may be applied if the event/activity meets all/some of the Council's main aims).</p>	<p>Subject to offer/negotiation, and mindful of consistency of approach.</p> <p>Rates will be agreed mindful of the size/scale of the event, and the projected financial profitability of the activity.</p> <p>The rate shall be agreed by the DECS (or ADCSS in his absence) in consultation with the Portfolio Holder and may be either a fixed charge, or a profit share arrangement if felt to be prudent.</p> <p>In exceptional circumstances, on formal request from an event/activity provider, the Portfolio Holder will have discretion to waive any/all charges in full or in part if it is felt the imposition of a charge is counter productive to the Council's main aims.</p>	<p>As for High season.</p>
<p>Use of site for 'private' activity that is <u>not</u> profit making and is promoting something that <u>is</u> directly compatible with supporting the Council's main aims. e.g. RSPB talk/demonstration. Use by NHS for promoting health. Health walks.</p>	<p>Free use</p> <p>Where contribution to main aims is not clear, or it is a fund raising event for the group, at ADCSS discretion a level of charges may apply as below</p>	<p>As for High season.</p>

NB Such groups may be raising funds for their own group also.		
<p>Use of a designated site/area for 'private' activity that is not profit making but <b>not</b> obviously in line with supporting council main aims.</p> <p>e.g. Use for wedding photographs Use for a children's party.</p> <p>NB Such groups may be raising funds for their own group also.</p>	<p>£80/hour- (extent of area to be at manager's discretion)</p> <p>The DCE/ADCSS in consultation with the Portfolio Holder may consider a waiver of the charges in whole or in part on request.</p> <p>Where a full waiver of charges is agreed, an invitation might be issued for a voluntary contribution to a relevant Park Advisory group or charitable organisation, such as the mayor's Charity for the year.</p>	<p>£40/hour (extent of area to be at manager's discretion)</p> <p>The DCE/ADCSS in consultation with the Portfolio Holder may consider a waiver of the charges in whole or in part on request.</p> <p>Where a full waiver of charges is agreed, an invitation might be issued for a voluntary contribution to a relevant Park Advisory group or charitable organisation, such as the mayor's Charity for the year.</p>
<p>Use of space for charitable activities (charity event being defined as an event for a charity, that is run without an aim of raising funds, or so as to raise funds only and solely for one or more registered charities. No personal gain should result from the event.)</p>	<p>Free to use, but less any direct costs incurred, such as gate securing, setting up chairs, litter clearance etc. Damage caused to the area would be subject to the cost of remediation being recovered at the Portfolio Holder's discretion.</p>	

Should arbitration be required on the category designated in the left column, this will be determined initially at the discretion of the Assistant Director Communities and Street Scene (ADCSS), and on appeal to the Portfolio Holder.

Any requests or offers for 'discount for quantity' to be subject to the Council financial procedure rules, with 50% variance by delegation to the ADCSS.

Any request for use of a large area, or whole site, considered to be outside of the guidance above, to be agreed by negotiation (ADCSS in consultation with the Portfolio Holder).

The ADCSS, in consultation with the Portfolio Holder, to be given delegated authority to refuse any booking which it is felt cannot be accommodated or is inappropriate. Inappropriate will include any group or charity that may have aims or aspirations that are considered to be contra to the Council's aims, and special consideration will be paid to equality, diversity and Human rights issues.

The ADCSS, in consultation with the Portfolio Holder, to be given delegated authority to gift up to 100% of any income from an event/activity, to a Park Advisory Group in instances where their help has been of assistance in the delivery of an event.

### **Non-Compliance**

Where the above policy is not adhered to, the Council will take appropriate action, which may include recovery of costs and subject to legal basis.

This action will always be taken in consultation with the relevant enforcement sections, including the Council's legal services, and the Portfolio Holder will be notified.

See attached Retail Policy.

POLICY ENDS