

**SUBJECT:** A POLICY AND STRATEGY FOR FINANCIAL CONTRIBUTIONS TO SUPPORT PARKS AND OPEN SPACES

**DIRECTORATE:** COMMUNITIES AND ENVIRONMENT

**REPORT AUTHOR:** STEVE BIRD, ASSISTANT DIRECTOR, COMMUNITIES AND STREET SCENE

## **1. Purpose of Report**

- 1.1 To propose both a policy and a separate supporting strategy that sets a framework for requesting, receiving and accepting financial support from a wide variety of sources that can be dedicated to protect, enhance, and promote the City Council owned parks and open spaces (excluding the Commons which are subject to an Act of Parliament).

## **2. Executive Summary**

- 2.1 The parks and open spaces of Lincoln have a vital part to play in supporting many of the Council's future ambitions for the city.
- 2.2 To realise that potential, and so maximise the benefits open spaces can provide always requires more funding. In the current economic climate allocating greater City Council resources to further increase spending on open spaces is very challenging.
- 2.3 However, there are a wide range of potential income streams for parks and open spaces such as grants, sponsorship, advertising income, and bequests. It is therefore essential that the Council does not overlook opportunities to generate funds that can be dedicated to support the city's parks and open spaces, but it is also recognised that it is important to consider any such opportunities carefully so as not to inadvertently or unintentionally impact park/open space users negatively.
- 2.4 The attached documents are a proposed policy and supporting strategy that are intended to provide a framework for staff/volunteers/ residents/ third parties, under which an opportunity is provided to contribute financial support for a site.
- 2.5 For absolute clarity, it is not the intent of this policy to seek to redefine any casual activities such as dog walking, jogging, running, playing football (or any such similar casual use), as events or activities that might fall subject to a direct charge. This policy relates to many opportunities for income, and specifically aims to do this without deterring fair and legitimate use.

### **3. Background**

- 3.1 For many years the Council has direct funded the maintenance of its parks and open spaces, and only supplemented this to date with what has been very minimal supporting income from events/activities.
- 3.2 Significant capital investment has been made at times when it has been possible or required, and when this has been the case, every effort has been made to enhance this by working innovatively with appropriate partners and securing match funding through granting bodies such as the National Lottery. Notable successes have been the Arboretum, and Boutham Park with development of a master plan for Hartsholme Country Park's improvement remaining a corporate ambition over the next few years.
- 3.3 The profile of parks and open spaces has never been higher than it is now. The demands placed on these important sites continues to escalate, and with it the Council's aspirations for the important roles these spaces will play in the future of the city. With this the opportunities they provide to enhance the lives of residents becomes strategically more important. It is therefore vital that opportunity to contribute to the future of the city is not stifled by missing opportunities to attract investment.
- 3.4 The Council's financial position does not currently permit funding beyond maintaining them to a good standard, and so many aspects of desirable enhancement may go unrealised, at least for the foreseeable future, unless opportunities for new funding are explored.
- 3.5 There are a wide variety of routes that can constitute income, from grants to sponsorship, advertising income and bequests. Mindful of the complexities that surround the various income options that exist and arise for both the Council and supporting groups, this policy seeks to provide both a clear policy, and where that cannot be specified without risk of unintended consequences, broader guidance.
- 3.6 It is vital to be clear that through the development of this policy it is not the intention to pursue income indiscriminately, but simply to ensure that no income opportunities are overlooked, and that any income opportunities that are pursued are applied fairly and with full consideration to the site, the context, and the Council's aims and ambitions for the city and its residents and visitors.
- 3.7 It is also vital to understand that as this is the council's first policy for such a diverse area of work, it is anticipated that it will require regular review, at least initially. It is intended that, subject to its early adoption, review will be aligned with the annual Portfolio Holder report.

### **4. The Policy**

- 4.1 The policy acknowledges the complexity of trying to set rigid rules where each site is different, each income opportunity is different, and the context of each case may vary considerably. For this reason, the policy is careful to set clear policy where that is possible, but where it is not, it establishes guidance and a suitable decision-making route with accountability.

- 4.2 As owners of the sites the Council recognises its responsibility is ensuring all income opportunities that might be considered are done fairly for users, and so includes within its scope reference to the key partners of Park Advisory Groups.
- 4.3 It is the intent of the policy that it provides opportunities to generate income in support of parks and open spaces, that it enthruses stakeholders to generate income for parks initiatives, and that it does not deter use.
- 4.4 Whilst such a flexible policy requires use of delegation, it is recognised that this must not take decisions beyond any scrutiny. Any Chief Officer decisions will therefore be subject to appeal to the Portfolio Holder.

## **5. Policy Scrutiny Committee**

- 5.1 The draft policy was presented to Policy Scrutiny Committee on 3 October 2023, where it was debated. Key issues were:
  - a) That the policy should not deter legitimate open space users.
  - b) That greater detail on what it meant in practice would be helpful.
  - c) Recognition that it was difficult to cover every eventuality if the policy was to be comprehensive, so required some delegation.

These points were noted, leading to the referral to the Executive with a draft strategy document to make clear what the options could look like in practice.

## **6. Strategic Priorities**

### **6.1 Let's drive inclusive economic growth**

An important part of the Council's agenda for growth is the recognition that it needs to create an environment that ensures that Lincoln is recognised as a great place to live, work or visit. The quality of green spaces can make a location more or less attractive simply by their apparent condition, often mirroring the prosperity of an area. This proposal provides an opportunity to significantly improve the income that parks can create, and thus provides an opportunity for future investment.

### **6.2 Let's reduce all kinds of inequality**

The provision of public parks emerged in the Victorian era as a concept to provide the working classes with spaces that offered opportunity to improve their physical and mental wellbeing. It quickly became recognised that everyone in a community enjoyed and benefited from well run and maintained parks and open spaces.

In today's world they still provide the same benefits, as well as a number of others that are relevant to the modern age, such as community cohesion and providing sanctuary for precious urban wildlife.

This proposal does nothing to prevent or deter the use of parks as free access resources. It does however provide an opportunity to enhance the visitor experience and additionally adds the potential for income generation which promotes opportunities for investment.

### 6.3 **Let's enhance our remarkable place**

Lincoln's parks and open spaces are an asset which has unquantifiable value; they are a key part of the City Council's strategic approach to improving the city for the benefit of all those who live, work or visit this city. The Council has expressed a clear aim to build on the success of its current events/activities programmes by making them more sustainable long term and providing opportunities for inwards investment. This report underpins that and, if supported, provides the foundations from which to build an enhanced events programme in the future.

### 6.4 **Let's address the challenge of climate change**

The city's parks and open spaces are often referred to as it's lungs. This initiative aims to support the use and promotion of these sites, and to seek investment for the improvement and protection.

## 7. **Organisational Impacts**

### 7.1 **Finance**

It is the aim of the policy and supporting strategy to provide opportunities to request, receive and accept new funds to support, protect, and enhance parks and open spaces, so any income generated will be ring-fenced for re-investment in parks and open spaces.

It is not possible to forecast with any accuracy the income that might be achieved as this will be subject to a wide range of criteria. Income is already being achieved in some very small ways via events/activity charges, and by Park Advisory Group (PAG) activities, which act as a beacon to the potential of what might be achieved. Smaller activities may result in a few hundred pounds, whereas a franchise in a park for a new facility might generate several thousands of pounds. It is the premise of this policy that any income generated will aid the improvement of open spaces.

Ultimately this policy has led to the strategy, which has reviewed existing and new income opportunities. The extent to which the Council accepts or rejects these new opportunities will define the potential for income.

It is the intent that sums of income generated will be held for PAGs in specific clear budget lines within the Council's financial processes, to ensure probity, but the sums will be prioritised for spending by the PAG meetings. There will be routine reporting of income and expenditure in line with respective PAG wishes, reported to PAG meetings.

### 7.2 **Legal Implications including Procurement Rules**

Lincoln's parks and some of its open spaces have bylaws which prohibit certain uses. On common land the governing Act prevents business enterprises from being run (others than those expressly permitted) which is why it is not covered by this policy or strategy.

The Council retains the right to control markets, and to seek licensing accordingly. A market is legally defined as 'a concourse of 5 or more buyers and sellers. This

can be either stalls, tables or car boots and is applicable to both indoor and outdoor markets. Under market licensing any fees applied for use of the park would not obviate the requirement to apply for a market license and (if granted) pay the required fee (this may be free for charities).

The consumption of alcohol is not expressly forbidden by the bylaws, but there are legal restrictions on the sale of alcohol (See Section E of the policy).

### **7.3 Equality, Diversity and Human Rights**

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- Eliminate discrimination
- Advance equality of opportunity
- Foster good relations between different people when carrying out their activities

There is nothing in this report that negatively impacts this duty.

It should also be noted that the Council is alert to the risks that not all groups or indeed charitable causes align with the aims of the Council. The policy therefore includes for options to exclude or deny requests from such organisations that might risk operating contra to the aims of the Council. Not least with regards to equality, diversity and human rights issues. An Equality Impact Assessment is attached.

### **7.4 Land, Property and Accommodation**

Issues relating to leases are referenced in the Policy so as to be clear that such issues will be addressed outside of this policy by Property Services directly.

### **7.5 Significant Community Impact &/or Environmental Impact**

The Policy has been discussed with the Chairs of the Park Advisory Groups,

It is hoped that the policy will generate income in support of an enhanced and more sustainable event/activity programme, that will in turn bring communities together.

There are no negative environmental impacts.

### **7.6 Corporate Health and Safety Implications**

Events on Council land, or run by Council staff need to be carefully governed to ensure health and safety requirements are met.

The Council has run events for many years now, and has policies in place to meet these requirements. Equally, by formalising the requirements for events run by third parties it ensures that the necessary health and safety requirements are in place.

The procedures are regularly reviewed, and overseen by health and safety professionals.

## **8. Risk Implications**

### **8.1 (i) Options Explored**

a) All uses, including for any events/activities - free. In the current economic climate this not a sustainable approach and it would do nothing to promote investment in the parks and open spaces.

b) All uses, including events/activities charged. This would not be practical to administer, and would in deter use and be counter-productive to Council aims to encourage residents and visitors to use our parks.

c) Development of a flexible policy. An attempt to set clear policy but provide flexibility so as to support the Council's aims and ambitions without deterring appropriate use.

### **(ii) Key Risks Associated with the Preferred Approach**

Development of a flexible policy and guiding strategy.

Given the complexity of the issue, there will always be opportunities/approaches that are outside of the scope of the policy which will require careful thought.

Where people face a change there will always be challenges. By being transparent in the approach, and its purpose, it is hoped that most of these will be mitigated.

The policy does provide for an appeal process.

## **9. Recommendations**

9.1 That Executive approve the policy.

9.2 That Executive agree the strategy.

**Is this a key decision?**

Yes

**Do the exempt information categories apply?**

No

**Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply?**

No

**How many appendices does the report contain?**

4  
Policy Proposal  
Strategy Proposal  
EIA  
Minute Extract 3 Oct 2023

**List of Background Papers:**

None

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